

Professional Liability

Atlanta Professional Liability Lawyers

The Robbins Firm has extensive experience representing both plaintiffs and defendants in professional negligence matters, including disputes that involve fraud, breach of fiduciary duty and malpractice. Our Atlanta professional liability lawyers have mastered the intricacies involved in professional liability cases – obtaining large jury verdicts and high dollar settlements for our plaintiff clients and securing dismissals at early stages of the litigation and settlements for pennies on the dollar for our defendant clients. Representing clients in professional liability matters is one of our firm's fastest growing practice areas.

Representative Matters

Examples of Plaintiff cases include the following:

- Our firm obtained the largest plaintiff jury verdict for professional negligence in 2016. In *Firmani v. Dar-Court, LLC*, we represented a small business owner who was assessed with severe back taxes and penalties for a defined benefits plan drafted by defendants. Defendants continually assured our client that this defined benefits plan complied with the law, in particular the IRS tax code, and failed to correct the drafting error even though it should have been aware of the error years prior. While the defense attempted to blame liability on other parties involved – including our clients - a jury agreed that our client should be compensated for this error, awarding six figures in damages, and that the third party administrator should bear most of the responsibility for these damages. The Court of Appeals recently affirmed the jury verdict to our client.
- We represent two plaintiffs who participated in a settlement of over 100 plaintiffs' claims in a multi-district litigation, all represented by the same counsel. Our clients contend they were pressured into a settlement without all of the facts, and that the lead attorney misrepresented the nature of the settlement. Our clients seek disgorgement of legal fees and punitive damages. This case is pending in State Court of Chatham County.
- We filed a multi-million dollar trust in an action against a trust's former attorneys. Our clients assert claims of breach of fiduciary duty, legal malpractice, conversion, and wrongful eviction and trespass against the former attorneys for the transfer of assets and auction of a multi-million dollar cattle farm. The attorneys not only provided poor advice but also had severe conflicts of interests, which should have been disclosed. Based on the attorneys' advice, our client not only lost a beloved cattle farm, but was also triggered a lawsuit against our client who had no other choice but to settle due to the

attorneys' poor performance. The case is set for trial in 2017.

- We represented a client who sued his real estate attorney who represented our client in numerous real estate transactions. Due to the attorney's failure to properly perform due diligence on these transactions, our client was ultimately the victim of a scam and lost millions of dollars. To add insult to injury, our client discovered this attorney had wrongfully taken funds from his trust account. Our client asserted claims for malpractice, breach of fiduciary duty, negligent misrepresentation, gross negligence, punitive damages and attorneys' fees. We secured a high six-figure settlement prior to trial.
- Our firm represents a biotech manufacturer based in Lawrenceville in a malpractice lawsuit against the manufacturer's former attorneys for services provided during the current owners' acquisition of the company in 2008, and three lawsuits that followed. The law firm originally filed the lawsuit against our client in the U.S. District Court for the Northern District of Illinois, but our firm successfully moved to transfer venue in the case to the U.S. District Court for Northern District of Georgia. Summary judgment briefs were filed in January 2016, and the Court denied the firm's summary judgment on our client's malpractice and breach of fiduciary duty claims in place. Expected trial in April 2017.
- We represented a client who sued a third-party administrator for a drafting error in their defined benefits plan. The third-party administrator continually assured our client that this defined benefits plan complied with the law, in particular the IRS tax code, and failed to correct the drafting error even though it should have been aware of the error years prior. Because of this drafting error, our clients faced an IRS tax audit and were ultimately assessed with severe back taxes and penalties. While the defense attempted to blame liability on other parties involved – including our clients - a jury agreed that our client should be compensated for this error, awarding six figures in damages, and that the third party administrator should bear most of the responsibility for these damages.
- Our firm represented a client who sued his certified public accountant after an employee of the accounting firm admitted to stealing money our client's money from an escrow account. The suit was filed in federal court in March and was the subject of media news stories. The case settled pursuant to a confidential settlement agreement in 2014.

In defense cases, we have represented law firms and accounting firms in various actions, including:

- Defending a "Big Four" accounting firm that was sued in a class action due to alleged negligence in the firm's audit opinions. The class action was dismissed.
- Representing a national law firm in a malpractice and breach of fiduciary action.
- Defending a "Big Four" accounting firm that was sued under the False Claims Act. The case against the accounting firm was dismissed.
- Defending a national accounting firm in a professional negligence case. The case settled for pennies on the dollar before trial.

- Pursuing professional liability claims against trustees and attorneys in a trust dispute where the damages are in the tens of millions of dollars