

## Professional Liability

**Professional liability lawsuits are distracting at best, career-destroying at worst. Lawyers, physicians, corporate officers, and others with high exposure know Carrington Coleman can not only advise them on reducing risk, but also present their case artfully and aggressively in litigation when necessary. The result: a sterling national reputation for protecting our clients' professional standing and livelihoods.**

When lawyers, physicians, accountants, corporate directors and officers, and other professionals throughout the U.S. face allegations of malpractice, fraud, breach of fiduciary duty, or errors and omissions, there is a lot on the line. It's not only that the financial consequences of a professional liability lawsuit can be staggering, but personal and business reputations and relationships are at stake, too. Few law firms have devoted the decades of time and mastery to these potentially career-ending cases that Carrington Coleman has. So, we are uniquely suited to helping our clients navigate their way out of dangerous situations, sometimes avoiding litigation altogether.

### **Efficiency lives in everything we do.**

When we interview clients after a successful defense, we find similar themes throughout their comments. One of these is efficiency and the components that result in it. First, clients know that at Carrington Coleman your matters will be handled by lawyers who know you, your business, and your goals. Second, we're with you no matter where the case goes, including through appeal. Third, our depth and breadth of experience makes us especially efficient because we likely already know a great deal about the type of issue you face. And finally, we are adept at correctly staffing every matter.

### **Since our founding, we've been called the "lawyers' lawyers"**

Not all our clients are lawyers, but many are. Who is better equipped to discern effectiveness and quality than our peers in the profession? That's why high-performing lawyers and premier firms throughout the U.S. know Carrington Coleman will provide the guidance and have the practical answers they need – ones they can trust. We know especially well where the pitfalls lie and how to avoid them. These professionals know when they are facing a lawsuit, our experience translates into quick action.

### **Knowing the law is a given – but just a start**

The allegations in professional liability cases can range from poor judgment to outright fraud, and they can be complicated. Our job is not only to be intimately familiar with the law, but to conduct thorough issues analysis and present our findings to clients in a clear and concise way. We're also exceptionally skilled at developing complex,

yet easily understood briefs, with several of our lawyers also in our appellate practice. Sophisticated clients rely on us to anticipate an appeal and design our trial strategy with that in mind.

### **A Prominent Dallas Attorney**

**Client Issue:** A prominent Dallas attorney served as outside counsel and on the board of directors for a privately traded company that ultimately filed bankruptcy. The plaintiff's bankruptcy trustee sought over \$27 million from the lawyer and his firm, claiming that the lawyer breached his fiduciary duty and had a conflict of interest resulting from his various roles with, and investment in, the company.

**Approach:** Given our breadth of experience with D&O and attorney liability claims, as well as bankruptcy proceedings, we were able to navigate the various courts, claims, and insurance policies to successfully defend the case.

**Outcome:** We first successfully moved to withdraw the reference to bankruptcy court so that the client could have the opportunity for a jury trial in federal district court. We then filed and won a motion to dismiss based on statute of limitations.

## **Areas of Focus**

---

### **Professional Malpractice Arising Out of Legal Work**

We are often thought of as the lawyers' lawyers because of our deep experience defending attorneys against allegations that could have devastating effects on a legal career – or an entire firm.

### **Doctors, Accountants, Corporate Directors and Officers, and More**

Virtually any professional providing services has exposure to legal action when things don't go as planned – or even as hoped for. We have defended professionals up and down organizations against such claims as negligence, errors and omissions, mishandling of funds, and other accusations.

### **Anticipating and Avoiding Risks**

Because we have seen professional liability disputes from all angles, we're able to help our clients anticipate trouble that might arise from a decision or planned action, and scrupulously avoid the risks.

### **Preserving Reputations and Relationships**

No matter the profession, reputations and trusted relationships are everything – often the source of new business and the means of maintaining it. Our goal throughout the process of resolving a liability claim is to minimize or eliminate damage to both.

### **Primary Contacts**

---

#### **Kelli M. Hinson**

Partner

214.855.3110

[khinson@ccsb.com](mailto:khinson@ccsb.com)