



## Litigators for the Profession®

Hinshaw has deep experience representing law firms and lawyers across the country. Collectively, we have:

- Defended more than **5000** legal malpractice cases in federal and state jurisdictions from Hawaii to Massachusetts
- Obtained summary dismissal of more than **1000** legal malpractice claims in federal and state jurisdictions from Florida to California
- Represented more than **300** lawyers in disciplinary proceedings
- Tried more than **150** lawyering law\* cases to jury verdict
- Tried more than **100** lawyering law cases to bench judgment
- Obtained more than **200** published appellate decisions regarding lawyering law
- Represented more than **150** law firms in FDCPA, contract, employment, corporate, and other matters
- Hosted the **Legal Malpractice & Risk Management Conference**, the premier annual event focused on the law and litigation of malpractice claims, legal malpractice insurance and risk management strategies

\***lawyering law**: [*loi-er-ing law*]

### **noun**

1. law governing issues arising from, decisions or actions taken by a lawyer in the pursuit of his/her profession or the representation of a client.
2. what the attorneys in the Lawyers for the Profession® group do.

## Experience

At Hinshaw, we have enormously broad legal malpractice trial court experience involving sophisticated underlying cases within the case. Our recent cases include the following:

### **Court Proceedings**

- *Jury verdict for law firm.* Obtained a victory for our law firm client in both the trial and appellate courts in a \$16 million legal malpractice claim. We defeated a corporate plaintiff which alleged that our client committed malpractice in failing to tender an insured claim, mishandled a CPA malpractice case, failed to properly document a corporate buy-out transaction, and negligently drafted transfer documents.
- *Jury verdict for law firm.* Won a \$10 million lawsuit in a federal trial on behalf of a law firm charged with fraud in representing one partner in a non-law firm partnership against the interests of another partner.
- *Summary judgment for AmLaw 200 firm.* In a legal malpractice case involving a criminal trial later affirmed on appeal, the malpractice plaintiff

### Attorneys

Mark T. Berhow  
Paul Buschmann  
Daniel R. Conte  
David Ian Dalby  
Marissa I. Delinks  
Patrick P. Devine  
Matthew C. Ferlazzo  
David A. Grossbaum  
Matthew R. Henderson  
Schuyler B. Kraus  
Terrence P. McAvoy  
Ambrose V. McCall  
Filomena E. Meyer  
Caroline A. Mondschean  
Concepcion A. Montoya  
Jill M. Munson  
Jason J. Oliveri  
Justin M. Penn  
John (Jack) S. Pierce  
Steven M. Puiszis  
John P. Ryan  
Katherine G. Schnake  
David M. Schultz  
Todd P. Stelter  
Linda L. Streeter  
Peter D. Sullivan  
Jennifer W. Weller  
Bradley M. Zamczyk  
Maureen Lennon Zeeb

### Related Services

Consultant/Coach for the



was convicted but later obtained *habeas corpus* relief based on ineffective assistance of counsel. Applying Pennsylvania law, the trial court found that the claim was time-barred because it was not commenced within the applicable period after the termination of the attorney-client relationship. Plaintiff later re-filed his suit in another state, where we successfully removed the case to federal court, had it dismissed on *res judicata* grounds, and convinced the Third Circuit to affirm.

