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CFTC Amends Whistleblower Rules to Strengthen Anti-Retaliation

Home > State-Specific Whistleblower Claims > Jury Rejects Whistleblower Claim By Former SpaceX Employee

Jury Rejects Whistleblower Claim By Former SpaceX Employee



By [Harris Mufson](#) and [Susan McAleavey](#) on June 7, 2017
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On June 7, 2017, a California jury returned a 9-3 verdict, dismissing whistleblower claims brought by a former Space Exploration Technologies Corporation ("SpaceX") employee. *Jason Blasdel v. Space Exploration Technologies Corp. et al.*, Case No. BC 615112 (Cal. Super., LA County).

Jason Blasdel, who was employed as an Avionics Test Technician by SpaceX, a space transport company whose clients include NASA, commenced a lawsuit in April 2016 in the Superior Court of the State of California, alleging that he was improperly fired after informing company officials, including CEO Elon Musk, that his managers pressured technicians to deviate from written test procedures and to sign off on testing that had not been performed on rocket parts as written protocols required. According to Blasdel, this violated 18 U.S.C. § 38, which prohibits fraud against a customer involving aircraft or space vehicle parts. Blasdel's complaint alleged causes of action for wrongful termination in violation of public policy, violation of the California Whistleblower Protection Act, Cal. Labor Code §1102.5, and defamation.

At the close of an eight day trial, the company argued that Blasdel was terminated because he became "unmanageable and disruptive" and "was unable to perform the testing he was hired to perform." The company also argued that Blasdel's testimony demonstrated that he never had a reasonable belief that SpaceX was engaging in illegal activity, a requisite element to establishing a whistleblower claim. The jury ultimately returned a verdict for the company, finding that Blasdel's termination was not substantially motivated by his reporting of a "reasonably-based suspicion of a violation of a law" or his alleged refusal to illegally falsify test results.

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