

MoFo Faces Overbilling Lawsuit Alleging 'A Billing Feeding Frenzy'



A lawsuit filed in the U.S. District Court for the Western District of Texas against Morrison & Foerster accuses the firm of expending “an exorbitant and excessive amount of time” running up the bill for clients, [reports](#) Above the Law.

The five plaintiffs hired the firm to handle the winding down of the entities.

They allege that MoFo had 34 different timekeepers bill 669 hours at a cost of \$484,321 during a two-month period.

“The complaint also says while the firm had arranged for \$625,319 to be paid to its trust account, it also “unilaterally decided to pay itself from these funds—although this was never authorized. This left \$170,978 in the trust account,” according to Above the Law senior editor [Kathryn Rubino](#).

[Read the Above the Law article.](#)

Ex-Winston Lawyer Can't Be Forced to Arbitrate Job Claims

Bloomberg Law is [reporting](#) that a former Winston & Strawn LLP intellectual property attorney can litigate—and can't be forced to arbitrate—her pay, bias, and retaliation claims.

The California Supreme Court declined to review an appellate ruling that the arbitration agreement Constance Ramos signed as an income partner contained unfair provisions that couldn't be separated from the rest of the agreement, according to Bloomberg's Joyce Cutler.

Under those provisions, Ramos would have been required to pay half the costs, and she would be subject to secrecy clauses that would have prevented her from interviewing potential witnesses.

[Read the Bloomberg Law article.](#)

AZA Names Four New Partners in Commercial and IP

Litigation



Houston civil trial law boutique Ahmad, Zavitsanos, Anaipakos, Alavi & Mensing P.C., or AZA, has announced four [new partners](#) for 2019.

[Scott W. Clark](#), [Ryan Hackney](#), [Michael McBride](#), and [Jane Langdell Robinson](#), are promoted to partner effective Jan. 28.

Hackney handles primarily complex commercial litigation cases. Clark and McBride focus on IP and patent litigation. Robinson is an appellate lawyer who mostly focuses on commercial litigation appeals.

[Read details about the new partners.](#)

Amid Growing Scandal, MoFo Launches Investigation Into Partner Justin Fairfax

Virginia Lieutenant Governor Justin Fairfax – accused by two women of sexual assault – faces more than just official scrutiny over the allegations; because he’s a partner in Morrison & Foerster, he’s under investigation by his firm, too.

CNN [reports](#):

“Amid the allegations, Fairfax’s law firm told employees he is taking a leave of absence, according to an internal memo obtained by CNN. The memo states the firm of Morrison & Foerster, of which Fairfax is a partner, has retained outside counsel to conduct an investigation. ‘Justin has agreed to cooperate with the firm’s investigation,’ the memo states.”

Above the Law [reports](#) that Fairfax hired Beth Wilkinson of Wilkinson Walsh + Eskovitz after the first allegations of sexual assault surfaced.

Finding (Mostly) Free Tools for a DIY Legal Marketing Program



A host of online tools are available to keep law firm marketing projects organized, automate social media posts and newsletters, and just generally make life easier and more productive, advises Amy Boardman Hunt of [Muse Communications](#).

“If you’re looking to juice up your online presence, these tools can help save time and create a clean, professional look in all your marketing efforts. And best of all, they’re all

free or very inexpensive, meaning you can easily fit them into your marketing budget,” she writes.

Some of those tools include spreadsheets, email service providers, social media management, project management, and photo sources.

[Read the article.](#)

IBM Watson in Quiet Talks With Law Firms to Expand AI Offerings

Bloomberg Law [reports](#) that the makers of IBM’s Watson artificial intelligence tool have been in quiet, informal discussions with a small group of prominent law firms in a bid to launch an expansion of offerings for firms and to help them collaborate around AI.

Brian Kuhn, co-founder and global leader of the Watson legal practice at IBM, said the company until now has mostly focused its legal business marketing of Watson to legal departments within large corporations, according to Bloomberg’s Sam Skolnick.