- *Jury verdict for attorney.* We won a malpractice lawsuit brought against our attorney client involving the lawyers's case evaluation and communication with a client who had been held liable for a \$16 million judgment in a partnership dispute.
- *Jury verdict for criminal defense attorney.* We represented an assistant public defender in a \$4 million malpractice claim by an individual who was convicted of sexual assault and sentenced to 36 years in prison. After being pardoned four years later by the governor, based upon exculpatory DNA evidence, the plaintiff unsuccessfully alleged that the public defender failed to investigate and present biological evidence at trial.
- *Summary judgment for attorney.* In a legal malpractice lawsuit involving a murder conviction that was overturned, the plaintiff alleged that the defense lawyers failed to use a peremptory challenge during jury selection. The Seventh Circuit affirmed.
- *Successful defense of law firm in jury trial and appeal.* In a legal malpractice case brought by a high-profile former NBA player, the jury found the plaintiff to be 75 percent at fault, which resulted in the verdict being reduced from \$8 million to \$2 million, before additional setoffs. The net liability of our client was under \$1 million, which was less than 15 percent of the plaintiff's final pre-trial settlement demand.
- *Successful settlement for AmLaw 100 firm.* In a legal malpractice claim involving an underlying medical malpractice case, after two days of hearing on trial-related motions, the judge convinced plaintiffs to take a low offer of just over 10 percent of the pretrial demand.
- *Jury verdict for attorneys.* We won a unanimous jury verdict for the defense in a California trial court in a legal malpractice case where the plaintiff alleged that its attorneys mishandled franchise litigation, causing it a loss in the millions of dollars.
- *Jury verdict for law firm.* We won a defense verdict in a federal district court in a multi-million dollar malpractice suit against a prominent Pennsylvania law firm brought by two Swiss venture capital concerns. The plaintiffs unsuccessfully claimed that our client failed to properly secure their investments in a publicly-traded U.S. medical device company.
- *Dismissal for attorneys upheld on appeal.* Won an appeal that upheld the lawyers' defense in a malicious prosecution case by prevailing on a anti-SLAPP motion. The California Court of Appeal affirmed the trial court's order granting the anti-SLAPP motion because the plaintiff failed to make the required showing that she would likely prevail on her claims, given that she failed to make a *prima facie* case of malice against the attorneys.

## Arbitrations

- *Award for law firm.* Won a defense award where we represented a law firm on a fee claim arising out of a construction defect case. The former clients

Profession®

Counselors for the Profession

Cyber Security for Law Firms

Law Firm Mergers &  
Combinations

Lawyers for the Profession®

Litigation Management



counterclaimed for malpractice. The arbitrator found in favor of the law firm on both the complaint and counterclaim, and required the former clients to pay the firm the full amount of its claim and all of its attorneys' fees and costs incurred in the malpractice case.

- *Compelled arbitration for law firm.* Compelled arbitration in a \$10 million case where we represented a law firm whose clients, relators in a False Claims Act case, filed suit claiming that their fee agreement was void because it violated the California Business & Professional Code. If successful, that would have eliminated the law firm's contractual right to legal fees in the clients' recovery.
- *Defense of attorney leading to successful mediation.* Successful representation of a transactional lawyer whose services were unwittingly used to close an unauthorized loan utilizing a counterfeit consent of investors, which became the subject of a criminal indictment against an LLC's manager, and which resulted in more than \$2 million in losses. We defeated the aiding and abetting claim and set up the intervening criminality and illegal assignment defenses as the bases for a successful outcome in the mediation.
- *Recovery for patent law firm.* Successful recovery for a patent law firm in a multi-million fee dispute arbitration following patent infringement litigation.

## News

[Matthew Henderson Reviews in a Law360 Byline What Law Firms Should Know Amid a Rise in Disqualification Motions](#)  
April 30, 2024

[Media Coverage of Hinshaw's 2024 Legal Malpractice and Risk Management \(LMRM\) Conference](#)  
April 9, 2024

[A Berkley Select Panel Presentation Featuring Matthew Henderson was the Subject of the Most-Viewed PLUS Blog Post in 2023](#)  
January 3, 2024

[Shelley Bethune Appointed Executive Director and General Counsel of Illinois Courts Commission](#)  
May 23, 2022

[Matthew Henderson Discusses Factors Behind Spike in High-Exposure Legal Malpractice Claims](#)  
April 19, 2022

[Joanna Storey Authors BASF Blog Post: ABA Tips for Effective Client-Lawyer Communications](#)  
January 26, 2022

[Hinshaw Contributes U.S. Chapter in Fourth Edition of The Professional Negligence Law Review](#)  
August 24, 2021

[Hinshaw Partner Cassidy Chivers Appointed to Serve on California State Bar COPRAC](#)  
August 23, 2021

[Sixty-Seven Hinshaw Lawyers Recognized in 2022 Edition of Best Lawyers](#)  
August 19, 2021

[Hinshaw Authors Updated Practical Law Q&A Guide on Regulation of the Legal Profession](#)  
June 11, 2021

[Noah Fiedler Flags Ethical Issues Connected to Lawyers Accepting Payment in Cryptocurrency](#)  
March 15, 2021

