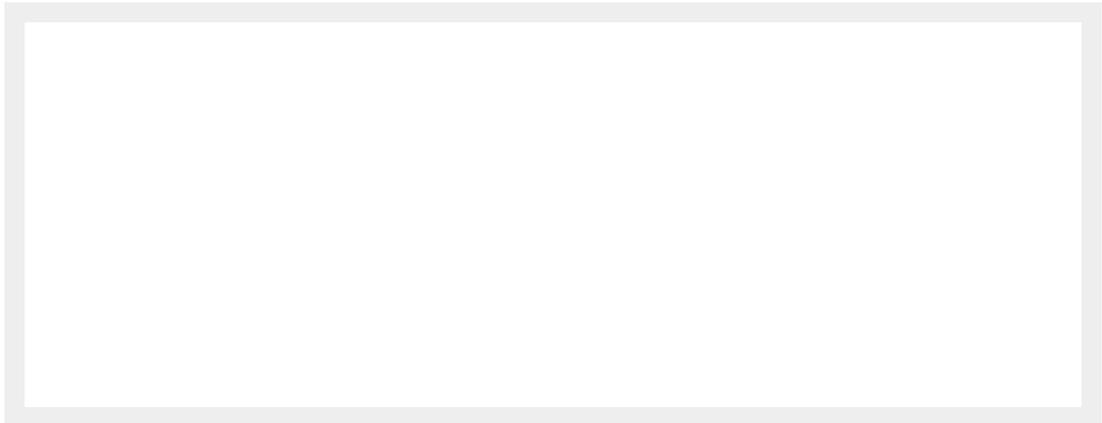


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EXPERT KEN MOSCARET'S TRIAL TESTIMONY SUPPORTS BIG-FIRM FEE REASONABLENESS

Posted Thursday, February 18, 2010 | Categories - [NALFA News](#)



A Los Angeles Superior Court judge ruled recently that over \$9 million in Glaser, Weil, Fink, Jacobs, Howard & Shapiro legal fees/costs (formerly known as Christensen, Glaser) was reasonable compensation for handling large, complex underlying litigation.

Attorney fee expert and NALFA member [Ken Moscaret, Esq.](#) (who testified successfully in the *Enron* case in 2008) submitted expert testimony at trial in support of the reasonableness and efficiency of Glaser, Weil's multimillion-dollar fees.

Glaser Weil represented a national bank as a trustee in the underlying litigation. Certain trust beneficiaries later sued the bank, claiming the bank had paid Glaser, Weil unreasonable amounts of compensation for litigation services on behalf of the trust.

Ken Moscaret focused his expert testimony to the L.A. trial court on several "big-picture" fee issues, including the following points:

- (1.) The total dollar value potentially at stake in the underlying litigation (involving a well-known waterfront shopping center in San Diego) was many times greater than the actual amount of Glaser, Weil's own fees. Mr. Moscaret opined that there was a rational cost-benefit relationship between the economic value at stake in the underlying litigation versus the legal fees expended.
- (2.) Glaser, Weil had repeatedly obtained successful results and outcomes against its opponent in the underlying litigation over the 7-year pendency of the case.
- (3.) The underlying litigation was extremely complex and demanding, and required very sophisticated, aggressive lawyering by Glaser, Weil against a tenacious opponent.
- (4.) Glaser, Weil's bank client understood how expensive the underlying litigation would be, was kept fully informed and involved in litigation decisions by Glaser, Weil, and approved all of Glaser, Weil's fees.
- (5.) Glaser, Weil took concrete, affirmative steps to handle, manage, and staff the underlying litigation in an efficient manner, and exercised billing judgment.

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35 East Wacker Drive, Suite 922 - Chicago, Illinois 60601 – (312) 854-7157 – info@thenalfa.org

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