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No verdict decided in Nestle case Closed juice business takes on food giant

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EDINBURG — Attorneys for a Pharr juice company asked a jury for up to \$100 million in damages, in a case where the food giant Nestle is accused of violating a contract with the company by going directly to its grape suppliers.

Jurors deliberated for three hours Friday without a verdict before deciding to reconvene Monday.

The trial, *Americana Juice Imports v. Nestle*, began three weeks ago on April 19 in Judge Rudy Delgado's 93rd state District Court.

Americana owner Sheila Jacaman filed a lawsuit in 1999, claiming that Nestle violated their contract by secretly buying Salvador grape concentrate from Jacaman's grape suppliers in Mexico. Jacaman had successfully marketed a grape juice blend of the Salvador grape, which has vibrant color but weak taste, and the Concord grape, the grape traditionally used for juice. Nestle had a contract with Jacaman to buy the juice blend for use in Juicy Juice, a wellknown Nestle product.

In closing arguments Friday, Jacaman's attorneys told jurors that Nestle had stolen Jacaman's trade secret, the formula for the juice blend, which in turn led to the demise of her company once estimated to be worth \$20 million.

"Nestle's a big company and they make a lot of money and they made a lot of money on this," said Gerald T. Drought, Jacaman's attorney.

Drought estimated that Nestle made \$62 million from using grapes from the Mexican grape growers and Americana's formula.

Nestle's attorney Peter K. Stris said Nestle did no wrong and simply was doing business because it needed more grape product than Americana could produce.

"Nestle has the absolute right to buy that juice," Stris said. He added, "Sheila Jacaman's business fell apart in 1998 and it fell apart all by itself."

Holding a lottery ticket, Stris told jurors that Jacaman filed the lawsuit expecting a big payout.

"She thought she had a ticket to the Texas Mega Millions," Stris said.

Nestle is the largest food and beverage company in the world, according to its website. The company had \$65.5 billion in sales last year, employs 230,000 people and has factories or operations in virtually every nation, according to the site. In addition to Juicy Juice, the company also markets Stouffer's, Nesquik, Nestea, Perrier, Fancy Feast pet foods and other products.