[Peter Isola Reviews Two California Supreme Court Decisions Concerning Expert Witnesses](#)  
April 28, 2020



[Hinshaw Discusses Potential Problems Posed by the CCPA to the Tripartite Relationship Between Insurer, Insured, and Law Firm](#)

February 3, 2020

[In DRI Column, Cassidy Chivers Discusses Importance of "Minding the Gap" when an Attorney Relocates to Another State](#)

January 24, 2020

[Mollie Kugler and Alyssa Johnson Discuss Law Firm Cyber Liability Exposure in DRI's For the Defense](#)

November 8, 2019

[DRI Honors Hinshaw's Steven M. Puiszis with Louis B. Potter Lifetime Professional Service Award](#)

October 21, 2019

[As Severity of Legal Malpractice Claims Rise, LawyeringLaw.com Provides Risk Management Tools and Services for Lawyers and Law Firms](#)

June 18, 2019

[Hinshaw Helps Secure Sanctions Order Totaling \\$1M against "Serial Litigator"](#)

April 8, 2019

[Bloomberg Reviews LMRM: Off-the-Cuff Legal Advice Can Put Attorneys in Hot Water](#)

March 12, 2019

[Career Retrospective: Recently-Retired Hinshaw Partner and Legal Ethics Expert Tom Sukowicz Profiled in Chicago Daily Law Bulletin](#)

January 23, 2019

[Illinois Appeals Court Affirms Win by Hinshaw Legal Team in \\$4 Million Legal Malpractice Case Filed by Minor League Baseball Association](#)

January 4, 2019

[Hinshaw Client Ungaretti & Harris LLP Secures \\$5.7 Million Judgment for Unpaid Attorneys' Fees](#)

June 22, 2018

[A Team of Hinshaw Attorneys Contribute to 2018 Edition of IICLE Attorneys' Legal Liability Handbook](#)

February 19, 2018

[Hinshaw Legal Team Prevails on Behalf of Prosecutors in Lawsuit Brought by Ex-Aide to Governor Scott Walker](#)

August 30, 2017

[Steven Puiszis Quoted in Bloomberg BNA Article about WannaCry Ransomware Attack](#)

May 19, 2017

[Hinshaw Legal Team Prevails in \\$4 Million Legal Malpractice Case Filed by Minor League Baseball Association](#)

May 19, 2017

[DRI Professional Perspectives: Failure to Plead "But for" Causation Leads to Dismissal of Malpractice Claim](#)

February 7, 2017

DRI Professional Perspectives

[Wendy Chang Reviews Key Developments in California Law of Lawyer Conflicts in 2016](#)

January 3, 2017

The Daily Journal

[Press Coverage of Appointment of Steven Puiszis as DRI National Defense Center Chair](#)

December 2, 2016



Tom McGarry Quoted in Cook County Record Article on Spike in Legal Malpractice Suits  
November 4, 2016

Terry McAvoy Authors DRI Article on Texas Supreme Court Malpractice Case  
October 27, 2016

Steven Puiszis Profiled in Article on his Presentation on Cyber Security at the IDC Conference  
October 11, 2016

Wendy Wen Yun Chang Column Cited in Daily Journal Article on ABA Discrimination Rule  
August 11, 2016

Wendy Wen Yun Chang Quoted in Law360 Article on ABA Anti-Bias Rule Raising Free Speech Concerns  
August 9, 2016

Wendy Wen Yun Chang Quoted in Article on a New Set of Proposed Revisions on California Professional Conduct Rules  
July 13, 2016

Wendy Wen Yun Chang Authors Article on Regulation of Artificial Intelligence in the Legal Profession  
July 12, 2016

Noah Fiedler Authors Article on Lessons for Law Firms on Client Intake  
June 30, 2016

Wendy Wen Yun Chang Authors Daily Journal Article on Professional Conduct in the Legal Field  
June 20, 2016

Wendy Wen Yun Chang Quoted in Article Discussing What Malpractice Attorneys Should Never Tell Clients  
June 7, 2016

Wendy Chang Interviewed by Bloomberg Law on Technology and Attorney Ethical Obligations  
June 1, 2016

