



BARTKO PAVIA OBTAINS SUMMARY JUDGMENT IN RARE ANTITRUST REFERRAL FEE DISPUTE

Press Release

09, March 2015

San Francisco, California

The Northern District of California today granted firm client Joseph Saveri Law Firm's motion for summary judgment in its entirety, effectively ending a year-long battle over whether noted antitrust lawyer Mr. Saveri and his new firm should pay a referral fee following their successful prosecution of a large Maryland antitrust case settled in 2013. [View a PDF copy](#) of the Order.

Judge Elizabeth Laporte, of the United States District Court for the Northern District of California, granted Bartko Pavia clients Joseph Saveri and the Joseph Saveri Law Firm's Motion for Summary Judgment. Our clients had sued for declaratory relief in April 2014 that they were not compelled to arbitrate a fee dispute with or pay a referral fee to Florida firm Criden & Love, which had referred a client to Mr. Saveri's former law firm Lieff Cabraser. Mr. Saveri and the Joseph Saveri Law Firm had later entered the Maryland antitrust case on behalf of another client. Criden sought at least \$1.2 million in referral fees, and under the Court's Order, all six of Criden's counterclaims are dismissed. Judge Laporte found that "there is no evidence" of an intent on the part of Mr. Saveri and the Joseph Saveri Law Firm to pay a referral fee, and that Criden's claims for implied contract, unjust enrichment, money had and received and *quantum meruit* failed because there was no compliance with California Rules of Professional Conduct, Rule 2-200, which requires written client consent to a fee division. Criden urged that Florida bar rules were different, but the Court found them similar and noted that fixed fee referrals such as Criden's are "per se" violations of Florida's rules. The Court's Order also concluded that fraud claims based on an alleged duty of Mr. Saveri to inform Florida counsel, who regularly appear in California district courts, about California ethical rules were legally insufficient, since the Criden lawyers had knowledge of the California rules or comparable Florida rules. An article regarding the case was published in the Recorder March 9, 2015. [View a PDF copy](#) of the Article.

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