

**SUNDAY MORNING WITH -- William M. Quin II, Plaintiff's attorney, 38, Madison**

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Does Mississippi need to reform or add transparency to the outside counsel process?

I would not object to a law that required the attorney general at the outset of a case to provide written notice of the attorneys he has hired, the reasons why he has hired those particular attorneys, the terms of the retention contract and whether and how much those attorneys have contributed to him in the past. There would, however, need to be clear restrictions placed on the manner in which such information could be disclosed before the conclusion of the lawsuit for which the attorneys were hired.

What issues distinguish the fees paid in the MCI settlement from those paid in other cases?

In most settlements, there is a compromise between the parties that results in the defendant paying less than the plaintiff seeks in exchange for a release of liability. What makes the MCI fraud suit unique is that the settlement was not the result of such a compromise. MCI paid the state its entire tax debt, and paid the state's lawyers an amount in addition to its debt. MCI badly needed to put this tax claim behind it and made a business decision to pay the state's lawyers in order to end the suit. The fundamental flaw of the state auditor's suit to recover the MCI fees is his refusal to acknowledge this uncontested fact. The MCI fees were not received or collected by the state because they were not owed to the state. The MCI fees were not available for state expenditure because they were comprised entirely of MCI's private money and paid pursuant to a valid agreement between MCI and the lawyers.

What safeguards exist to keep the attorney general from abusing the outside counsel relationship to favor contributors?

The attorney general has been criticized for hiring outside counsels who have contributed to his campaign. That he has done so is a matter of fact. Joey Langston contributed to Jim Hood's campaign. So did Ken Bailey. I do not accept that hiring lawyers who have contributed to your campaign is an abuse. Jim Hood holds an elective office. It takes money, and unfortunately a lot of it, to run an effective campaign. It would be an abuse of office for the attorney general to hire outside counsels who were unqualified and incompetent to perform their jobs simply because these same lawyers contributed to his campaign. I can personally attest to the fact that the attorney general does not do this. I'll use the Eli Lilly case as an example. Ken Bailey and his firm are among the best in the country in anti-psychotic pharmaceutical litigation, and the results in the case bear this out. Eli Lilly offered our state \$3 million to participate in a multi-state agreement signed onto by 32 other states and the District of Columbia. The AG declined this offer and hired Ken Bailey and myself. We recovered \$18.5 million, plus attorneys' fees. Bailey's firm played an integral role.

You worked closely with former trial lawyer Joey Langston. Any regrets?

I have no regrets. When I was a young lawyer with crazy ideas, Joey Langston believed in me when few others did. We fought and won tough battles together, which means a great deal to me. Joey and I will always be friends.

Were all lawyers harmed by the Scruggs and Langston scandals? If so, how?

I think one's answer to this question depends on his or her perspective. For those who already believed that trial lawyers were a root of evil, the scandals served to solidify their negative perceptions. For those who were strident believers in the trial lawyers' role in society, they saw the scandals as an isolated example of failure and betrayal. The net result of both is that people retained their core beliefs. I think the scandals serve as mirror. You see what you project. You learn more about yourself than you learn about those who were actually involved.

What led you to a career in the law?

My father was for most of his career the first assistant district attorney in the 21st Judicial District of the state of Louisiana, which covered Tangipahoa, St. Helena and Livingston parishes. He seemed like a superhero to me as a

child. He put bad guys in jail. He was a deacon in our church. When he spoke, it seemed like everyone listened. When we would go places together, people would regularly stop us and thank him for doing his job. These things have stuck with me. I wanted to be like my dad. I still do.

Tell us about your current firm. What kinds of cases do you now pursue?

In 2008, Tad McCraney, Steve Montagnet and I established McCraney Montagnet & Quin. We have five lawyers with unique backgrounds and practice areas. We handle a wide variety of cases, including personal injury, insurance disputes, bankruptcy, corporate and employment matters, as well as family law and estate issues. I'm a plaintiff's lawyer. My practice is divided among severe personal injury and complex commercial litigation. And 2009 was my busiest year yet.

In your opinion, has the tort reform pendulum begun to swing back toward plaintiffs?

The pendulum has not swung toward plaintiffs. The two most substantial changes to Mississippi civil practice that arose from tort "reform" are the inability to resolve the claims of many individuals in a single suit, and the caps which were placed on non-economic damages. Neither of these things has changed, and both should.

- Interview by Perspective Editor Sid Salter

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**Abstract** (Document Summary)

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