

Frost law firm settles malpractice proceeding

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Law firm Frost Brown Todd settled a lawsuit Thursday filed by a former client who accused it of legal malpractice.

The firm's chairman, John K. Crockett III, said the suit was settled during the fourth day of a trial in Jefferson Circuit Court. He said terms of the settlement are confidential.

In the suit, Kentucky entrepreneur Joe Shane alleged that the firm botched a breach of contract suit he filed against a distributor for Wal-Mart, costing him \$71 million in future commissions. The suit sought \$93 million.

The firm denied negligence and said the suit could never have been won on the basis of a claim that Shane alleged it had failed to file in a timely fashion.

Crockett said that, while the settlement terms are confidential, "we are very satisfied with the resolution."

He also said in an e-mail that the firm, which has 450 lawyers in five states, is "proud of our record of providing exceptional legal services to our clients, as well as our service to the community."

Shane's attorney, William McMurry, said he could not discuss the settlement but that his client was "delighted." He said he had tried to resolve the case before it came to trial, but "there was just no movement. We were miles apart. Sometimes it takes a courtroom and a jury to get the parties to come together."

McMurry said in opening statements to the jury Tuesday that the distributor reneged on a 1993 oral contract to give it a percentage of its business with Wal-Mart as long as the two companies did business together, and that Frost Brown Todd failed to mention that oral contract in Shane's lawsuit until it was too late.

But the law firm's outside counsel, Dennis Murrell, told the jury that Shane didn't disclose the oral contract until it was too late to cite in his complaint, and there was no proof that it had been struck.

Reporter Jason Riley contributed to this report.
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