

NEWS RELEASE
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FOR IMMEDIATE RELEASE
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ATTORNEYS WIN JUDGMENT FOR CIVIL ENGINEERING DESIGN FIRM

Los Angeles, CA--- Attorneys for Morris Polich & Purdy LLP recently secured a victory for a design firm in a case involving a real estate purchase and the subsequent development plans for the parcel.

The owner sought to purchase property and, during the process, an easement that affected title was not identified. The owner sued his attorneys for legal malpractice. The attorneys then filed a cross complaint for indemnity a civil engineering firm, who had been retained by the owner to prepare plans for the proposed construction.

The trial court sustained a demurrer presented by firm partner David Brandon, without leave to amend. The Court of Appeal affirmed, holding that “discovering and disclosing easements is not among the statutory duties of a civil engineer.” It also noted that nothing in the contract between the engineer and the owner required the engineer to examine title or identify easements.

“This is a textbook case for a demurrer, or motion to dismiss a case, because the claim is legally insufficient,” noted Brandon. “The liability for scrutinizing the title of the property clearly did not fall on the civil engineers,” he added.

About MPP

Morris Polich & Purdy LLP is a litigation firm, which serves as local, regional and national counsel for small to Fortune 500 companies. The Firm is dedicated to delivering superior performance for clients, and to partnering with them to meet their legal and business goals.

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