

Miami Attorneys Fight Over Fees on \$2.87B Award Against Cuba

by Julie Kay
jkay@alm.com

OFFICIAL COURT REPORTER OF SOUTH FLORIDA
DailyBusinessReview.com
754-347-2600 • FAX 754-347-2124

INSIDE
VERDICTS & SETTLEMENTS
\$1.4 BILLION VERDICT IN THE ASBESTOS CASE

LAW
PRINCE BRAINER EXPANDES
New York attorney expands practice to South Florida

REAL ESTATE
MIAMI SPAIN TRADE FORUM ALLIANCE
Miami-Cuba Foreign Office Center partners with Spain

HOLLAND & ARNOLD'S NEW HIRE
The firm's new partner is a former partner at another firm

PRACTICE FOCUS BUSINESS
A new partner joins the firm

COMMERCIAL REAL ESTATE
REACTIVELY SEEKING PROTECT
A new partner joins the firm

BANKING/FINANCE
EU FINANCING GOOGLE'S BATTLE
The firm's new partner is a former partner at another firm

PUBLIC NOTICES & THE COURTS
A new partner joins the firm

Should you have attorney questions, call 407-296-1899

Miami Attorneys Fight Over Fees on \$2.87B Award Against Cuba



Andrew Hall, one of the attorneys involved in the case.

Two Miami attorneys and former friends are locked in a fierce battle over who should receive legal fees from a \$2.87 billion judgment against the Cuban government on behalf of a Cuban man who was driven to suicide by Fidel Castro and Che Guevara.

Andrew Hall sued Jeremy Alters on behalf of Alfredo and Gustavo Villoldo, sons of Gustavo Villoldo, a successful Cuban businessman who committed suicide in 1959 after being arrested and interrogated by Guevara.

Both attorneys insist they represent the Villoldos.

This isn't the first time Alters of the Morelli Alters Law Firm has been sued by other attorneys who claimed he either tried to steal their lawsuits or appropriate the idea for a lawsuit. He also is being sued by former partners who claim they are owed money and is the subject of a Florida Bar investigation.

The latest lawsuit against Alters was filed in Miami-Dade Circuit Court by Hall on behalf of the sons.

The suit claims Alters was fired by the Villoldos after botching a previous suit and has no right to any further legal fees on the judgment obtained by the Hall, Lamb and Hall partner in 2011. The suit seeks a preliminary injunction to prevent Alters from acting on behalf of the Villoldos. Alters filed the original lawsuit in 2008.

At the time, Miami-Dade Circuit Judge Beatrice Butchko's award was the largest U.S. civil judgment ever leveled against Cuba, although the chances of collecting the full amount were considered a long shot.

Alters obtained a \$1.4 billion verdict from Miami-Dade Circuit Judge Peter Adrien. But Hall's lawsuit said Alters essentially botched the case by failing to request arbitration and meet other requirements for jurisdiction under the Foreign Sovereign Immunities Act.

"He failed to follow proper procedures," Hall said. "His lawsuit was not worth the paper it was written on."

The case was withdrawn, and Hall filed a new version.

The Cuban government never responded to either lawsuit and has refused to comment.

Alters' attorney Andrew Berman said the problem was that Alters was unable to locate Cuban assets to freeze in the United States.

Hall argued a different legal theory, claiming Cuba threatened and terrorized Gustavo Villoldo, a Bay of Pigs veteran and CIA operative who helped track down Guevara in the Bolivian jungle.

ASSET HUNT

Berman said Alters and Hall began working on the new case cooperatively.

"Andy took over the case from Jeremy. He said they would work together to collect on the judgment," said Berman of Young, Berman, Karpf & Gonzalez in Miami. He noted Hall was concurrently representing Alters in a case brought by Argentinian lawyers claiming he essentially stole their idea for a massive bank overdraft class action.

Hall, who specializes in finding assets and collecting judgments for victims of terrorism, was busily searching for Cuban assets and said he already has collected \$35 million to \$40 million for his clients.

"Andy started cleaning up the case essentially," said Matt Leto, Hall's co-counsel at Hall, Lamb and Hall.

Meanwhile, Alters took a different tack and hired a high-profile Washington law and lobbying firm, Arent Fox, to lobby the U.S. State Department to push the Villoldos to the front of the line for payment. Alters is seeking up to 20 percent of the total legal fees depending on the recovery.

Hall said he was not invited to any of the State Department meetings and didn't know Alters was working that line of attack.

"He disclosed a year later that he had hired a lawyer and was having meetings with the State Department, which was unauthorized by us," Hall said. "Even worse, he provided wrong information to the State Department."

That's when relations between the two lawyers turned sour. Hall filed a motion with Butchko to restrain Alters from any further action.

"Jeremy has spent years laying the groundwork for Mr. Villoldo to collect on this particular claim and now that he is close, Mr. Villoldo wants to cut him out," Berman said. "That just isn't right. Mr. Hall led Jeremy to believe everything was fine."

Julie Kay can be reached at 305-347-6685.