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Foley Hoag Must Pay Expert \$92K For Testimony, Jury Finds

By **Ryan Boysen**

Law360 (September 30, 2022, 3:18 PM EDT) -- Foley Hoag LLP must pay \$92,000 to a Mexico City attorney who was hired by the firm as an expert witness but was never paid, a jury has ruled after a three-day trial in Washington, D.C., Superior Court.

Details are sparse, and many documents in the case have been filed under seal or partially redacted, but the docket shows that on Thursday, the jury took less than an hour to return a verdict that found Foley Hoag guilty of breach of contract and other claims brought by Alejandro Salas Patron.

One of Salas' attorneys, William Wilson of Wilson Williams LLC, told Law360 on Friday that his client "is delighted that justice has prevailed and that he will [be] paid for the services he rendered in 2016."

Wilson declined to comment further about the case.

Salas was hired as an expert witness on commercial law by Foley Hoag in 2015, in an arbitration case on behalf of the Venezuelan government. His rate was \$300 an hour, according to court documents. Salas worked on the case from September 2015 to February 2016, and billed Foley Hoag about \$92,000 for his services.

It appears from court filings that Venezuela never paid its full legal bills to Foley Hoag, however, and Salas claims the firm then refused to pay him as well. Salas argued that his contract with Foley Hoag stated he would be paid for work performed, full stop, regardless of whether the client paid or any other considerations.

Salas filed his lawsuit in December 2018.

Shortly before trial, Foley Hoag **argued** that Salas shouldn't be allowed to introduce evidence showcasing the firm's annual revenue and other financial metrics, arguing it could be prejudicial by allowing Salas to frame his case as a David and Goliath story.

D.C. Superior Court Judge Ebony Scott granted many of those requests, but it appears not to have made much of a difference to the trial's outcome.

In an email, another of Salas' attorneys, Luke McGrath of Dunnington Bartholow & Miller LLP, told Law360 his client prevailed because Foley Hoag attorneys were caught trying to change their story on the witness stand. He declined to elaborate, and transcripts of the trial are not yet available.

"Trial Counsel for Mr. Salas repeatedly impeached the two Foley lawyers called as witnesses forcing them to admit on the record that they testified under oath in their depositions differently than they testified under oath before the jury," McGrath said. "Foley attempted to do the same with Mr. Salas but failed because Mr. Salas consistently testified truthfully and the Judge sustained objections based upon improper impeachment."

Foley Hoag did not respond Friday to a request for comment.

Salas is represented by William Wilson of Wilson Williams LLC, and Luke McGrath and Christopher M. W. Pioch of Dunnington Bartholow & Miller LLP.

Foley Hoag is represented in-house by Nicholas M. Renzler.

The case is Alejandro Salas Patron v. Foley Hoag LLP, case number 2018 CA 008637 B, in the Superior Court of the District of Columbia.

--Additional reporting by Jack Rodgers. Editing by Ellen Johnson.

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