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## Strasburger & Price Owes \$161M For Delay, Ex-Client Says

By Jess Davis

Law360, Dallas (June 20, 2014, 4:31 PM ET) -- A former Strasburger & Price LLP client sued the firm for \$161 million in Texas state court on Thursday, alleging the firm was responsible for a delay in bringing a case involving its proprietary technology to forecast the locations of precious-metal deposits that led to the case being thrown out.

Strasburger attorneys and the Donato D. Ramos PLLC firm represented Target Strike Inc. in a suit against a subsidiary of Marston & Marston Inc. that claimed the environmental services firm told one of Target Strike's rivals about its proprietary, sophisticated software designed to help identify the locations of precious-mineral deposits potentially viable for commercial mining, and allegedly shared maps and other documents with the rival. The suit was removed from state court in San Antonio to federal court, then dismissed on timing grounds.

Target Strike contends its attorneys failed to investigate the possibility its claims could be time-barred under Texas law, delayed filing the case until the Texas statute of limitations had expired and missed the opportunity to file the case in Nevada, where the statute of limitations hadn't yet run and where the underlying incidents occurred.

"Rather than implement a little bit of strategy, the lawyers simply took the buck-shot approach of suing anyone and everyone and filing the suit in their home county because it was convenient," Target Strike says in its petition.

An attorney for Target Strike, Lance Kassab of The Kassab Law Firm, said he believes Target Strike would have won its underlying case had it been filed in Nevada or filed before the Texas deadline. He says it was experts hired by Strasburger who valued the case at \$161 million and believes Target Strike should be able to recover the full amount from the firm.

At a minimum, Target Strike thinks it's owed between \$5 million and \$6 million in damages equal to the investment funds some of the defendants in its underlying case raised as a result of Marston's alleged disclosure of confidential information.

According to the petition, Target Strike hired Marston Environmental Inc. in 1997 to conduct work at 16 sites identified by the company as having potential for gold mines. Marston then worked for a rival gold mining company, Gold Reef International Inc., and allegedly shared the Target Strike software, leading to Gold Reef acquiring mining claims from the Bureau of Land Management on sites overlapping five of Target Strike's potential targets, according to the suit.

The company claims that, had Strasburger acted timely in pursuing litigation against Marston or chosen to file suit in Nevada, it would have won and brought home a major damages verdict.

"At this time, we are reviewing the petition and underlying facts and any comment would be premature," Strasburger spokeswoman Jackie Krejci said Friday.

The Donato Ramos firm didn't immediately respond to a request for comment.

Target Strike is represented by Lance Kassab and David Kassab of The Kassab Law Firm.

Counsel information for the firms was not immediately available.

The case is Target Strike Inc. v. Strasburger & Price LLP et al., case number DC-14-06568, in the District Court of Dallas County, Texas.

--Editing by Jeremy Barker.

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