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## CableNet Exec Coerced Technician Out Of Workers' Comp: Suit

By **Matt Fair**

Law360, New York (August 8, 2012, 7:49 PM EDT) -- A CableNet Services Inc. executive commissioned paintings he never paid for from the wife of a company technician injured on the job as a means of pressuring the employee from filing a workers' compensation suit, a suit filed in Pennsylvania court alleged Tuesday.

Lilliana Didovic accuses John Pergolini of pressuring her husband, installation technician Josip Didovic, out of lodging a workers' compensation suit after he fell from a utility pole in 2005.

As part of his efforts at coercion, Pergolini in 2006 allegedly commissioned nine paintings from Lilliana Didovic, an artists whose work has been featured in galleries throughout Philadelphia, that he did not paid for.

"In order to assure that he would not be sued by Mr. Didovic, Pergolini decided his strategy would be to create an impression of another Didovic family member working for him to assure his leverage and overmastering dominance over the couple as an employer or a contractor financier of both husband and the wife, so as to decrease the chances of Mr. Didovic bringing the claim until the statute of limitations had run out," the complaint said.

After Josip Didovic was injured in 2005, Pergolini allegedly began making regular, unsolicited visits to the Didovics' home and asked Josip Didovic not to file a personal injury complaint because it "would not look good for a lucrative prospect of keeping a large client like Comcast, who was then evaluating long-term cooperating with CableNet and Pergolini." CableNet is an authorized contractor with Comcast.

The suit says that Pergolini promised to "make it worthwhile" for Josip Didovic to refrain from filing suit and continued to pay Josip Didovic's regular salary while he recuperated at home. In April 2006, Josip Didovic returned to work in a new position as a quality control inspector.

In July 2006, Pergolini telephoned Lilliana Didovic to express interest in having her create a series of paintings for CableNet's office, according to the suit. Over the next several months, she produced the paintings but was never compensated for supplies or her work, the suit says.

Meanwhile, according to the suit, "Pergolini would visit Mr. Josip Didovic at his job at CableNet, [and] he would reach in his pockets and ask Mr. Josip Didovic in a blight manner, 'I owe you any money?'"

When the statute of limitations on Josip Didovic's workers' compensation claim wound down in 2008, he was immediately demoted to work as an uninstaller disconnecting cable service from nonpaying customers in South Philadelphia, the suit says.

After repeatedly contacting Pergolini about the paintings, informing him that she would consult a lawyer if she didn't hear back, Pergolini responded to Lilliana Didovic in July saying that he thought the paintings were a gift, according to the suit. By the end of the month, Pergolini had allegedly shipped the paintings back to the Didovics.

According to the complaint, the total value of the paintings at the time they were produced was

between \$4,500 and \$9,000.

The suit levels allegations of fraud and misrepresentation, unjust enrichment and seeks the six-year annuity value of all the paintings, an amount estimated at more than \$50,000.

Pergolini was not immediately available for comment Wednesday.

Didovic is represented by the Law Office of Predrag Filipovic.

Counsel information for the defendants was not immediately available.

The case is Lilliana Didovic v. John Pergolini et al., case number 120800290, in the Philadelphia Court of Common Pleas.

--Editing by Andrew Park.

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