

When to Call an Attorney

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WHEN TO CALL AN ATTORNEY – ACCORDING TO FORBES

- Anything potentially involving handcuffs
- You have suffered bodily harm (or caused harm)
- You need an estate plan
- Someone dies
- You are asked to sign a contract
- Getting (or thinking about) a divorce
- The IRS calls about your business deductions



WHEN NOT TO CALL AN ATTORNEY

- When it is a “matter of principle”
- Overhanging fruit branches or bamboo
- Fired after a brief stink for no apparent reason
- Contractor goes a little over budget
- Someone wrote something about you that you find offensive

TALKING TO BOLI

- Facts:
 - Restaurant employee let go because of lack of hours
 - Files BOLI complaint
 - Restaurateur takes call from BOLI investigator
 - Answers all questions and BOLI investigator says, “Sounds like everything is in the clear.”
 - Asks one more question: “Would you hire him back?”
 - Answer: “No way. He called you guys and filed a complaint.”
 - Per se case of discrimination
- Cost: \$45,000

PATENTS

- Facts:
 - Company hired Vendor to make Product.
 - Vendor took it upon itself to do a patent search and found two patents owned by a competitor that covered the same kind of product.
 - Rather than asking a patent attorney to look into things, Vendor sent Company an email saying, “We found these two patents that we think are a problem. We suggest the following design change.”
 - Rather than asking a patent attorney to look into things, Company agreed to the design change.
 - Neither of them had any clue how to read a patent.
 - Turns out, the original Product didn’t infringe either patent, but redesigned Product managed to infringe both of them.
 - Company came to realize this only after it finally hired a patent lawyer... after it got sued for willful patent infringement.
- Cost: Approximately \$225,000. But saved \$1,000.



CONDEMNATIONS

- Facts:
 - County employee shows up at the door to “help” with the mandatory condemnation process
 - Here to help you through the process to make it easy for you.
 - Trusts this nice person who is there to help you through the process
- Cost: Tens of thousands of dollars



CONTRACTS

- Remember, once you've signed, you are committed
- Read it, even if it's their "standard" language
- Carefully read the key provisions, such as:
 - Termination
 - Charges
 - Limitations on liability
 - Indemnity
- Foreign contracts – call an attorney. You don't know what you're signing.
 - Can't fire a bad distributor in some jurisdictions.
- An attorney review may only cost \$1,000, but the cost to get out of a contract is huge.

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"I love my job because each and every deal is new. The fun is using my diverse experience to help my clients achieve their objectives."

TJ Crane helps private and non-profit technology and manufacturing companies make sound decisions on the governance, structure and commercial issues that drive their current and future revenue. His clients operate in heavily regulated sectors, including satellites, telecommunications and new media, government and defense, and technology. Drawing on experience as both a government procurement officer and in-house counsel for a Fortune 50 technology company, TJ provides seasoned and thoughtful guidance.

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