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**Atty Sez Claim of “Irreparable Harm” in Oh Termination Situation
“Absurd”**

Can losing 0.54% of a distrib’s biz lead to “irreparable harm”? That’s what judge suggested in giving rare preliminary injunction to Oh distrib Hill who sued St Killian Importing after St K tried to terminate Hill, acting as successor-mfr. St K bought Carlsberg rights earlier this yr. Tho Carlsberg brands just 0.54% of Hill’s biz in 2010, judge wrote Hill stood to lose “customer goodwill” if it loses brands. No other brands could “fill the void” and other importers might look to other distribs if Hill terminated. So judge said impact of losing brands “resonates long after the initial termination” and Hill faces “risk of irreparable harm.” That suggestion raised some eyebrows, not only at St K. Atty Drew Jaglom, who has represented plenty of distribs over the yrs, told Express: “With respect to the Hill Carlsberg termination, unless the Ohio market is very different from what I am familiar with, the Court greatly overstates the importance of Carlsberg to a wholesaler’s portfolio. The notion that Hill Distributing would lose significant business and customers and so suffer irreparable harm strikes me as absurd.”

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