

HAS SOMEONE INTERFERED WITH YOUR BUSINESS?

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You may need to suspend disbelief, but outside parties to current business deals do not always respect the agreements in South Florida and throughout the country.



**JEFFREY
ADELMAN**

If you have ever been the victim of another person or entity who purposefully ruined a business deal for you, there may be a legal remedy available for such actions.

Tortious Interference with a Business Relationship is a legal cause of action in Florida for situations where an individual

wrongfully interferes with a business relationship you have with another party.

The elements that must be met in order to support this cause of action are: the existence of a business relationship; knowledge of the relationship on the part of the interfering party; intentional and unjustified interference with the relationship; and damage to the person or business who had the agreement as a result of this unjustified interference. It is important to note that the elements do not include a written contract as a requirement.

Let's say a contract or even an oral agreement exists with a person to sell him a product. Everything is fine with the business arrangement and you con-

tinue doing business with this person for several years. Another individual, we'll call him Dan Defendant, knows of this relationship and contacts your longtime customer telling them you are selling products made of inferior quality materials and charging more than most sellers of the same product.

As a result of this conversation, your longtime customer ceases to do business with you, and to make matters worse, begins a new relationship with Defendant. Not only are you distressed over this turn of events, you have now lost a regular customer account, and your reputation has been damaged by Defendant's actions.

In addition to having a cause of action for slander, a valid cause of action for Tortious Interference with a Business Relationship exists to receive the profits you would have received had Defendant not intentionally and unjustifiably interfered with your agreement.

This is merely one example of a situation where this cause of action can be used. Your customer does not necessarily have to start doing business with the interfering party. You could lose the account and the customer could go to a competitor who has nothing to do with the interfering individual.

There are so many situations in today's business climate where these legal actions can exist.

Thankfully, this remedy exists to ensure that relationships are protected and makes outsiders think twice before intruding upon the relationship. If you feel you have been a victim of another's wrong-

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ful interference with a business opportunity, it is in your best interests to contact an attorney to protect your rights against these meddling individuals.

If you have any questions about Tortious Interference with a Business Relationship or would like a certain legal issue to appear in a future column, contact me at the e-mail address listed below.

Jeffrey A. Adelman is a trial attorney with offices in Coral Springs. He can be reached via e-mail at AdelmanLawFL@aol.com.