

Second Circuit Allows After-Acquired Evidence to Support Termination Decision

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On October 9, 2014, the United States Court of Appeals for the Second Circuit, in a summary order, affirmed a district court's admission of evidence at trial of a former employee's misconduct, discovered after the employee's termination, to support the employer's reason for discharging the employee. *Weber v. Fujifilm Medical Systems USA, Inc., et al.*, Nos. 13-4891-cv(L), 14-206-cv(XAP) (2d. Cir. Oct. 9, 2014). While courts generally accept such "after-acquired evidence" to determine if a plaintiff is entitled to damages, the Weber court expands the after-acquired evidence doctrine by allowing such evidence to be admitted for the purpose of confirming an employer's legitimate, non-discriminatory reason for discharge... [Continue Reading](#)

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