Kuhn said the company is preparing for a large-scale entrance into the American and British law firm markets, adding to its existing arrangements with U.S. and U.K.-based firms already in place.

[Read the Bloomberg Law article.](#)

How General Counsel can Successfully Collaborate with Outside Attorneys



Three senior in-house attorneys discussed best practices for collaborating with outside counsel during a [panel discussion](#) at Ward and Smith's 2018 In-House Counsel Seminar, with a focus on leveraging technology, controlling legal spend, and managing succession.

A report on the discussion is posted on the Ward and Smith website.

Ward and Smith attorney [Paul Fanning](#) moderated a panel featuring Brian Holland, General Counsel for Global Knowledge, Kelly Clay, Global eDiscovery Counsel and Head of Data Governance at GlaxoSmithKline, and Ken Hammer, Senior Vice President and Chief Legal Officer at Toshiba Global Commerce Solutions.

[Read the article.](#)

Attorney Suspended for 3.5 Years After Offering Legal Advice for Go Fund Me Money

A Charleston, WV attorney's law license has been suspended for three and one-half years after attempting to raise funds via Go Fund Me in exchange for legal advice, [reports](#) the *The West Virginia Record*.

As treasurer of the Kanawha Valley Soccer League, lawyer Mark Allen Glover allegedly transferred money from the league's checking account to his personal checking account, writes the *Record's* [Kyla Asbury](#). The newspaper reported finding documents showing that Glover diverted approximately \$12,000.

He lost his job after the diversion was discovered. Glover then set up a Go Fund Me fundraiser, seeking funds to help in his attempt to transition to being a solo practitioner. He offered free legal advice to those who donated to him. The state Supreme Court suspended his license for 42 months.

[Read the WV Record article.](#)

Webinar: RFPs – Best Practices & Obstacles to Avoid

RFP Advisory Group will present a [complimentary webinar](#) where attendees will learn best practices and obstacles to avoid when issuing a request for proposal (RFP) to law firms.

The webinar will be Wednesday, Feb. 16, 2019, beginning at 1 p.m. EST.

RFP Advisory Group says that RFPs can allow a legal department to:

- * Identify how many, and which law firms are the best fit for your business goals
- * Incorporate the latest technology and innovations into your legal strategy
- * Negotiate rates that will ensure that you are getting the most value for your dollar
- * Convert your billing structures to alternative fee arrangements (“AFAs”)
- * Increase diversity of the lawyers working on your companies matters
- * Create a consistent set of outside counsel guidelines

However, RFPs can be labor intensive and a disaster to manage when done incorrectly, especially when done by general counsel with no legal operations or procurement staff to support the process, the RFP Advisory Group says. This webinar is ideal for general counsel who have been considering issuing an RFP but need to learn more about the latest trends and best practices.

[Register for the webinar.](#)

170 Top In-House Lawyers Warn They Will Direct Their Dollars to Law Firms Promoting Diversity



General counsels and chief legal officers at more than 170 companies have signed an open letter telling law firms they expect their lawyers to “reflect the diversity of the legal community and the companies and the customers we serve,” reports the [ABA Journal](#).

“The letter was drafted after an online photo of 12 new partners at Paul, Weiss, Rifkind, Wharton & Garrison drew attention because it appeared to show 11 white men and just one woman,” writes the *Journal*’s [Debra Cassens Weiss](#). “The firm later said the partnership class also includes one Latino and one LGBTQ partner.”

A *New York Times* [article](#) on the subject said that more than 20 women and people of color described obstacles to achieving diversity at Paul, Weiss, with many saying that opportunities to be groomed for partner are harder to come by for women and minorities.

[Read the Journal article.](#)

He Made His Way to the Top of Biglaw. Then His Drinking Almost Brought Him Down



CNN tells [the story](#) of Steven Wall, managing partner of internationally renowned law firm Morgan Lewis, who almost saw his career and his marriage destroyed by his alcoholism.

