

# Jenner & Block Team Secures Win for Client KFC in Tenth Circuit Court of Appeals

## News

August 4, 2023

On August 4, a team of Jenner & Block lawyers secured a win in the United States Court of Appeals for the Tenth Circuit on behalf of firm client KFC (part of Yum! Brands, Inc.). The Tenth Circuit reversed an adverse jury verdict and ordered that judgment be entered for KFC. The case concerned a challenge to the way that KFC licenses new restaurants. The plaintiff alleged that the procedures KFC employs to locate and license new restaurants violates the implied covenant of good faith and fair dealing under existing franchise agreements because it negatively impacts existing restaurants. The Tenth Circuit held that KFC's franchise agreement authorized KFC actions as a matter of law, i.e.: "KFC's alleged bad faith did not undermine any benefit or protection afforded to [the franchisee] by his franchise agreement with KFC." Partner Dan Weiss argued the appeal. The team included Partner Clifford Berlow, Associate Dan Bobier, and Senior Paralegal Michael Hughes.

Read Law360's coverage of the case here and read the published opinion here.

## Related Attorneys

### Daniel Weiss

Partner

dweiss@jenner.com

+1 312 923 4517

## **Clifford Berlow**

Partner

cberlow@jenner.com

+1 312 840 7366

## **Related Capabilities**

Appellate and Supreme Court

Business Litigation

## **Related Locations**

Chicago

© 2026 Jenner & Block LLP. Attorney Advertising. Jenner & Block LLP is an Illinois Limited Liability Partnership including professional corporations. This publication, presentation, or event is not intended to provide legal advice but to provide information on legal matters and/or firm news of interest to our clients and colleagues. Readers or attendees should seek specific legal advice before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact [dataprotection@jenner.com](mailto:dataprotection@jenner.com).

**Stay Informed**

