

# Daily Journal

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Last summer, Saunders extricated her client from an unusual legal malpractice action brought by a class of people the client had never represented. To succeed, she had to prevail with an anti-SLAPP motion and a demurrer, plus an appeal upholding each. She also won — and collected — more than \$100,000 in attorneys' fees for the client.

"It was a hard-fought battle over a number of years, but at least as to my client, he was successful in defeating the claim and actually getting some reimbursement for the costs to litigate it," Saunders said.

Beyond that, she found the case to be especially interesting because the plaintiffs were foreign nationals who had hoped to receive U.S. visas under the EB-5 Immigrant Investor Program by investing \$500,000 each in a job-producing project, which in this case turned out to be fraudulent. Saunders had not heard of the EB-5 program before. The opportunity to learn about it is one of the reasons she enjoys defending legal malpractice cases.

"The beauty of this practice area is not only that you get to meet a lot of great attorneys, but you also get to know different areas of the law," she said. "It's not a repeat of the same thing over and over again."

Another example of that is a case she resolved last year brought by a securities broker against attorneys who had represented him in an employment arbitration conducted through the FDIC. The settlement included some back attorneys' fees paid to her clients.

"That was a new practice area for me to learn," Saunders said. "It was quite an interesting area."

Then there was the malpractice case she won recently with a successful summary judgment motion. It dealt with legal advice over the financing of mobile home parks. "Again, it was a whole new area," she said.

For the last 10 years or so, Saunders also has represented lawyers under disciplinary investigation by the State Bar. Currently, those matters are about a quarter of her caseload. "Fortunately, I've been successful in knocking them out at the investigative stage," she said.

She said she has noticed a definite increase in the number of discipline matters from the bar, which she attributes in part to the revision of the state's Rules of Professional Conduct in 2018. Another significant factor was the conversion of the State Bar into a purely regulatory agency by spinning off the educational functions into the California Lawyers Association.

## Jennifer K. Saunders

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LOS ANGELES

LEGAL MALPRACTICE AND  
STATE BAR DISCIPLINE  
DEFENSE



Saunders said she believes the fact that the bar seems to be investigating more discipline cases is important. "It's a good thing the State Bar is doing that," she said.

— DONDEBENEDICTIS