His drinking started in high school and continued into his work life as a lawyer, including one time with a boozy business lunch that resulted in a blackout. CNN's [Jeanne Sahadi](#) tells how Wall largely gave up drinking for several years, but then the cravings became too strong for him to resist.

“Wall attributes his alcoholism to three factors: his heredity, his personality and how he handled the enormous stress of his job,” Sahadi writes. “He said he often felt the need ‘to turn off my brain and to release the intensity and the pressure of what we do.’”

[Read the CNN article.](#)

New Advertising Rules Coming for Texas Lawyers, Law Firms



The rules governing legal advertising for Texas attorneys and law firms are scheduled for some significant changes in the coming months, writes Bruce Vincent of Muse Communications in an [online summary](#) of the revised advertising rules to help legal professionals prepare.

In his post, he discusses the Texas Disciplinary Rules of Professional Conduct rules governing lawyer advertising that are up for revision and the substantive differences compared to the status quo, including rules on trade names, verdict amounts and specialization, prohibited solicitations, submissions to ad review, and exempt communications.

[Read the article.](#)

No Fees for You: Non-Class Counsel Get Stiffed in VW

Diesel Litigation



Volkswagen AG is paying out \$175 million to plaintiffs' attorneys in the \$10 billion settlement over the "clean diesel" litigation. But many who say they worked on those cases won't be getting any money, according to [Bloomberg Law](#).

"Only attorneys chosen as class counsel in the consolidated litigation, and attorneys working on assignments from class counsel, are entitled to attorneys' fees, the U.S. Court of Appeals for the Ninth Circuit said Jan. 22," reports Bloomberg's Martina Barash.

"That means numerous attorneys who worked on suits before the appointment of class counsel won't get paid," she adds. "That includes for work they did filing complaints, attempting to negotiate early settlements, and fielding calls with clients and other attorneys."

[Read the Bloomberg Law article.](#)

Yelp Doesn't Have to Take Down Libelous Post About

Lawyer, Supreme Court Rules

The U.S. Supreme Court rejected a San Francisco attorney's request Tuesday to order Yelp to take down an online denunciation by a former client, leaving intact a California Supreme Court ruling that said the online review company can't be ordered to remove libelous or offensive content, the *San Francisco Chronicle* [reports](#).

At the trial level, a judge had found the client's attack on San Francisco attorney Dawn Hassell to be libelous and ordered Yelp to remove it. Later the state's high court found that the removal order conflicted with a federal law that shields internet service providers from legal responsibility for statements posted by others, writes the *Chronicle's* [Bob Egelko](#).

The suit resulted from a one-star review on Yelp that described the plaintiff's firm as incompetent and advising others to avoid it.

[Read the SF Chronicle article.](#)

Biglaw Firm Pushing Out Senior Associates

Above the Law [reports](#) that Cahill Gordon sources say that the overwhelming majority of senior litigation associates in a particular class are being asked to leave the firm before

they've had the chance to go up for partnership.

Senior editor [Kathryn Rubino](#) explains:

“Multiple sources report the associates were told they weren't partner or counsel material, given only a portion of their bonus and told they had six months to get out of Dodge. And even though pushing out these associates is being framed as connected to their inability to make the leap to the next level, sources say most of them weren't even able to hear any reviews of their work.”

[Read the Above the Law article.](#)

Another N.Y. Lawyer Censured After 60 Minutes Sting Report

Bloomberg Law [reports](#) that a second New York attorney caught in a money-laundering sting operation reported by 60 Minutes has received public censure.

The CBS program reported on an undercover probe by anticorruption advocacy group Global Witness in which lawyers in 13 different New York law firms met with an investigator posing as a German lawyer who represented a West African mining minister.

Even though the “minister” wanted to make some big purchases with money of questionable origin, only one lawyer immediately declined representation. Others were willing to discuss it and

even offer suggestions, according to Bloomberg's Martina Barash.

