

Lawsuit seeks arbitration in Microsoft case

July 6 2010, By MICHAEL J. CRUMB , Associated Press Writer

(AP) -- Attorneys representing 23 states involved in a class-action lawsuit against Microsoft Corp. have filed a lawsuit over attorney fees against the Iowa lawyer who spearheaded a \$179.5 million settlement with the software company.

Roxanne Conlin of Des Moines negotiated the 2007 settlement that included \$75 million in attorney fees that she split with attorney Richard Hagstrom and the Zelle Hoffmann law firm of Minneapolis.

Conlin and Hagstrom filed the [lawsuit](#) against [Microsoft](#), which is based in Redmond, Wash., claiming the company engaged in anticompetitive conduct that caused consumers to pay more for software between 1994 and 2006. The settlement was announced in August 2007.

The lawsuit claims that attorneys in 23 states provided advice, pleadings, participation and prosecution in the class-action case in their states, and in the Iowa case against Microsoft.

The group formed The Microsoft Litigation Consortium. The lawsuit filed last month in Polk County District Court said the group signed an agreement with Conlin that called for the consortium to receive 20 percent of attorney fees awarded in the case. It also said disputes were to be resolved through arbitration.

"The attorney fees awarded to (Conlin) at the conclusion of litigation were not shared ... in violation of the ... agreement," the lawsuit states.

The lawsuit said that Conlin has refused to comply with the agreement and that "on multiple occasions (the consortium) has requested that (Conlin) comply with the ... agreement and arbitrate the dispute regarding the fees."

Thomas Hanson, the Des Moines attorney who filed the lawsuit, said it is seeking a court order to force Conlin to enter into arbitration and the decision of how much would be awarded to the consortium and its attorneys would be left to an arbiter.

Conlin, who's a Democratic seeking to unseat Republican U.S. Sen. Charles Grassley this fall, released a statement Tuesday that said the lawsuit without merit.

"This lawsuit ... comes more than three years after the case was settled and after they ignored a court order providing for the submission of any legitimate claims," Conlin said. "These lawyers did not participate in the trial and I'm surprised and disappointed that they would emerge three years later seeking payment for services they never provided."

©2010 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

Citation: Lawsuit seeks arbitration in Microsoft case (2010, July 6) retrieved 28 April 2024 from <https://phys.org/news/2010-07-lawsuit-microsoft-case.html>

<p>This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.</p>
--