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PRESS RELEASE

FOR IMMEDIATE RELEASE

**DOYLE BARLOW & MAZARD WINS D.C. COURT OF APPEALS
DECISION**

WASHINGTON DC – July 20, 2017 - Doyle, Barlow and Mazard PLLC represents John W. Boyd, Jr. in a lawsuit seeking reasonable compensation for the time, effort and resources Mr. Boyd expended on the behalf and with full knowledge of Washington DC law firm Kilpatrick, Townsend & Stockton, LLP and Washington DC lawyer Dennis M. Gingold.

Mr. Boyd's lawsuit alleges that Kilpatrick Townsend and Mr. Gingold recruited, encouraged and directed Mr. Boyd to work on their behalf and that they refused and continue to refuse to reasonably compensate Mr. Boyd for his efforts.

Mr. Boyd's lawsuit also alleges that Kilpatrick Townsend and Mr. Gingold were unjustly enriched because they received their legal fees only as a result of Mr. Boyd's efforts in passing the Claims Resolution Act of 2010 ("CRA") that provided the money to fund the settlement. Without Mr. Boyd's efforts in getting the CRA passed, Kilpatrick Townsend and Mr. Gingold would not have obtained \$3.4 billion that funded the settlement and rewarded Kilpatrick Townsend and Mr. Gingold \$99 million in legal fees.

The Superior Court dismissed the unjust enrichment claim as time barred relying on the "last rendition of services test" which posits that the plaintiff's claim accrues upon a plaintiff's last rendition of services to a defendant. But, the Court of Appeals made clear that the test for statute of limitations is "when the plaintiff's last service has been rendered and compensation has been wrongfully withheld." Therefore, the Court of Appeals vacated the Superior Court's decision and remanded it for further proceedings.

Andre Barlow of Doyle Barlow & Mazard said that "while we believe the Court of Appeals was correct to vacate the trial court's decision with respect to the unjust enrichment claim being time barred, the Court of Appeals should have been clearer. A trial court should never dismiss a complaint on statute of limitations grounds unless the Complaint on its face

indicates that the claim is time barred. In fact, a Complaint does not need to include facts related to a defendant's statute of limitations defense. Regardless, we are happy that Mr. Boyd's case will be remanded back to the trial court."

Mr. Boyd's appeal was decided on July 20, 2017 (Nos. 15-CV-0692 & 15-CV-1043) the case (C.A. No. 2014-CA-0002782-B) has been remanded to the Superior Court of the District of Columbia, Civil Division, 500 Indiana Avenue, NW, Washington, DC 20001. The case number is 14-0002782.

For more information, please contact Andre Barlow at 202.589.1838 or andrebarlow@dbmlawgroup.com

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