Wendy Wen Yun Chang Authors Daily Journal Article on Fair Report Privilege  
May 13, 2016

Tom McGarry and Tom Sukowicz Author Article on ABA Rules Prohibiting Discriminatory Conduct  
May 12, 2016

Steven Puiszis Quoted in Article on Judge Allowing Access to Seized Records in John Doe Probe  
April 13, 2016

Steven Puiszis Authors Bloomberg BNA Article on How Technology is Redefining Competence  
April 12, 2016

Wendy Chang Quoted in Law360 Article on Civility in the Legal Profession  
March 16, 2016

Robert Romero Quoted in Law360 Article Discussing Tips For Crafting Attorney-Client ADR Pacts  
March 10, 2016

Steven Puiszis Quoted in Bloomberg BNA Article Discussing Data Breaches in Law Firms  
March 9, 2016

Wendy Wen Yun Chang Authors Daily Journal Article on Enforcing Advance Conflict Waivers  
February 2, 2016

Tom McGarry Quoted in Illinois Bar Journal Article on Court Sanctions  
January 8, 2016



[Tom McGarry and Tom Sukowicz Author Article in Chicago Lawyer Magazine on "Going a Bit Too Far"](#)  
December 3, 2015

[Steven Puiszis Discusses New York's Proposed Cybersecurity Rules for Banks and Insurers](#)  
November 16, 2015

[Hinshaw Attorneys Cassidy Chivers, Jared Matheson and Susan Ye Author Article "Six Tips for Negotiating Fees"](#)  
November 10, 2015  
The Recorder

[Tom McGarry Quoted in Illinois Bar Journal Article on The Beau Brindley Case: Witness Preparation v. Coaching](#)  
November 5, 2015

[Tom McGarry and Tom Sukowicz Author Article in Chicago Lawyer Magazine on "On Slinging Mud"](#)  
November 5, 2015

[Hinshaw & Culbertson LLP Garners More Than Two Dozen Rankings in U.S. News – Best Lawyers' 2016 "Best Law Firms"](#)  
November 2, 2015

[Tom McGarry and Tom Sukowicz Author Article in Chicago Lawyer Magazine on Walking the Marijuana Tightrope](#)  
September 8, 2015

[Tom McGarry and Tom Sukowicz Author Article in Chicago Lawyer Magazine on Knowing When to Bite Your Tongue](#)  
August 5, 2015

[Adam Vaught Author Article in Dade County Bar Association Bulletin on Judicial Fundraising Rule](#)  
July 29, 2015

[Annmarie D'Amour Authors Article in DRI's The Voice on Ethics and Medical Marijuana](#)  
July 22, 2015

[Tom McGarry and Tom Sukowicz Author Article in Chicago Lawyer Magazine on When a Lie Grows and Grows](#)  
July 2, 2015

[Cassidy Chivers Author Article on Design Professionals](#)  
June 19, 2015

[Tom McGarry and Tom Sukowicz Author Article in Chicago Lawyer Magazine on Ending a Client Relationship](#)  
June 2, 2015

[Adam Vaught Quoted in Florida Bar News Article on Reactions to Yulee Decision](#)  
June 1, 2015

[Tom McGarry Quoted in Illinois State Bar Journal Article on IOLTA-Account Overdrafts](#)  
March 30, 2015

[Tom McGarry Quoted in ABA/BNA Lawyers' Manual on Professional Conduct Article on Using Judicial Error as Malpractice Defense](#)  
March 4, 2015

[Ron Mallen Quoted in Law360 Article on Calif. Real-World Training Rules May Spark National Trend](#)  
January 12, 2015

[Law360 Profiles Hinshaw & Culbertson as a Law Firm "to Have on Speed Dial if Malpractice Trouble Hits"](#)  
November 19, 2014

[Tom McGarry and Tom Sukowicz Author Article on the Risks on Investing in a Client's Business](#)  
November 4, 2014



[Hinshaw & Culbertson LLP Receives Several Tier One Rankings in Multiple Practice Areas by U.S. News - Best Lawyers 2015](#)

November 3, 2014

[Twelve Hinshaw Lawyers Contribute to IICLE's Attorneys' Legal Liability, 2014 Edition](#)

