

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

Renee S. Hartz, M.D. v. Victor R. Farrugia; Robert A. Kutcher; Nicole Tygier; Chopin, Wagar, Richard & Kutcher, LLP

360 F. App'x 541 (5th Cir. 2010) (per curiam) · No. 09-30358 · Decided January 11, 2010

SUMMARY

Renee Hartz brought a legal-malpractice action alleging that an attorney failed to inform her of a potential claim against her former lawyer. The United States Court of Appeals for the Fifth Circuit affirmed the district court's grant of summary judgment for the defendants and denial of summary judgment for Hartz, finding no reversible error.

CASE DETAILS

COURT	United States Court of Appeals for the Fifth Circuit
WRITING FOR THE COURT	Per curiam; Edith H. Jones; Jerry E. Smith; Jennifer W. Elrod
JURISDICTION	Federal
DECIDED	January 11, 2010
DOCKET	09-30358
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff appealed the district court's grant of summary judgment for defendants and denial of her own motion for summary judgment in a legal-malpractice action.
PRECEDENTIAL VALUE	unpublished and nonprecedential
PARTIES	Renee S. Hartz, M.D. v. Victor R. Farrugia, Robert A. Kutcher, Nicole Tygier, Chopin, Wagar, Richard & Kutcher, LLP

TOPICS

professional negligence summary judgment appellate procedure standard of review civil procedure

PRACTICE AREAS

legal malpractice professional negligence civil procedure

QUESTIONS PRESENTED

1. Whether the district court committed reversible error by granting summary judgment for the defendants and denying Hartz's motion for summary judgment in the legal-malpractice action.

HOLDINGS

1. The district court committed no reversible error in granting summary judgment for the defendants and denying Hartz's motion for summary judgment.

KEY QUOTATIONS

“Because there is no reversible error, the judgment is *AFFIRMED*.” (slip op. at 2)

FACTUAL BACKGROUND

Renee Hartz brought a legal-malpractice claim arising from an allegedly actionable failure by one of her attorneys to inform her of a potential claim against her former lawyer. The district court entered summary judgment for the defendants and denied Hartz's motion for summary judgment.

PROCEDURAL HISTORY

Hartz sued her attorneys and law firm for legal malpractice based on an alleged failure to inform her of a potential claim against her former lawyer. The United States District Court for the Eastern District of Louisiana granted summary judgment to defendants and denied summary judgment to Hartz. The Fifth Circuit affirmed.

DISPOSITION

affirmed

OPINION

PER CURIAM.

Case: 09-30358 Document: 00511000347 Page: 1 Date Filed: 01/11/2010 IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT United States Court of Appeals Fifth Circuit FILED January 11, 2010 No. 09-30358 Charles R. Fulbruge III Clerk RENEE S. HARTZ, M.D., Plaintiff-Appellant, versus VICTOR R. FARRUGIA; ROBERT A. KUTCHER; NICOLE TYGIER; CHOPIN, WAGAR, RICHARD & KUTCHER, LLP, Defendants-Appellees.

Appeal from the United States District Court for the Eastern District of Louisiana No. 2:06-CV-3164 Before JONES, Chief Judge, SMITH and ELROD, Circuit Judges. PER CURIAM:* Renee Hartz sues for legal malpractice stemming from the allegedly actionable failure of one of her attorneys to inform her of a potential claim against * Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.

R. 47.5.4. Case: 09-30358 Document: 00511000347 Page: 2 Date Filed: 01/11/2010 No. 09-30358
her former lawyer. The district court granted summary judgment for defendants and denied
summary judgment for Hartz. We have reviewed the briefs, the applicable law, and pertinent
portions of the record and have heard the arguments of counsel.

Because there is no reversible error, the judgment is AFFIRMED. 2