

Sharon Ben-Shahar Mayer and Mark Drooks Author Article on the Use of Arbitration Clauses in Engagement Agreements

Bird Marella principals Sharon Ben-Shahar Mayer and Mark Drooks authored the article, “Calif. Ruling Dings Engagement Letter Arbitration Clauses,” published by Law360. The article analyzes the implications of a recent ruling by the California Supreme Court in *Sheppard Mullin v. JM Eagle*, holding that in cases involving a conflict of interest, the entire engagement agreement, including the arbitration clause, is unenforceable as against public policy. They assert that the ruling will cause law firms to reconsider the use of arbitration clauses in engagement agreements. They also foresee added expense and delays in reaching the merits in malpractice and fee cases.

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