

# MASSACHUSETTS LAWYERS WEEKLY

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## THE WEEK'S OPINIONS

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### **Arbitration**

#### **Attorney - Fee dispute**

Where a company has filed a motion to stay arbitration proceedings that an attorney initiated with respect to fee disputes related to his representation of the company, the motion should be allowed as to all but one of the fee disputes.

“By expressly referring to Black Rock [Capital, LLC]’s retention of Attorney [Richard W.] Gannett in connection with the S & J [*Exco, Inc. v. Black Rock Capital, LLC*] Action, the parties cannot have intended the provisions of the Fee Agreement to extend beyond Attorney Gannett’s representation of Black Rock in that case. ...Accordingly, the only arbitrable dispute between Black Rock and Attorney Gannett is that arising out of the S & J Action. ...”

*Black Rock Capital, LLC v. Gannett (Lawyers Weekly No. 12-045-06) (9 pages) (Borenstein, J.) (Norfolk Superior Court) David S. Katz for the plaintiff; Michael Manfreda for the defendant (Civil Action No. 05-01761) (Feb. 10, 2006)*