KAUFMAN DOLOWICH LLP

State high court clarifies prevailing party attorney fees, *Daily Journal, ft. Louie Castoria*

Louie Castoria, co-managing partner of the San Francisco office of Kaufman Dolowich & Voluck, was mentioned in a Daily Journal article written by Malcolm Maciachian on Friday, April 7, 2017. Mr. Maciachian wrote:

Louie H. Castoria, a partner at Kaufman Dolowich & Voluck LLP in San Francisco, said the case brings a measure of clarity to Civil Code section 1717.

The statute does not define a "prevailing party," except to specify that there is no prevailing party in cases that settle or reach another voluntary resolution.

"If you are going to be seeking attorney fees under 1717, you better prevail on something that brings a case to an end as a whole," said Castoria, who has written about the case but is not involved.

Castoria added that he would have liked to have seen the court more directly address forum shopping. The prevailing party will now need to seek attorney fees in Florida, he said.

While the state has rules on attorney fees similar to California, he said, many states do not.

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