

By: Danny Jacobs Daily Record Legal Affairs Writer June 16, 2014

A Baltimore County judge has awarded a prosthetics company more than \$11,000 from a former employee for false testimony the man gave during a trial earlier this year.

Maryland Orthotics & Prosthetics Co. Inc. (MDOP) alleged Dennis G. Haun testified falsely as to his whereabouts the night he allegedly copied digital files from MDOP's office shortly before leaving the firm in December 2011. Haun's testimony led MDOP to obtain cellphone analysis to determine his whereabouts, according to court documents. MDOP sought \$36,000 in attorneys' fees and reimbursement for experts' fees it incurred as a result.

Judge Michael J. Finifter found Haun acted "in bad faith...by committing perjury" and ordered him to pay MDOP \$11,098, in an order signed June 3.

Haun left MDOP after a decade with the company. MDOP filed suit two months later, alleging Haun had decided to leave in January 2011 and spent the rest of the year "actively and secretly acting as a competitor." In February, a Baltimore County Circuit Court jury awarded MDOP more than \$150,000, finding Haun breached his fiduciary duty.

But in April, Finifter ruled MDOP [could not block Haun from seeing 10 patients](#) he worked with prior to joining his new employer, Metro Prosthetics Inc. Finifter found, in part, that the jury's verdict meant MDOP suffered no irreparable injury.

Haun's lawyers said he never signed a noncompete agreement and therefore was free to compete with MDOP once he left the company.

The litigation between Haun and MDOP continues in U.S. Bankruptcy Court in Baltimore, where the firm is objecting to Haun filing for bankruptcy last June on the eve of the trial date, leading to a postponement. A bankruptcy judge later lifted the stay, resulting in the jury trial earlier this year.