

Firm Prevails in The Court of Appeals on Precedent-Setting Issue

Our firm handled the appeal of the Trial Court's award of attorneys' fees of \$168,257.18 pursuant to O.C.G.A. § 9-15-14 against our client, who was represented by a different law firm in the proceedings below. The Court of Appeals agreed with our argument that the trial court abused its discretion in awarding attorneys' fees without considering a potential setoff for (a) the amounts the opposing side received pursuant to his settlement with our client's previous counsel and law firm; and (b) the amounts the opposing side received in attorneys' fees from our client's insurance policy during the course of the underlying litigation. This decision dealt with the novel issue of whether the payments by a party's insurance company to another party's legal fees should be considered when determining an award of attorneys' fees pursuant to O.C.G.A § 9-15-14.

LabMD, Inc. v. Adnan Savera, Georgia Court of Appeals, A14D0013

For more information, please contact Josh Belinfante or Craig Kunkes.