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Fen-phen lawyers may be suspended

BY JOE BIESK | THE ASSOCIATED PRESS

Three Lexington lawyers involved in a massive fen-phen case should be temporarily suspended from practicing law because of how they appropriated their clients' shares of a \$200 million settlement, an attorney said Thursday.

Linda Gosnell, chief counsel for the Kentucky Bar Association, said the three attorneys improperly took more than their share of the settlement. The lawyers represented hundreds of clients in a lawsuit over the diet drug.

"Their conduct was drastic," Gosnell told the court. "This is a case of absolute, unbridled greed."

The Kentucky Bar Association's Inquiry Commission has recommended the temporary suspensions of Shirley Cunningham Jr., William Gallion and Melbourne Mills Jr. The Kentucky Supreme Court considered this Thursday.

A lower court judge has found that the attorneys in the diet-drug case breached their duty to the more than 400 clients they represented. The clients have sued the lawyers in Boone Circuit Court in Northern Kentucky.

Out of a slightly more than \$200 million settlement, about \$45.5 million went to about 440 clients and the rest was split among attorneys and consultants, Gosnell said.

Mills said the lawyers did not do anything "significantly wrong."

Mills said he received about \$23 million for his work, a number he said was within the 30 percent of his agreed share of the settlement.

Defense attorney William E. Johnson acknowledged his clients did not do a good accounting job in handling the case. However, Johnson said suspension of his clients' law licenses was a "severe imposition of punishment."