October 13, 2014

[Tom McGarry and Tom Sukowicz Author Article on Dealing with Impaired Lawyers in Chicago Lawyer Magazine](#)

October 8, 2014

[Tom McGarry Quoted in Chicago Daily Law Bulletin](#)

September 12, 2014

[Twenty-Two Hinshaw Lawyers Chosen as Best Lawyers in America 2015](#)

August 19, 2014

[Ronald E. Mallen Named "Lawyer of the Year" for Legal Malpractice Law for San Francisco](#)

August 18, 2014

[Ron Mallen Quoted in Law360 Article on 5 Law Firm Malpractice Cases Attys Need To Know](#)

August 14, 2014

[Wendy Wen Yun Chang's Authors Article Published in California Bar Journal](#)

August 6, 2014

California Bar Journal

[Tom McGarry and Tom Sukowicz Author Article on Cloud Computing in Chicago Lawyer Magazine](#)

August 1, 2014

[Wendy Wen Yun Chang Authors Article in the Daily Journal on the Unfinished Business Rule](#)

July 25, 2014

[Wendy Wen Yun Chang Quoted in Law360 Article on Do's And Don'ts for Cutting Ties With A Problem Client](#)

July 24, 2014

[Tom McGarry and Tom Sukowicz Author Article on Jurors' 'Internet Presence' in Chicago Lawyer Magazine](#)

July 1, 2014

[Wendy Wen Yun Chang Quoted in Daily Journal Article on Tightened Ethics Guidelines for E-Discovery](#)

April 25, 2014

[Tom McGarry and Tom Sukowicz Mentioned in CDLB Article on Landmark Case](#)

April 21, 2014

[David Schultz Quoted in ABA/BNA Lawyers' Manual on Professional Conduct Article on Expanded Statutory Liability for Lawyers](#)

March 10, 2014

[Tom Sukowicz Quoted in ABA/BNA Lawyers' Manual on Professional Conduct Article on Duties When Suspicions Arise That Client Is Lying](#)

March 10, 2014

[Thomas McGarry Quoted in Chicago Daily Law Bulletin on Sanctions Against Lawyers](#)

January 15, 2014

[Tom McGarry Quoted in Chicago Daily Law Bulletin Article on In-house Counsel Amnesty](#)

December 17, 2013





Hinshaw & Culbertson LLP Recognized as U.S. News - Best Lawyers 2014 "Law Firm of the Year" in Ethics and Professional Responsibility Law

November 1, 2013

Seventeen Hinshaw Lawyers Chosen as Best Lawyers in America 2014

November 1, 2013

Tom McGarry and Tom Sukowicz Author Article on Division of Loyalty in Court

September 1, 2013

## Events

22nd Annual LMRM Conference

March 7 – 9, 2023

Chicago

21st Annual Legal Malpractice & Risk Management Conference

March 1 – 3, 2022

20th Annual Legal Malpractice & Risk Management Conference

An All New Virtual Experience

March 2 – 4, 2021

Virtual

2020 Legal Malpractice & Risk Management Conference

March 3 – 5, 2020

The Ritz-Carlton Chicago

Tom McGarry Reviews IP Law Malpractice Developments at 10th Annual Ethics in the Practice of IP Law Seminar

June 7, 2019

Chicago, Illinois

2019 Legal Malpractice & Risk Management Conference

March 5 – 7, 2019

Westin Chicago River North

2018 Legal Malpractice & Risk Management Conference

March 5, 2018

320 North Dearborn Street, Chicago, IL

2017 Legal Malpractice & Risk Management Conference: EARLY BIRD REGISTRATION NOW AVAILABLE

March 1, 2017

320 North Dearborn Street, Chicago, IL

Anthony Davis and Steve Puiszis to Present on Cyber Security and Incident Response Planning

December 7, 2016

Aji Abiedu and Filomena Meyer to Present on Protecting Against Information and Communication Technology Threats

October 28, 2016

Steven Puiszis to Speak at IDC/MODL Defense Law Seminar

September 29, 2016

Steve Puiszis to Speak at the International Legal Technology Association Conference

August 31, 2016





[Robert Romero to Present at PLI's California Trial Advocacy 2016 Seminar](#)

