

CASE STUDIES

Verdict of More than \$1 Million in Fee Dispute Case for Professional Services Firm

Fee Dispute Litigation

Client industry: Professional services

Type of case: Fee dispute litigation

Court: St. Bernard Parish, State of Louisiana

Length of trial: Eight days

Amount in dispute: \$1.1 million

Result: Verdict for client

Following his election to the Louisiana Court of Appeal, a judge and his former law partner engaged Baker Donelson to pursue a fee dispute against an attorney formerly affiliated with the now-defunct firm. That attorney had left the firm many years earlier, and when he did so, took close to 200 files with him and continued to work on them. Before leaving the firm, the attorney had agreed to share in all fee recoveries and reimbursement of costs after the resolution of cases. However, after he left, and as his cases resolved, he refused to share any of the fees earned or costs recovered pursuant to the parties' agreement. After years of negotiation, the partners engaged our Firm to pursue the matter and recover the fees owed. It is extremely unusual for a sitting judge to engage in legal matters where they themselves are the plaintiffs.

Through discovery, we were able to quantify the amount of fees withheld under the parties' agreement as more than \$1 million, and the costs withheld were roughly \$100,000. Following a series of discovery disputes and motion practice by the defendant in an attempt to avoid trial, and an unsuccessful negotiation where the defendant took the position that he was not even formerly affiliated with the now-defunct firm for a period of time, the court denied all attempts to avoid trial.

The trial team opened the case by calling the defendant attorney to the stand, and kept him on the stand for four consecutive days. At the conclusion of day four, the court adjourned the proceedings and ordered an emergency production of additional records from the defendant that had been withheld during the course of discovery, all based on his impeachment over the course of those four days. Several weeks later, the trial reconvened, and the trial team called the defendant to the stand again, keeping him on the stand for another two days. After a total of eight days of testimony, the court was ready to rule, and found the defendant had been in bad faith in breaching the contract with our clients, and rendered judgment in favor of the plaintiffs on all of their claims. Total judgment through the date of entry was for more than \$1.1 million (the full amount sought), with interest to accrue thereafter.

LEAD PROFESSIONALS



Steven F. Griffith, Jr.

504.566.5225

sgriffith@bakerdonelson.com



Katie L. Dysart

504.566.8611

kdysart@bakerdonelson.com