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BlackSDA _ 3ABN _ Siegel, Brill Et. Al.

Posted by: Observer May 27 2007, 12:22 PM

Some have commented on the lawyers potentially involved in the lawsuit against Galion Joy and Bob Pickle. References have been made to 14 lawyers. The assumption is that big money has hired a mass of lawyers to beat GAJ and Bob Pickle to death.

I do not happen to think that such is reality. It is incomprehensible to me to believe that there are 14 lawyers working on this lawsuit. Such would be overkill, and a great waste of money. So, I thought that I would write a bit on what usually happens in as case like this. I intend to illustrate it with what is on the public record of the firm that has been retained to litigate.

Those of you who wish to review what this law firm says about itself may review www.sbgdf.com You will find that it lists 17 lawyers who work in its practice areas. In addition, you may assume that there are other, paralegals, and more who are on its staff.

You will see that this law firm concentrates in the areas of Corporate Practice, and Litigation.

In the area of Corporate Practice it generally works in Entrepreneurial, Mergers & Acquisitions, Corporate Finance & Taxation, Intellectual Property, Construction Law, Employment, Estates & Trusts, Land Use, Development & Financing, Condemnation & Tax Appeals, and ERISA.

In its second area, it generally practices in Class Actions & complex Litigation, ERISA, Land Use, Employment, Construction and General litigation.

It would be unreasonable to believe that all 17 of these lawyers would be involved in litigation issues related to 3-ABN.

In a typical law firm, two lawyers would be picked to give overall supervision to the development of a case for litigation. One might be in overall charge. But, often that firm would have a rule that two senior partners would have to agree on, and sign off on, every decision, paper and action that was taken. The reason for this is simple: Law firms do not want one partner, acting independently, to jeopardize the case and the law firm by either failing to do something, or by doing something wrong.

These two lawyers would then select others who would work on individual parts of the case. While in theory all 17 could be assigned parts that would likely not happen. It is probable that some of the 17 would have expertise in areas not related to the case.

E.g. I do not see that experts in construction law and litigation would be needed at this time. Neither do I see it necessary to use lawyers who specialize in Land Use.

Here are some of the areas in which Siegel et.al practice that I will suggest might be related to litigation involving 3-ABN: Mergers & Acquisitions—Think Amazing Facts, Tax law—think school board case, and other such issues that have been alleged, Intellectual Property—think trademarks and copyright, Employment—think issues regarding the employment of Linda, Possibly ERISA—think pension plans and more involving Linda. The individual areas would only be involved as they were related to litigation issues.

I am going to assume that Mr. Duffy is one of the senior people involved. He may be assumed to have expertise in General Litigation, and Mergers & Acquisitions. But, in the area of Intellectual Property I suspect that he would defer to Sherri Rohlf. In Employment, ERISA & Tax issues, I will suggest that he would defer to several others.

All in all, I will suggest that there are probably no more than 3 – 6 lawyers working on 3-ABN litigation at any one time. Yes, some may be called in to respond to an issue in their area. The power of a large law

firm is not that they have 100 lawyers to work continuously on a case. It is that they have a number of specialists who can respond to specific issues that are raised, and that they have a number of paralegals who can do the grunt work and research.

As I see it, the current issues are: Litigation, Intellectual Property, and libel/defamation of character, all in an Internet environment.

People who want to know more about this firm's litigation history may access <http://www.sbgdf.com/practice.html> that will take you to icons that will tell a bit more about how this firm litigates and settles prior to trial.

In the case of the current litigation we have an unknown factor. The lawsuit was filed in a Federal Court in MA. Are any of the lawyers listed in this law firm licensed to practice in MA? I do not know. I only know, as has been pointed out by 3-ABN defenders, one must be licensed to practice law in a State. If Siegel et.al does not have lawyers licensed to practice in MA, they must retain an attorney licensed in MA. I have no knowledge in regard to this as the legal documents are sealed.

NOTE: I am generally speaking in general terms. I do not know what is going on with the current litigation. In what I say here, I am only making speculative assumptions.

Posted by: SoulEspresso May 27 2007, 01:13 PM

QUOTE(Observer @ May 27 2007, 11:22 AM)

NOTE: I am generally speaking in general terms. I do not know what is going on with the current litigation. In what I say here, I am only making speculative assumptions.

