

Bird Marella Obtains Dismissal with Prejudice of Federal Lawsuit Against International Law Firm

Bird Marella attorneys Joel Boxer, Mark Drooks, and Douglas Fretty successfully moved a federal district court to dismiss the complaint filed against an international law firm in a putative class action.

Plaintiffs originally asserted violations of RICO, California Unfair Competition Law, and California False Advertising Law, as well as claims for fraud and negligent misrepresentation, arising out of a 2005 opinion letter drafted by the defendant for one of its clients. Before filing a response to the complaint, Bird Marella persuaded the plaintiffs to dismiss the RICO claim, after which Bird's attorneys moved to dismiss all remaining claims with prejudice. The court granted the motion in its entirety and agreed that providing an opportunity to amend the complaint "would be futile."