August 3, 2016

San Francisco, CA & Webcast

[Steven Puiszis to Speak at Law Bulletin Ethics 2016 Conference](#)

June 7, 2016

Swissotel Chicago: 323 E Upper Wacker Dr, Chicago, IL 60601

[Wendy Chang to Present at the 42nd ABA National Conference on Professional Responsibility](#)

June 2, 2016

Loews Philadelphia Hotel: 1200 Market Street Philadelphia, PA 19107

[Steven Puiszis to Speak at Part II of the 2016 Symposium on the Law, Policy, and Implementation of Legal Protections for Data Management](#)

April 12, 2016

The John Marshall Law School

[Wendy Chang to Present at Webinar on Ethical Issues When Ending the Attorney-Client Relationship](#)

April 12, 2016

Webinar

[Register Now for the 2016 Legal Malpractice & Risk Management Conference](#)

March 2, 2016

[Steven Puiszis to Speak at ABA Webinar "Bring Your Own Device \(BYOD\): Ethical and Practical Risks/Rewards of Using Smartphones & Tablets for Work"](#)

January 13, 2016

Webinar

[Steven Puiszis to Present Amendments to the Federal Rules on Discovery at a DRI Live Webcast](#)

December 10, 2015

Live Webcast

[Hinshaw Attorneys Tom McGarry and Steve Puiszis to Speak at the DRI Webinar "Risk Management for Law Firms: How to Prevent Legal Malpractice Claims"](#)

November 19, 2015

[Ed Donohue and Robert Romero to Present at ACIC's 26th General Counsel Seminar](#)

July 22, 2015

Encore at Wynn Las Vegas

[Steve Puiszis to Present at Law Bulletin Ethics Conference](#)

June 16, 2015

Lucerne Ballroom of the Swissotel Chicago at 323 East Wacker Drive

[Patrick Devine and Jennifer Fisher to Present West LegalEdcenter Live webcast on Use of Expert Witnesses in Legal Malpractice Cases](#)

March 31, 2015

Live Webcast

[REGISTER NOW: 2015 Legal Malpractice & Risk Management Conference](#)

February 25, 2015

The Westin Chicago River North located at 320 North Dearborn Street, Chicago, Illinois

[Wendy Wen Yun Chang to Present at PLI CA MCLE Marathon Seminar](#)

December 1, 2014

PLI California Center, 685 Market Street, San Francisco, California 94105



[Wendy Wen Yun Chang to Present at Santa Barbara County Bar Association Event](#)

November 14, 2014

Santa Barbara College of Law, Room 1 - 20 E. Victoria Street

[Wendy Wen Yun Chang to Present at NAPABA Annual Convention](#)

November 7, 2014

The Westin Kierland Resort & Spa, 6902 E Greenway Parkway, Scottsdale, Arizona

[Paul Buschmann and Thomas Sukowicz to Present West LegalEdcenter Live Webcast on "Ethical Considerations of Cloud Computing"](#)

June 27, 2014

Webcast

[Wendy Wen Yun Chang to Present "Ethics in Litigation" at The American Law Institute Webinar](#)

May 22, 2014

National (Webinar)

[Caroline Mondschean to Present at IICLE's Personal Injury Practice Update Seminar](#)

April 30, 2014

UBS Tower & Conference Center

[Kate Schnake to Present West LegalEdcenter Webcast on "Client Confidential"](#)

April 30, 2014

Webcast

[Patrick Devine to Present West LegalEdcenter Live Webcast on "Are Those Damages Recoverable?"](#)

March 31, 2014

Webcast

[2014 LMRM Conference - Risk Management Topics](#)

March 7, 2014

[2014 LMRM - Legal Malpractice/Risk Management Cross-Over Topics](#)

March 6, 2014

[2014 LMRM - Legal Malpractice Topics](#)

March 5, 2014

[Paul Buschmann to Present West LegalEdcenter Live Webinar on Tools and Techniques to Keep You and Your Practice Out of Trouble](#)

February 27, 2014

WEBINAR

[David Grossbaum to Present West LegalEdcenter Live Webcast on Legal Malpractice Insurance Coverage Decisions](#)

January 24, 2014

Webcast

[Practical Ethical Solutions](#)

