

# Professional Liability Defense

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Irell & Manella LLP's Professional Liability Defense team includes seasoned trial lawyers with substantial experience defending professionals sued for malpractice, professional negligence and breach of fiduciary duty in federal and state courts throughout the nation. Our successful track record in this area includes securing numerous dismissals of claims against law firms via motions to dismiss and motions for summary judgment. Some of these pretrial wins successfully advanced novel theories that ultimately resulted in precedent-setting appellate opinions.

We have been retained by large international law firms and smaller firms as well, and have successfully defended lawyers, accountants, actuaries, and other professionals.

## Experience

- Won a bifurcated bench trial, resulting in dismissal of a breach of partnership and fraud dispute against our client.
- Won summary judgment for a leading international law firm against plaintiffs who claimed that the firm's alleged professional negligence resulted in \$20 million in damages. The court of appeal affirmed the decision.
- Represented a leading international law firm on appeal, obtaining a published affirmance of a judgment dismissing claims for alleged professional negligence. The decision held, as a matter of first impression under California law, that a legal malpractice lawsuit must be dismissed where the law firm could not effectively defend the suit without revealing privileged client confidences.
- Represented an Am Law 200 firm in a malpractice lawsuit involving securities regulatory advice, which resulted in summary judgment in favor of our client on all alleged malpractice claims.
- Successfully defended a pension fund advisor against a \$64 million lender liability claim and obtained an \$8.7 million judgment on the client's behalf and an award of \$710,000 in attorneys' fees, the full amount of attorneys' fees requested.
- Represented a Beverly Hills-based entertainment law firm that was sued by Dove Audio for libel and interference with economic relations. We secured a dismissal at the pleading stage, and prevailed on an anti-SLAPP motion and won fees from Dove. The dismissal of the action and the award of fees was affirmed in *Dove Audio, Inc. v. Rosenfeld, Meyer & Susman*, 47 Cal. App. 4th 777 (1996). This precedent-setting appellate opinion is frequently cited by the California Courts of Appeal.
- Retained by a large Hawaii-based law firm to defend against a transactional malpractice lawsuit involving the firm's representation of certain parties in a real estate project in Hawaii. Irell obtained dismissals of the plaintiffs' direct claims and persuaded an appellate court to dismiss the plaintiffs' interlocutory appeal. We then sought summary judgment on the plaintiffs' remaining derivative claims, and, while the motion was under submission, the parties reached a confidential settlement.
- Retained by an Am Law 200 firm and several of its partners in numerous matters in state and federal courts and arbitration proceedings involving allegations of breach of fiduciary duty and legal malpractice. We successfully obtained dismissal of several of these actions at the pleadings stage, and to date all such actions in which the firm was retained have either been dismissed or settled before the conclusion of discovery.