Naturally. But that does help those of us who don't have as much knowledge in the area to understand what's happening. Glad you put it up.

Posted by: Observer May 27 2007, 01:56 PM

QUOTE(SoulEspresso @ May 27 2007, 01:13 PM)

Naturally. But that does help those of us who don't have as much knowledge in the area to understand what's happening. Glad you put it up.

In regard to law firms, a 17 member firm is not a large firm. That does not imply that they cannot do good work. My expectation is that they will do exceptional work. But, in saying so, that does not imply that they will never make a mistake. Even very good lawyers make mistakes. In litigation, each side attempts to push the other side into making mistakes.

One of that attributes of a good law firm, is that they recognize their limitations, and seek outside help when they need it.

I am going to assume that the current litigation filed against GAJ, and Bob Pickle, involves the Internet--that is what is clear in the letter Mr. Duffy wrote to GAJ. While I may be wrong, I am also going to assume that this law firm does not have expertise in Internet law as it relates to Intellectual Property. Again, this is only

speculation on my part, which may be wrong. If I am correct, I will expect them to retain an attorney who does have that expertise to help them litigate this case.

I think that they will retain experts to assist them in any area in which they think they lack the required expertise.

Again, my saying so does not imply that I believe that they will win their case. We will simply have to wait to see.

Posted by: Pickle May 27 2007, 07:18 PM

QUOTE(Observer @ May 27 2007, 12:22 PM)

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NOTE: I am generally speaking in general terms. I do not know what is going on with the current litigation. In what I say here, I am only making speculative assumptions.

Of course, I am not going to comment about your speculations, whether they are right or wrong, but I did want to ask you a question: When Danny's allies ridiculed Attorney Laird Heal over the license question, would their comments have been considered libelous and defamatory?

Posted by: Fran May 27 2007, 09:28 PM

QUOTE(Pickle @ May 27 2007, 08:18 PM)

Of course, I am not going to comment about your speculations, whether they are right or wrong, but I did want to ask you a question: When Danny's allies ridiculed Attorney Laird Heal over the license question, would their comments have been considered libelous and defamatory?

My Opinion: YES!

Posted by: SoulEspresso May 27 2007, 10:33 PM


QUOTE(Eirene @ Apr 26 2007, 09:07 PM)

If your whole scenerio was accurate then **at the very least he would be guilty of stupidity**. I would think any competent lawyer would have checked the status of the activation before driving from Mass to Southern IL

QUOTE(Eirene @ Apr 26 2007, 07:49 AM) □

That's pretty simple Bob and really the answer doesn't affect the outcome. In order for a license to be valid in a state, it has to be kept active. That is a matter of keeping up the fees every year etc. Laird didn't. Frans statement that said it was the fault of of the state may in part, be accurate but that is a moot point on this picture. Here is the part being left out. He knew he had not been re-instated? **Unless he intended to try and get by with it, why drive all the way to Southern IL for nothing? And why answer to the affirmative when asked if he was licensed to practice in IL? No, don't say well he did have a license. A license doesn't count in a state if it is inactive and he knew it was still inactive. All of this "he was working on it" doesn't get it.** You and Gailon are using a play on words to smokescreen the act itself.

QUOTE(Eirene @ Apr 25 2007, 08:36 PM) □

That sounds like a nice little spin all packaged up. One thing is wrong with that. When the judge ask if he was licensed to practice in IL he said YES YOUR HONOR! **No matter how you spin it he lied. Had he not been exposed, proceedings would have went on as planned with no one the wiser.** Are you honestly trying to say that he drove all the way from Mass, a long long trip, and Linda drove from springfield, knowing that he wouldn't be able to accomplish anything because he was going to have to admit to the judge he didn't have his license yet?  **Please, he thought he could get a way with it but failed miserably.**



Posted by: Observer May 28 2007, 09:52 AM

QUOTE(Pickle @ May 27 2007, 06:18 PM) □

Of course, I am not going to comment about your speculations, whether they are right or wrong, but I did want to ask you a question: When Danny's allies ridiculed Attorney Laird Heal over the license question, would their comments have been considered libelous and defamatory?

Bob, your question has interest in a court of law. By tying it to a specific situation any answer that I would give lies closer to the practice of law than I want to go.

In any case, I do not have the legal expertese to respond to your question. I do not know.