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## BUSINESS

# Appeals court sends Society Brands lawsuit back to Stark County court



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CANTON – An appeals court has ruled that Stark County Common Pleas Court erred in dismissing Primal Life Holdings' civil lawsuit against the Canton-based Society Brands last fall.

Ohio's Fifth District Court of Appeals returned the case to the trial court for further proceedings. Judges Andrew J. King, Robert G. Montgomery and David M. Gormley presided over the appeal.

"It is evident each side has numerous claims and allegations against each other to survive a motion to dismiss," according to their [court opinion](#) issued Aug. 4.

Common Pleas Judge Frank Forchione [dismissed the case](#) in November 2024, stating that the plaintiff "can prove no set of facts warranting recovery in this matter and that dismissal is proper." He also concluded that Trina Felber, the founder of Primal Life Organics, was "not tricked into signing anything" and that her dissatisfaction with the business transaction did not make it fraudulent.

The appeals court noted that the plaintiff did not include supporting documents with her complaint and had cited confidentiality, but said her claims were sufficient for the case to continue.

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Society Brands' stated mission is to acquire e-commerce companies, offer the founders opportunities to stay involved and provide resources to grow the business. The company acquired the Fairlawn-based Primal Life Organics, which specializes in natural personal care products, in December 2023.

Felber remained involved as brand president until being fired "for cause" in April 2024. She accused Society Brands and its founding brothers, Michael and Justin Sirpilla, of not living up to their promises in a [civil lawsuit](#). Her complaint lists several offenses that include fraud, breach of contract and unauthorized use of her persona.

Richard C. Vasquez, the lead attorney representing Felber, said the "real salt in the wound" was that after the Sirpillas fired Felber, they bought her ownership stake at a discount and continued to use her image and persona in marketing material.

"And then they tried to tell the trial court judge that they bought her likeness and image. Well, the Court of Appeals said no, they didn't," he said. "In this case, this is going to go to trial."

Vasquez said the dismissal took him by surprise, but now that the case was returned to Stark County Common Pleas Court, he expects it to continue to discovery and a jury trial.

Michael Sirpilla said the Society Brands' defendants "respectfully disagree" with the appeals court's decision and plan to file their own counterclaims in the coming days.

"The ruling by the appellate court is a purely legal/procedural matter (i.e., that a dismissal was premature) and has no bearing on the relative strength of the parties' claims and defenses," he said in a prepared statement. "That said, we're fully prepared for the next phase of this case and welcome the opportunity to assert our various counterclaims. We remain confident that the facts and the law are squarely on our side and that we will ultimately prevail."

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