

# Ohio Lawyer Who Took \$128K From Mentally Ill Client Suspended

## *News*

An Ohio attorney who stole from and overcharged a client nearly \$129,000 was indefinitely suspended by the state's highest court.

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# 3M Files Second Lawsuit To Combat COVID-19 Price Gouging

## *News*

After a public dispute with the White House about exporting N-95 masks, 3M is turning to trademark law to help combat impressions that it is price-gouging at home.

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# Equifax To Pay Mass. \$18.2 Million In Settlement, AG Healey Announces

## *News*

Equifax will pay Massachusetts \$18.2 million and change its security practices as part of a settlement between the credit

reporting agency and the state stemming from a major 2017 data breach, Attorney General Maura Healey announced Friday.

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## **Coronavirus Class Actions—Part Two—A Few Weeks Later**

### **News**

Numerous COVID-19 related class actions have been filed throughout the country in various different spaces—consumer, mass tort, securities, labor & employment, and banking and privacy.

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## **\$4M Verdict Over Doctor's Failed Attempts to Insert Catheter**

### **News**

West Palm Beach attorneys William D. Zoeller and Michael V. Baxter of Schuler Halvorson Weisser Zoeller Overbeck obtained a \$4 million jury verdict for the family of a 72-year-old man who died after his doctor tried to insert a catheter 14 times—for a procedure the plaintiffs alleged could have waited.

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# **Levy Konigsberg LLP Upholds \$3.3M Verdict Against Whittaker Clark & Daniels, Inc. for Toxic Talcum Powder**

## ***News***

On April 9th, 2020 the New York Supreme Court, Appellate Division, First Department, affirmed the trial court's decision in *Nemeth v. Brenntag North America, et al.*, Case No. 9765, New York County Index No. 190138/14, denying the defendant's post-trial motions.

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# **“Twisted” Path to New Trial for Dr. Paulus**

## ***News***

A 2018 Sixth Circuit panel upheld a jury verdict convicting Dr. Richard Paulus of submitting fraudulent medical claims. That same panel, with 2020 hindsight(!), reversed that conviction.

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# **\$665,000 Settlement For East Bay Student Punished For Mock Terrorist Video**

## ***News***

An East Bay school district has agreed to pay \$665,000 to settle a free-speech suit by a former student who was suspended from a leadership class, and briefly barred from serving as student body president, after posting a video that showed him as a James Bond hero fighting off terrorists.

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# **Time to Settlement and Case Complexity**

## ***News***

In 2019, 15 percent of cases settled within two years of filing, consistent with the rate over the last 10 years. The average time from filing to settlement in 2019 was 3.3 years.

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# **'Landmark Settlement' With Justice Companies Over Unpaid**

# Safety Penalties

## *News*

Coal companies owned by Gov. Jim Justice and his family have settled with federal agencies to satisfy more than \$5 million in unpaid penalties for violations of the Federal Mine Safety and Health Act.

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# If You Want the Benefits of an Arbitration Agreement, Say So

## *Insights*

Both contract language, and keeping such language up-to-date, is critical for navigating the legal landscape of company relationships with vendors, including enforcing arbitration provisions.

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# Texas Supreme Court Reinforces the Eight-Corners Rule, Or Does It?

## *News*

In *Richards v. State Farm Lloyds* ... the Texas Supreme Court answered a certified question posed by the Fifth Circuit Court

of Appeals; namely, whether the absence of a clause requiring a carrier to defend claims that are “groundless, false or fraudulent” means that the “eight-corners” rule does not apply when determining the existence of a duty to defend.

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## **Eleventh Circuit Affirms Individual’s \$41 Million Verdict Against Tobacco Companies**

### **News**

The Eleventh Circuit affirmed denial of motions for judgment as a matter of law against R.J. Reynolds Tobacco Company and Philip Morris USA Inc. in a published opinion upholding multi-million dollar jury verdicts against both defendants.

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## **Seventh Circuit Court Of Appeal (Mostly) Affirms Judgment Against Dish**

### **News**

The appellate court concluded that the district court made no material legal errors save one— in assessing damages the Court started with the Plaintiff’s ability to pay and worked

backward.

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## **GM Reaches Settlement Over Lost Vehicle Value From Defective Ignition Switches**

### ***News***

General Motors has reached a \$120 million settlement with owners who claimed that their vehicles lost value because of defective ignition switches, which have been linked to 124 deaths.

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## **Avenatti Asks Judge to Nix Nike Jury Verdict or OK New Trial**

### ***News***

Michael Avenatti wants a judge to reject a jury verdict that found he tried to extort Nike.

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# Jury Awards Pharma Whistleblower Over \$760k in Retaliation Case

## *News*

A federal district court in Massachusetts recently ordered Minneapolis based Coloplast to pay over \$760,000 to Plaintiff, Amy Lestage, for retaliating against her after she and others filed a whistleblower complaint against the company.

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# Equitable Tolling: “Estopping” the Clock from Running on Your Claims

## *News*

A court can preclude a defendant from asserting a statute of limitations defense where the defendant’s own intentional misconduct prevented the plaintiff from timely filing suit.

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# Keep Learning While Your Case Is in Limbo: Seven Ways to



# Use the Pause

## *News*

One after another, like dominos, court systems are shutting down or moving to drastic restrictions. In the process, court dates are being pulled and cases are moving into limbo.

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## **3 Prosecutors Resign Amid Probe Into Free Utah Jazz Tickets Provided By Defense Lawyer**

## *News*

Three prosecutors in Utah recently resigned amid an internal investigation into free Utah Jazz tickets they received from a defense lawyer who had appeared opposite them.