

U.S. Supreme Court Won't Hear 3M's Appeal of \$68 Million Award

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[The Legal Intelligencer](#)

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In a tiny batch of orders that marked the final day of its 2003 term, the U.S. Supreme Court Wednesday refused to take up a closely watched antitrust case in which office supply giant 3M Co. was hit with a \$68 million verdict.

Despite ending the case, Wednesday's ruling could spur one final round of litigation because the team of lawyers that represented plaintiff LePage's Inc. is now entitled to an award of attorney fees.

Plaintiff's attorney Barbara W. Mather of Pepper Hamilton said her team had already filed a petition for \$6 million in fees for its work up through the date of the verdict. Mather said she expects to file a supplemental fee petition seeking at least \$3 million more for the work on post-trial motions and appeals that lasted several years.

Along with Mather on the plaintiff's team in *LePage's Inc. v. 3M Co.* were Philadelphia solo practitioner Peter Hearn; Mark W. Ryan, Donald M. Falk and Robert Bronston of Mayer Brown Rowe & Maw in Washington; Jeremy Heep of Pepper Hamilton; and Roy T. Englert of Robbins Russell Englert Orseck & Untereiner.

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