

CASE LAW UPDATE:
**Annual roundup of notable court rulings,
including Texas judicial decisions, that impact
the practice of entertainment law**

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Lil Wayne's Lawsuit Against Former Representative

- Rapper Lil Wayne sued his former representative Ron Sweeney for \$20 million, including for fraudulent inducement, legal malpractice and unjust enrichment. Sweeney said Lil Wayne initially hired him for personal management as the result of a 2005 meeting between Sweeney and Lil Wayne in Los Angeles. Lil Wayne said he hired Sweeney to be his entertainment attorney.
- Affirming in *Carter v. Sweeney*, 212 A.D.3d 454 (N.Y. App. Div., 1st Dept. 2023), a New York County Supreme Court ruling in favor of Sweeney, the New York Appellate Division, First Department found the following:

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- As to the fraudulent inducement claim, "plaintiff has not alleged that Sweeney was suspended [in California] from practice at the time he was retained, or that a misrepresentation regarding his status induced the retention. Nor has plaintiff pointed to any direct harm he suffered on account of not knowing Sweeney's status at the time of his retention, more than a decade ago."

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- As to the legal malpractice claim, "Plaintiff clarifies on appeal that his malpractice claim is tethered to the contingency fee agreement that Sweeney drafted with a litigation firm in California on his behalf and Sweeney's actions in a breach of settlement agreement action in New York that resulted in a default judgment entered against plaintiff. ... In both instances, however, plaintiff has failed to sufficiently allege how any purported shortcoming by Sweeney was the direct cause of harm."

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- And as to unjust enrichment, "largely based upon a theory that Sweeney was unjustly enriched because he received a percentage fee that was higher than what other lawyers might have charged ... The motion court properly rejected this claim both because (1) the 10% contingency fee was not so high as to demand the intervention of equity, and (2) plaintiff did not object to the 10% fee for more than 13 years, until after the parties had a dispute and plaintiff fired Sweeney."
- *See, Sweeney v. Carter*, 2:21-cv-01689 (C.D.Calif. 2021) for whether court had personal jurisdiction over Lil Wayne in Sweeney's management commissions lawsuit against the rapper in California.

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