

## Legal Malpractice – Summary Judgment

### **SERVICES**

Professional Liability

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Matthew H. Greene

**January 11, 2019**

Matthew Greene, a Shareholder of the firm, successfully obtained summary judgment on behalf of the Volunteer Lawyer’s Project, a non-profit organization that provides pro bono civil legal services, alleged to have committed legal malpractice in representation of the plaintiff.

The plaintiff sought assistance in an eviction proceeding by the Boston Housing Authority. The plaintiff was evicted and sued the Volunteer Lawyer’s Project for failing to appear and represent his interests at the Housing Court hearing. On summary judgment, the defense relied on the terms of the limited representation agreement signed by the plaintiff, as well as the inability of the plaintiff to prove any damages where he had no viable defense to the eviction proceeding. The motion was allowed, along with a finding that claims under G.L. c. 93A were not viable against the Volunteer Lawyer’s Project as the non-profit organization was not acting in the course of trade of commerce