

‘The Death Rattle of a Once-Great Firm’: Inside the Split Between Drew Eckl and Burke Moore Law Group

Burke and Moore contend they are just two of “a continuing exodus of partners and other attorneys” leaving Drew Eckl & Farnham because of inequitable compensation, according to court papers.

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Contractual Disputes

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What You Need to Know

- Burke and Moore said they originally left the firm because they were underpaid and their collections practice brought income that subsidized the firm’s other, uninvolved partners.
- Both parties have filed counterclaims, Drew Eckl for frivolous litigation, and Burke Moore for discriminatory compensaiton.
- The court case remains pending while the underlying arbitration continues and has a status hearing on October 30.

Drew Eckl & Farnham, a 95-lawyer firm founded in Atlanta, has been waging a months-long arbitration battle with two former partners, who in recent months have moved the disagreement over who gets a cut of contingency fees to state court. The former partners have claimed that an “exodus” of lawyers is also leaving the firm due to inadequate compensation.

The battle reveals disagreements over the firm’s practices and compensation, in an unusually candid look at internal firm conflict that poses questions about the future of a longtime Atlanta firm. The former partners say the dispute is a “death rattle of a once great but now failing law firm.”

Paul Burke and Brian Moore, who had been partners at Drew Eckl, left the firm last year to set up their own firm, Burke Moore Law Group, which specializes in national collection and recovery practice, similar to what the duo was doing while at Drew Eckl. The larger firm, meanwhile, focuses on insurance defense and worker’s compensation.

Shortly after their departure, Drew Eckl filed an AAA arbitration claim against them in December 2022, seeking what they say should be the firm’s proper share of contingency fee awards, according to the firm’s

partnership agreement. Drew Eckl successfully moved to add the duo's new firm, the Burke Moore Law Group, as an additional party in the arbitration.

Burke and Moore, in July 2023, then filed suit in the Superior Court of Fulton County, claiming their new firm shouldn't be involved in the arbitration.

Overall, according to court papers, Burke and Moore contended that they are just two of "a continuing exodus of partners and other attorneys" leaving Drew Eckl & Farnham because of inequitable compensation, referring to the arbitration as "the death rattle of a once great but now failing law firm."

Read the plaintiff's complaint.

Burke and Moore, in arbitration and court papers, also argued their new firm can't be added to the arbitration because it's a separate entity that didn't commit to the same partnership agreement that Burke and Moore did as members of Drew Eckl and didn't agree to the fee-sharing provision the arbitration is meant to address.

According to their arbitration and court papers, Burke and Moore originally left the firm and started their own in 2022 because they said their collections practice brought income that subsidized the firm's other, uninvolved partners. The plaintiffs alleged that at the time, the firm was underpaying them, in violation of its own compensation standards. As a result, they are also pursuing "significant counterclaims" against five members of the firm's compensation committee who voted on the duo's pay.

In response, Drew Eckl & Farnham said it did not have enough information about the compensation claims to "form a belief about them." It also said the firm "admits that other attorneys (including equity partners) have left Drew Eckl before and since the departure of Burke and Moore" but denied all other allegations.

It also argued that the litigation is "an improper attempt at a second bite at the apple" because Moore and Burke had previously submitted the issue to the arbitration panel, and are therefore bound by it. Drew Eckl further contends that the new firm is being used to "avoid the liabilities they owe to their former partners for contingency fee cases they took when they departed Drew Eckl."

Their filings note that if a departing partner leaves the firm with a contingency case or cases, Drew Eckl is entitled to some portion of the fees depending on the status of the case when the partners leave the firm.

"Also, [Burke Moore Law Group] presumably accepted the contingency cases with the express knowledge that any dispute between Drew Eckl and respondents over any money due to Drew Eckl for the contingency cases was to be resolved by arbitration and, therefore, took the contingency cases subject to that same obligation," according to the firm's Monday statement.

Drew Eckl & Farnham has also filed additional counterclaims, seeking attorney fees on the grounds that Burke and Moore's actions "are in bad faith, are stubbornly litigious and are causing Drew Eckl unnecessary trouble and expense."

Burke and Moore's attorney, **Richard Robbins** of Robbins Alloy Belinfante Littlefield LLC, said the court case remains pending while the underlying arbitration continues.

“Of course, our clients in the arbitration believe their positions will be upheld. We have gotten to know Paul and Brian well, and believe they are very honorable and capable attorneys,” Robbins said. “We are sure Drew Eckl believes in its positions. Our hope and desire is the parties will come to an amicable resolution of their disputes before any final hearings in court or in arbitration. Our clients wish Drew Eckl and its partners well.”

While his clients brought the dispute to light by filing the matter in court, Robbins acknowledged that this arbitration and court case is “interesting because law firm partnership disputes generally are not public,” said Robbins. “Most of these disputes are handled privately, either through negotiation or arbitration, which in our experience is best for all concerned.”

Despite being tied up in arbitration, Robbins said the Burke Moore Law Group is still operating.

Burke and Moore declined to comment on the case, deferring to Robbins’ statements regarding the dispute. Drew Eckl & Farnham leaders did not immediately respond to questions about the claims made in filings.

The firm’s dispute with two former partners is the first time “in more than 40 years of existence that it litigated with any departing partner regarding any partnership issue,” according to the firm’s attorney, Steven Hall of Baker Donelson on Monday.

“Recognizing that reasonable minds can differ over issues related to the departure, the law firm has sought to enforce the terms of its partnership agreement in compliance with provisions designed to foster a respectful and private resolution of disagreements through arbitration,” Donelson said on behalf of Drew Eckl & Farnham.

The case is *Burke Moore Law Group v. Drew Eckl & Farnham*, No. 2023CV382515, in the Superior Court of Fulton County.