



Burr & Forman Successfully Represents Former Amazon Employee in Defense of Claims Alleging a Kickback Conspiracy

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Burr & Forman, LLP successfully represented former Amazon employee, Carl Nelson in a federal suit, *Amazon.com Inc. et al. v. WDC Holdings LLC et al*, alleging a real estate kickback scheme involving several data center transactions.

In a ruling filed Thursday, April 6, 2023, a Virginia federal judge ruled in favor of Nelson and the other defendants and summarily dismissed all of the federal claims made by Amazon, ruling that Nelson had not breached his employment contract and that the company failed to show any damages, despite alleging millions of dollars in losses.

Amazon alleged Carl Nelson and a colleague worked with a real estate developer to direct land deals to the developer in exchange for what Amazon claimed was millions of dollars in kickbacks. The Court found that Amazon had not produced sufficient evidence to support its claims.

U.S. District Judge Rossie D. Alston Jr. ruled, among other things, that Amazon failed to prove that it lost any money in connection with these transactions, which the Court called a “glaring omission” given that the company had claimed losses of nearly \$18 million. This omission “may have been a conscious one,” the Court said, because it appeared that the land was worth more than Amazon paid for it.

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Nelson was represented by Burr attorneys Alex Little, Adam R. Smart, Rachel Friedman, and Emily H. Mack. In a Law360 interview, Little said, "Our clients have lived under the shadow of these sensational racketeering allegations for three long years. When Amazon was finally forced to prove its case, the court determined it could not do so. We are thankful for the court's careful reasoning and its decision to dismiss all of Amazon's federal claims."