

No Arbitration For Lawyer Accused of Breaches in Deal With Client

A California appellate court closely parsed the language in an arbitration clause and reversed an order compelling arbitration of a dispute between a lawyer and his client-turned-business-partner, reports **Karen Rubin** in Thompson Hine's blog, **The Law for Lawyers Today**.

She writes that the lawyer must now defend against a \$1.5 million claim based on malpractice and breach of the operating agreement that he had drafted in connection with his real estate venture with the former client.

"Of course, it is no news that a case can turn on contract interpretation," Rubin writes. "But this one emphasizes the small drafting choices that can send a case to a full-blown jury trial or keep it in arbitration. That's of special concern to lawyers and their clients at the front end of a relationship – pre-dispute agreements to arbitrate are increasingly included in retainer agreements."

Read the article.