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Judge rejects Edible Arrangements' bid to throw out lawsuit

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BRIDGEPORT — A U.S. District Court judge has rejected a bid by Edible Arrangements to have a lawsuit filed in September against the Wallingford company dismissed.

Judge Warren Eginton ruled Tuesday that the lawsuit by EA Independent Franchisee Association can move forward. Attorneys for the company, which specializes in “floral” arrangements made of fresh fruit, had sought to have the case thrown out on the grounds that the association does not have legal standing to bring claims on behalf of franchisees who belong to the group.

Justin Klein, the New Jersey attorney who is representing the association, said he and his clients, are “extremely pleased” with the judge’s ruling. Almost 200 franchisees of Edible Arrangements are represented in the lawsuit, including some Connecticut franchisees that Klein refused to identify.

“This decision benefits not only the Edible Arrangements franchisees, but franchisees throughout the United States,” Klein said. “It means that individual franchisees may rely on associations they join to help protect their interests against overbearing conduct of a franchisor.”

Officials with Edible Arrangements were not available for comment on the latest development in the lawsuit, which contends that the company has altered its business arrangement with its franchisees over the last several years.

The franchisees claim in the lawsuit that they have seen expenses increase because of new mandates implemented by Edible Arrangements, which they contend violates the company’s contractual obligations and general principles of fairness.

“We have been forced to protect our business investments as a result of unfortunate decisions made by the company that, quite frankly, work severely against the franchisees,” said Sherri Vertorano, a North Carolina franchisee and a member of the franchisees’ group.

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