September 17, 2013

[WEBCAST: Just How Absolute Is A Litigation Attorney's Immunity From Liability to A Non-Client?](#)

August 20, 2013

[Affordable Care Act Readmission Penalty: Legal Ramifications to Hospitals](#)

May 30, 2013



2011 LMRM Conference Panel: What You Need to Know About Lawyers' Liability Under the Federal and State Securities Laws

February 16, 2011

2011 LMRM Conference Panel: Using Pretrial Remedies – Anti-SLAPP Statutes, and Other Evidentiary Early Disposition Motions

February 16, 2011

2011 LMRM Conference Panel: Establishing a Fiduciary Breach

February 16, 2011

## Publications

Fee Sharing Between Lawyers Under ABA Rule 1.5(e): How to Protect Yourself and the Client

May 14, 2024

A Defense Win in Texas on the Issue of "But For" Proximate Causation in a Legal Malpractice Case

May 3, 2024

Lawyers for the Profession®

Illinois Appellate Court Affirms Default Judgment Against Attorney After He Repeatedly Fabricated Expert Witness Disclosures "From Whole Cloth"

April 22, 2024

Lawyers for the Profession®

Illinois Appellate Court Rejects the Crime-Fraud Exception in a Defamation Claim

April 1, 2024

Lawyers for the Profession®

Colorado Appellate Court Affirms Summary Judgment on Plaintiff's Claim of Defendants' Negligence in "Inadequate Settlement" Case for Lack of "But For" Causation

March 25, 2024

Lawyers for the Profession®

Deciphering Forum Non-Conveniens: Global Law Firm Headquarters' Location Deemed a Convenient Forum

February 22, 2024

Lawyers for the Profession®

Florida Appellate Court Invalidates Arbitration Provision in Fee Agreement for Violating Florida Bar Rules

January 4, 2024

Lawyers for the Profession®

Ghosts of Clients Past: 3 Ethical Duties to Former Clients and Things to Consider When Moving Between Firms

October 31, 2023

Fraudulent Concealment and/or Equitable Estoppel Tolled the Statute of Repose in a Legal Malpractice Claim

October 23, 2023

Lawyers for the Profession®

Illinois Appellate Court Confirms That the Statute of Limitations Commences Once the Plaintiff Has Sufficient Evidence to Know of Her Injury

October 11, 2023

Lawyers for the Profession®

Massachusetts District Court Sides With Insurer Because of Insured's Failure to Provide Timely Notice of the Claim

October 4, 2023

Lawyers for the Profession®



[California's New "Snitch" Rule Means Attorneys Must Report Other Attorneys' Misconduct to the State Bar or Tribunal](#)  
July 17, 2023

[Lawyers for the Profession®](#)

[New York Federal Judge Declines to Reconsider Decision That Continuous Representation Doctrine Does Not Toll Statute of Limitations](#)

July 10, 2023

[Lawyers for the Profession®](#)

[Continuous Representation Rule Does Not Apply to Legal Malpractice Actions Says Georgia Appeals Court](#)

June 20, 2023

[Lawyers for the Profession®](#)

[Absolute Litigation Privilege Bars Claim for Intentional Infliction of Emotional Distress Even Where Conduct is Unreasonable](#)

June 13, 2023

[Lawyers for the Profession®](#)

[Law Firm Exonerated Because an Unforeseen Change in a Party's Testimony was the Superseding Cause of the Claimed Malpractice Injury](#)

June 6, 2023

[Lawyers for the Profession®](#)

[New York Lawyer Who Cited Non-Existent Cases Generated by ChatGPT Now Faces Sanctions Hearing](#)

May 31, 2023

[Lawyers for the Profession®](#)

[A Multistate Analysis of the Ethical Rules Governing Attorneys Working Remotely](#)

May 2023

[Federal District Court Holds That Engagement Letter Limited Scope of Law Firm's Duties](#)

April 4, 2023

[Lawyers for the Profession®](#)

[New Jersey Appellate Court Affirms Summary Judgment in Favor of Malpractice Defendants Due to Plaintiff's Failure to Establish Duty and Proximate Cause](#)

March 27, 2023

[Lawyers for the Profession](#)

