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Matters of principle and your money

Paul Brennan

There are two types of matters of principle.

The first type starts with you saying to your lawyer, "It is not about the money...". This is often about the money or comes to focus on the money as the legal action progresses.

The second type starts with you saying to your lawyer something like, "I know this is not a sensible course of



action but...". This group involves personal insult, family honour, accusations that you are not good in bed, a lousy driver or variations on conflicts, which result in hurt feelings and a desire for revenge.

Although there are lawyers who are prepared to litigate on your behalf at no charge, the "payment up front" business model remains the preferred model for lawyers for matters of principle.

Some clients are driven to legal action by their spouses, families or what other people think. You will find your lawyer focusing on the total cost of the proceedings rather than discussing payment plans or other forms of finance to ease the financial burden. Your lawyer will wish to discourage you if you cannot go the financial distance. Armed with the prospect of cash up front many people, understandably, decide that they would prefer to spend the money going on a vacation or a new car.

Once, you have established that you do not want to spend the money there are cost effective solutions to consider such as beating your enemy to a pulp or forgiving them and getting on with your life.

Of course, if you have the money, "suing the pants" off your enemy can be very satisfying.

Alternatively, if you decide on the "pulp" option, your lawyer will be there for you. He or she can either get you off or at least arrange a job in the prison library.

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Losing friends and suing people

Paul Brennan



Things have got so bad that even the customers who never pay are not ordering anything.

Customers who have become your friends over the years are finding it difficult to pay.

Your debt collection machine turns from stickers, to letters, to telephone calls, all to no avail. Finally you challenge them and they say that your service is lousy and products are not up to standard.

Outraged, you get legal. A lawyer's letter is sent, your friends eventually pay and the relationship is lost.

Before you approach your lawyer, sit your friend down and have a frank discussion. Admit that you are only pressing them so hard because you are desperate for the money. They may admit that their real reason for not paying is that they do not have it. Even if they do not wish to lose face you may say that you understand that business is hard in this downturn, that you have been friends for many years and how much you regret this situation.

Then you sue them. As the Mafia say "its business, nothing personal".

In bad times excuses for delayed or non-payment such as sick mothers, shoeless children or useless spouse do not work as your creditors are desperate for the money.

The best approach with any creditor (assuming that you owe the money) including old friends will be to convince the creditor that

you cannot pay. First try listing your assets and liabilities then try offering a small amount per month to each creditor.

This "open kimono" approach can be very effective. A look at most people's assets and liabilities is a scary experience, especially when they owe you money.

[click here to visit our shop](#)

The sincerest form of flattery-being copied

Paul Brennan

After years of waiting, someone has finally copied my work. They have used a nom de plume. Being copied even by a fictitious entity does not take away that warm fuzzy feeling of knowing that someone likes my work as much as I do, maybe more.

Last month, I wrote an article about a law firm being blessed by the Pope (<http://www.101reasonstokillallthelawyers.com/>). It was accepted by a legal magazine for publication on-line. When I did not hear from them I found that they had taken lines, which we clearly both thought funny, from my article and used in their own piece as if they were their original work.

Moral Rights or as we the plagiarized call it "Moral, I know my, Rights" provides for a right to be named if your work is copied and to control the form of the work but there are exceptions. Also, there is "reverse passing off", which covers plagiarism.

The Editor would not explain, apologize or print the article in full but did take down the offending web page. She offered a mention of my site in a "regular blog spot" a sort of "plagiarize one, get one free" offer.



It may be understandable that editors do not readily apologize just as captains often do not go down with their ships.

Like many potential litigants, I hoped that there might be a copyright lawyer out there, even a fictitious one, who would share my angst and take my case as a matter of principle i.e. for free.

However, as a copyright lawyer myself, I realized that was just not going to happen. So, it is left to me to do what any red blooded copyright lawyer would do, write an article and then advise myself as to the next step.

Have your say at Paul's blog

[http://www.101reasonstokillallthelawyers.com/.](http://www.101reasonstokillallthelawyers.com/)

US Gift Company launches Paul Brennan's cartoons in America



Here is the media release by the Billable Hour Company:

Summary: Leading U.S. legal gift merchant The Billable Hour Company has expanded its product line to include 18 greeting cards and four books featuring Law & Disorder cartoons by Australian legal humorist Paul Brennan. The books and cards are available at the company's web site at www.TheBillableHour.com.

Quantas Meruit: Leading U.S. Legal Gift Company Expands Product Line With Greeting Cards and e-Books by Australian Legal Humorist Paul Brennan

Ardsley, New York, September 1, 2008---Gift-giving options for lawyers around the world have just broadened, thanks to The Billable Hour Company's expansion of its product line to include greeting cards and books featuring Law & Disorder cartoons by Australian legal humorist Paul Brennan.

The Law & Disorder greeting card line currently features 18 cards that touch on a variety of legal topics, from law firm politics (“In law there is no substitute for hard work, but sucking up to the senior partner works pretty well”) to judicial hardheartedness at holiday time (“I have taken into account that it is Christmas and you are my mother, but . . .”) and more, with additional cards planned in the months ahead.

The print-on-demand cards, which can be customized with the customer’s own inside message, logo or signature, and even a color photo, are \$2.99 each, with bulk discounts available on orders of 10 cards or more.

Many of the Law & Disorder cartoons featured in the Billable Hour Card Store also illustrate Brennan’s four humorous books. *We Have the Time if You Have the Money: How to Promote Your Legal Practice*, is geared to lawyers. And, while *A Legal Guide to Dying: Baby Boomer Edition, The 10 Greatest Legal Mistakes in Business . . . and how to Avoid them*, and *The Law is an Ass—Make Sure it Doesn’t Bite Yours* are intended to introduce basic legal concepts to non-lawyers in an easy-to-read manner, according to Brennan, many lawyers use the three books to familiarize themselves with areas of law outside their specialties, and mine them for ideas about how to explain legal concepts to their clients. All four books are available as downloadable e-books for \$13.95 each. (*The Law is an Ass* will be available by the end of September; the other three books are available now).

Brennan’s cartoons and books draw on lessons he has learned in a globetrotting legal career that has taken him from a law clerk position in Toronto to his own firm in Mooloolaba (a Queensland, Australia seaside town), with stops along the way as a partner in London and Sydney law firms; solicitor at New Scotland Yard; counsel and investigative manager for Intel; and a consultant in Hong Kong.

Says Brennan : “It struck me how similar lawyers were when I was sitting in a Taiwan criminal court. Cranky judge, ingratiating prosecutor, hectoring defense counsel and detached defendant. I

couldn't follow what they were saying, but I felt right at home. Although members of the general public may complain that they cannot understand lawyers, attorneys around the world have a common language and outlook."

About The Billable Hour Company

The Billable Hour Company sells humorous gifts and greeting cards especially for lawyers, law students and legal professionals. The Billable Hour Card Store is the world's only online greeting card store featuring humorous and customizable greeting cards specifically for lawyers and other legal professionals. For additional information, contact Lisa Solomon or visit the company's website at www.TheBillableHour.com.

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