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LITIGATION & CORPORATE LAW

BIG MONEY

*Central Ohio's top jury awards
and the lawyers who won*

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In the last five years, there have been some astounding jury verdicts handed down in Central Ohio. The top five verdicts, ranked by money awarded in all five years, are all more than \$10 million, and one was for more than \$40 million.

Surprisingly, in all but one of those cases the disputes involved businesses and none of the disputes were what might be called a frivolous lawsuit.

Business First compiled the cases with the help of Stephen Chapplear, an attorney and managing partner of the Columbus office of the law firm Hahn Loeser & Parks LLP.

For the last 20 years, Chapplear has been keeping track of the largest jury awards rendered in Greater Columbus courtrooms, and even authored a book called "So What's

Steven Goldfarb, left, and Andrew Pollis, are lawyers with the Cleveland office of Hahn Loeser & Parks LLP.

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1.
\$ 43.2
million

JURY VERDICT

Date Awarded: 01/25/05
Plaintiff: Chicago Title
Defendant: James Magnuson
Winning Attorney(s):
Steven Goldfarb, Andrew Pollis
Firm: Hahn Loeser & Parks
Issue: Non-compete
Court: Federal
Status: Post-trial motions

VERDICT: Cases are mired in appeals

Chicago Title v. Talon Group

The largest jury verdict ever decided in Central Ohio was handed down in January, when a jury awarded \$43.2 million to Chicago-based Chicago Title Insurance Co.

Your Case Really Worth? A Decade of Jury Trial Verdicts."

During that time, Chappellear found that the number of cases that go to trial and actually make it to the stage where a jury can make an award has dwindled. The majority of lawsuits are now being settled, he says.

The amount of money that juries are awarding has not increased dramatically either, Chappellear says.

"If you look at average awards based on a mean or median analysis, those are virtually unchanged," Chappellear said. "It's pretty much just a cost of living increase."

In many of the following cases, the awards are steep because the businesses involved invested a lot of money. And when a lot of

money is involved, a case is usually never over when the jury makes its award. Most of the following cases are mired in appeals that will take several more years to resolve.

"This was definitely the largest case I've ever won," said Steven Goldfarb, co-lead counsel for Chicago Title. Goldfarb litigated the case with Andrew Pollis, both of whom are partners in the Cleveland office of Hahn Loeser & Parks.

In a federal court case that revolved around operations in Central Ohio, Chicago Title sued the Talon Group, a rival title business, alleging it coerced Chicago Title executive James A. Magnuson into breaking his noncompete contract by going to work for Talon.

The lawsuit also alleged Talon engaged in an illegal, systematic recruitment of Chicago Title employees when it began Central Ohio operations in 2003.

In all, 32 employees left Chicago Title to work at Talon's three Columbus area offices, and Magnuson is now a regional manager for the firm.

A U.S. District Court jury in Columbus agreed with Chicago Title's claims and

found on Jan. 25 that Talon's parent, Santa Ana, Calif.-based First American Title Insurance Co., and Magnuson, should pay Chicago Title \$10.8 million in compensatory damages and \$32.4 million in punitive damages — a total of \$43.2 million.

Goldfarb and Pollis said that though the case wasn't a shoe-in, they were confident they would win.

"There wasn't a turning point, just a growing sense that the evidence we established had proven our case," Pollis said.

For Pollis, this is second largest jury award won. At the top was a case he helped litigate on behalf of Exxon Mobil Corp., in which the jury awarded \$416.8 million to Exxon after a Saudi Arabian company overcharged Exxon for services. Still, the Chicago Title case is one of Pollis' favorites.

"What made this case fabulous was trying it with Steve," Pollis said. "We work well together and our strengths complement each other's."

Attorneys for both sides in the case are still submitting post-trial motions, and it's likely the case will be appealed by First American sometime this year, Goldfarb said.

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