[Illinois Appellate Court Affirms That Attorney Representing a Closely Held Business Does Not Owe a Duty to its Managing Member](#)

March 1, 2023

[Identifying and Resolving Conflicts of Interest: Three Simple Rules](#)

January/February 2023

[Florida Appellate Court Reverses Summary Judgment for Attorneys Where They Could Have Remedied Prior Counsel's Mistakes and Salvaged Plaintiff's Case](#)

December 20, 2022

[Lawyers for the Profession®](#)

[Where Cannabis Law Stands Today: When State Law Says Yes, but Federal Law STILL Says No](#)

December 2022 | Updated December 21, 2022

[Ransomware: The Ghoulish Battle With New Rules](#)

October/November 2022

[California Court Affirms Ethical and Statutory Obligation to Warn Opposing Counsel of Intent to Seek Default](#)



October 25, 2022  
Lawyers for the Profession®

[When Aggressive Tactics Cross the Line: Illinois ARDC Suspends Lawyer Accused of Sending "Abusive and Aggressive" E-Mails](#)

October 7, 2022  
Lawyers for the Profession®

[Illinois Supreme Court Holds Former Client Alleging Legal Malpractice May Recover Punitive Damages Awarded Against it in Underlying Case](#)

September 30, 2022  
Lawyers for the Profession®

[Massachusetts Court Applies Litigation Privilege to Dismiss Claims Against Attorney Accused of Fraudulent Activity During Trial](#)

August 17, 2022  
Lawyers for the Profession®

[Pennsylvania Allows Suit Against Attorneys for "Bad Settlements" Where Fraud/Negligence Alleged](#)

August 1, 2022  
Lawyers for the Profession®

[Clients Also Have Responsibilities: Plaintiffs' Lack of Diligence Defeats Fraudulent Concealment Claim and Precludes Tolling of Statute of Repose](#)

June 20, 2022  
Lawyers for the Profession®

[Summary Judgment Granted in Defendants' Favor As There Was No Attorney-Client Relationship Between Plaintiffs And Defendants](#)

May 13, 2022  
Lawyers for the Profession®

[Lawyer Unsuccessfully Attempts to Invoke Statute of Limitations Defense in Malpractice Claim Alleging He Missed Statute of Limitations on Underlying Claims](#)

May 2, 2022  
Lawyers for the Profession®

[California Appellate Court Denies Anti-SLAPP Motion and Sanctions Attorney for his "Tunnel Vision"](#)

April 26, 2022  
Lawyers for the Profession®

[Illinois Court Holds Plaintiff Failed to Show Her Attorneys Mishandled Discovery or That She Would Have Prevailed in Underlying Case](#)

April 12, 2022  
Lawyers for the Profession

[Third Circuit Affirms Plaintiff Must Establish He Would Have Prevailed in Underlying Case But For Attorneys' Alleged Negligence](#)

March 30, 2022  
Lawyers for the Profession®

[California Court: Attorney's Failure to Cite Known Adverse Authority Violated Duty of Candor To Court](#)

March 11, 2022  
Lawyers for the Profession®

[When Aggressive Settlement Tactics Go Too Far: California Appellate Court Holds Counsel's Threat to Reveal Opponent's Alleged Illegal Activity was Extortion](#)



February 8, 2022  
Lawyers for the Profession®

["Bonus Payment" Phishing Emails Are Seeking New Ransomware Victims](#)

February 3, 2022  
Law Firm Cyber Alerts

[Illinois Supreme Court Applies Adverse Judgment Rule, Rejects Statute of Limitations Defense in Legal Malpractice Claim](#)

February 1, 2022  
Lawyers for the Profession®

[Defendant's Due Process Rights Violated When Counsel's Remote Technology Prevented Meaningful Participation in Trial](#)

January 24, 2022  
Lawyers for the Profession®

[Illinois Appellate Court Reverses Summary Judgment for Defendants on Plaintiffs' Malpractice Claims Stemming From \\$2.8 Million Estate Dispute](#)

October 26, 2021  
Lawyers for the Profession®

[Eleventh Circuit Finds Attorneys Owed No Duty to be Clairvoyant on Unsettled Law](#)

October 14, 2021  
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