

# Daily Journal

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## TOP Professional Responsibility LAWYERS • 2024



**MARSHALL R.  
COLE**

*Nemecek & Cole  
Encino*

**M**arshall R. Cole has worked in the field of professional responsibility for 14 years. He enjoys it for two main reasons. Firstly, he values the relationships he has built with lawyers as clients. He enjoys seeing his clients regularly at bar events or CLE seminars and meeting new lawyers whom he may do business with in the future. Secondly, he appreciates the opportunity to represent people in all different areas of the law, which keeps him sharp and interested.

Recently, Cole worked on the *Rakesh Patel v. William Gwire* case, a matter litigated for years that culminated in a 10-day jury trial. The matter involved a contentious malpractice action arising out of a real estate dispute involving Rick Caruso and the Americana at Brand.

After demolishing the plaintiff's case, the plaintiff agreed to settle the matter on very favorable terms for his client.

Cole also represented the Kosnett Law Firm in an action arising out of an underlying personal injury matter wherein the plaintiff suffered a blow to the chest from a karate instructor.

*Christopher Carter v. Kosnett Law Firm*, 21SMCV00925 (L.A. Sup. Ct., filed May 21, 2021).

"Plaintiff alleged that Kosnett obtained a minor settlement on what should have been a high six-figure claim," Cole said. "Upon suing for legal malpractice, we took depositions and filed for summary judgment attacking causation. The trial court agreed with our motion and granted summary judgment."

Looking ahead, Cole said he believes artificial intelligence will start playing a big role in professional responsibility claims.

"As the technology becomes better and attorneys begin to implement it into their everyday practices, issues are going to come up and claims will start to increase," he explained. "Firms should already be implementing policies on when/how AI can be used to avoid these problems down the road. What I am already seeing is associates in firms using AI, but the partners or management are completely unaware. AI is not going to replace lawyers, but lawyers have to learn how to use it efficiently and safely. If they do so, it will be a great tool."