

# Lawsuit: Angel's Envy accused of misleading customers

*Posted: Feb 09, 2015 9:59 AM*

*CSTUpdated: Feb 09, 2015 10:18 PM CST*

LOUISVILLE, KY (WAVE) - There are accusations one of Kentucky's hottest boutique whiskeys is not what it claims to be.

The makers of Angel's Envy are being sued for allegedly violating the Kentucky Consumer Protection Act for false advertising.

The company is denying those allegations.

Angel's Envy rye whiskey is one of those hard-to-get-your-hands-on bottles. A new lawsuit claims the rye isn't as rare, or as home-grown, as it claims to be.

Bourbon and whiskey sales are big business, especially in Kentucky. The more scarce the brand is, the more people seem to want it. And at Beverage Warehouse on Shelbyville Road, Angel's Envy rye sold out in a day.

"It's all part of the mystique," Beverage Warehouse manager Robert Gentry said.

The much-coveted Angel's Envy rye flew off shelves for about \$80 or \$90 a bottle.

But the lawsuit filed by an Illinois restaurateur accuses Louisville Distilling Co., the makers of Angel's Envy, of advertising that is intentionally false and misleading by marketing its rye as small batch and made in Kentucky.

Mario Aliano, the owner of Aliano's restaurant in Batavia, Ill., claims Angel's Envy rye is actually made in Lawrenceburg, Ind., and is not small batch. The lawsuit alleges the Rye is made with the same recipe as the rest of the rye from that Hoosier distillery.

Gentry said much of this area's rye whiskey originates in Lawrenceburg, but finished in Kentucky. In Angel's Envy's case, in rum casks housed in Bardstown.

Gentry also said if there is more special rye around than Angel's Envy is letting on, and it really isn't small batch, he doesn't know about it.

"If it's huge batch we should have it on the shelf all the time, and we don't," Gentry said.

Aliano teamed with the Chicago-based Zimmerman Law Offices for the class action complaint that claims thousands of consumers and businesses across the country have been injured by the deceptive marketing practices. They're seeking more than \$5 million in damages.

In a lengthy public statement on its website, Angel's Envy said the lawsuit's allegations are "baseless, defamatory and will be vigorously defended by the company."

Aliano and the Zimmerman Law Office also are suing the maker of Tin Cup Whiskey and Tito's Vodka over similar claims of false marketing to drive profits.