[Read the Bloomberg Law article.](#)

Biglaw Firm to Pay \$4.6 Million in Case Tied to Manafort and Ukraine

New York-based law firm Skadden, Arps, Slate, Meagher & Flom has agreed to pay \$4.6 million to settle a Justice Department investigation into whether its work for a Russia-aligned Ukrainian government violated lobbying laws, [reports](#) *The New York Times*.

"As part of the settlement, the law firm agreed to register retroactively as a foreign agent for Ukraine in addition to paying the government \$4.6 million, representing the money it earned from its work in Ukraine," write the *Times*' [Kenneth P. Vogel](#) and [Matthew Goldstein](#).

The firm should have disclosed its lobbying activity for Ukraine under the Foreign Agents Registration Act, which covers both lobbying and public relations on behalf of foreign political interests, the Justice Department said.

[Read the Times article.](#)

Big Law Partner Fired After Accusations of Overbilling

A former partner at Neal Gerber & Eisenberg has confessed to overbilling clients by small increments over seven years, starting in 2011 and lasting until August, when he confessed his actions to a practice group leader, according to a disciplinary complaint.

Christopher C. Anderson also previously worked at Kirkland & Ellis. Neal Gerber has refunded \$150,000 to a group of more than 100 clients, and Kirkland & Ellis also decided to refund fees, [reports](#) *Crain's Chicago Business*.

Crain's reporter [Claire Bushey](#) explains how the alleged overbilling worked:

“On days he felt he hadn’t billed enough time, Anderson increased it if he didn’t think the client would object, the complaint said. The increments were small: He might record 30 minutes for legal work he completed in 18.

[Read the *Crain's* article.](#)

Opioid Overdoses Overtake Car Accidents on List of Preventable Deaths



The National Safety Council's recently released report on preventable injury and fatality statistics, reveals that accidental opioid overdoses have overtaken car accidents as a leading cause of deaths among Americans, according to a post on the website of [Androvett Legal Media & Marketing](#).

"For the first time since the early 1960s, the life expectancy of Americans is consistently decreasing. Irrespective of all the advances in medicine that have occurred since the early 1960s, Americans are actually living shorter lives than they did only 10 years ago. The primary reason for this decline is the opioid epidemic, which was created in substantial part by the irresponsible marketing and distribution of these drugs by major drug companies," notes Dallas attorney [Jeffrey Simon](#) of [Simon Greenstone Panatier, P.C.](#)

Simon Greenstone and co-counsel collectively represent more than 50 counties in Texas as well as other states in opioid litigation, seeking to recover economic damages caused by the reckless and negligent spread of highly addictive opioid drugs in communities across the U.S.

"The fact that the risk of death from accidental overdose of opioid drugs now exceeds the death risk from motor vehicle crashes, fire, drowning or even gun assault is another grim testament to the fact that corporate misconduct can, and has,

destroyed many innocent lives. On behalf of our clients, we will hold those companies accountable for the harm they've done."

Ex-Lawyer Gets Nearly 4 Years in Prison for Embezzling From Clients and Law Firm

A former Oregon lawyer who stole money from her clients and used it to pay her mortgage, do landscaping projects at her home and subsidize lavish vacations and plastic surgery was sentenced Thursday to nearly four years in federal prison, reports [The Oregonian](#).

"[Pamela S.] Hediger worked from 2010 to 2017 as an attorney, president and managing shareholder at Evashevski, Elliott, Cihak & Hediger law firm, focusing on personal injury cases. While at the firm, she embezzled money from the firm's client trust and business operating accounts, according to prosecutors," explains *The Oregonian's* [Maxine Bernstein](#).

In addition to the prison sentence, Hediger also was ordered to pay \$1.9 million in restitution, \$471,399 in outstanding federal income tax and forfeit her Corvallis home.

[Read the Oregonian article.](#)

