

Lawyers leave firm over Koons estate lawsuits

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Father-and-son lawyers who are the focus of a bitter legal brawl in a \$300 million estate suit have left the Cincinnati law firm the father co-founded – a move the two fought.

Richard H. “Dick” Ward, 85, and his son, Richard G. “Nick” Ward, 54, left the Drew & Ward law firm and are accused of legal malpractice by attorneys for the \$300 million estate of John “Bud” Koons III. Those allegations stem from their involvement in several lawsuits regarding the estate.

The elder Ward was a close friend of Koons – the former owner of Burger Beer, a now-defunct Cincinnati brewery – and served as Koons’ lawyer for decades, helping Koons set up trusts for relatives and to sell companies in 2005 for \$340 million.

While representing the estate, the Wards are accused of legal malpractice by also being hired by Koons’ relatives to sue it.

“The reasons they split up ... have a lot to do with the litigation,” said Cincinnati attorney James Helmer, representing Koons’ estate.

“What we’ve been told is that

the firm was dissatisfied with Nick’s (original) pursuit of the lawsuit and asked him to leave.”

Mark Jordan, managing attorney in the firm now called the Drew Law Firm, said both Wards ended their affiliation Sunday with the old Drew & Ward firm that Dick Ward co-founded in 1958.

Anthony Covatta, a partner in the renamed law firm, declined to specifically say why, citing ethical concerns. But he noted the Koons’ lawsuits were part of the consideration.

“We had no interest in that (Koons’) litigation whatsoever,” Covatta said Thursday.

“It’s not our fight. We’re very sorry we were dragged into it from the beginning. We’ve been hit by some shrapnel.”

“No comment,” Nick Ward wrote in an e-mail.

Dick Ward, former president of the Cincinnati Bar Association, also declined comment.

Both Wards have denied any wrongdoing in legal documents in the case.

Both Wards, in letters involved in the Koons’ lawsuits, noted they “never have sought the termination of our relationship with the firm of Drew & Ward.”

The issue will be discussed today when the sides meet with Hamilton County Common Pleas Judge Steve Martin to prepare for a May 4 trial in one of the three lawsuits filed in Ohio over the allegations. At least one more suit is filed in Florida, where Koons lived when he died a month after he sold his businesses.

Koons’ estate is suing Drew & Ward for \$10 million, accusing the Wards of using documents – many of them confidential – that they obtained while representing Koons over 40-plus years to later sue the estate.

Michael Cundall, a nephew of Koons, hired the Wards to file a 2006 lawsuit against the estate of their former client.

Cundall’s suit accuses Koons of bullying the Cundall family – in 1984, 22 years earlier – into selling \$3.6 million stock in Cundall trusts. Those trusts were set up and funded by Koons, whose sister married a Cundall. That money now is worth \$22 million.

The Wards were paid millions in their legal representation for Koons and his businesses.

In several court appearances, the attorneys engaged in name-calling and sought gag orders to prevent the story from appearing in the press.