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CT judge allows suit v. Edible Arrangements

Yesterday

A Bridgeport federal judge has ruled a franchisee collective can proceed with its suit against Edible Arrangements in Wallingford.

U.S. District Judge Warren W. Eginton denied Edible Arrangements' motion to dismiss the suit brought by some 200 franchisees organized as the EA Independent Franchise Association, according to the franchisees' New Jersey lawyer.

The 2010 complaint alleges that Edible Arrangements has altered the business arrangement with its franchisees over the last several years, to their detriment, in violation of its contractual obligations and general principles of fairness.

The franchise and members market gift bouquets fashioned from cut, fresh fruit.

In addition, the complaint charges that Edible Arrangements has unfairly implemented several system-wide mandates, has enforced new mandates on a discriminatory basis and has failed to disclose necessary and required business information to its franchisees in violation of franchise disclosure rules and regulations.

Franchisees allege Edible Arrangements has rebuffed their efforts to talk about the issues.

A call to Edible Arrangement's lawyer was not immediately returned Wednesday.

"This decision benefits not only the Edible Arrangements franchisees, but franchisees throughout the United States," the franchisees' attorney, Justin M. Klein, of Red Bank, N.J., said in a statement. "It means that individual franchisees may rely on associations they join to help protect their interests against overbearing conduct of a franchisor."