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Pa. Atty Settles Case That Spurred Judge-Defamation Suit

By **Matthew Santoni**

Law360 (October 6, 2023, 4:08 PM EDT) -- A Pennsylvania attorney has reached a settlement in an abuse of process lawsuit that led him to accuse his opposing counsel — and several state appellate judges — of defamation, ending with a formal letter of apology from his opponent.

Philadelphia lawyer Bruce J. Chasan had claimed Gregory C. Littman of Freundlich & Littman LLC defamed him by accusing him of witness intimidation. Chasan then said three Superior Court judges had also defamed him when their opinion seemed to credit Littman's side of the story.

Chasan did not prevail in his defamation suits, but in a **settlement** shared with Law360 Thursday, Littman agreed to drop the underlying abuse of process case, pay Chasan and his firm \$40,000 and send a letter of apology for his accusations in exchange for Chasan not pursuing any further action against Littman.

"My assertions against you of criminal witness intimidation and professional misconduct were unfounded," said Littman's letter, attached to the settlement. "I apologize for my mistakes and any inconvenience and harm that I caused you."

The agreement ends a legal battle that began with a lawsuit over water damage to a condo, where Littman and Chasan were representing opposing parties. Chasan's client, former attorney Edward T. Feierstein, was also the defendant in an unrelated criminal case where Littman's brother was a witness.

"I commend Mr. Littman for finally admitting publicly that he made a mistake," Chasan told Law360 Friday. "It's sometimes hard to do when you've invested yourself in a position, as he did ... If you make a mistake that's harmful to people, you have to own it and apologize."

In 2014, Littman had sent letters to Chasan and others, including prosecutors in the criminal case and the judge on the civil case, accusing Chasan of issuing warnings and using counterclaims in the condo case to intimidate Littman's brother away from testifying in the criminal trial, and of allegedly misrepresenting his client's mental competency.

The condo water damage case eventually settled, but Littman and his firm had filed a separate lawsuit in 2015 accusing Chasan and his client of abusing the legal process. Feierstein was convicted of fraud and perjury in 2014 and voluntarily gave up his law license.

Chasan filed a defamation suit against Littman over the letters, but it was tossed on a motion for summary judgment and **upheld** by the Superior Court of Pennsylvania. When Chasan said the Superior Court panel hearing his appeal improperly weighed evidence and made credibility determinations in Littman's favor, he sued the panel judges for defamation, too.

The Commonwealth Court **ruled in 2022** that the judges' opinions were shielded by judicial immunity. Chasan said he'd taken an appeal all the way to the U.S. Supreme Court on arguments that the Superior Court's comments had been outside their jurisdiction because they amounted to fact-finding, but the justices had declined to hear his case.

Dockets showed the court had entered a default judgment against Feierstein, who died in 2021 without participating in the abuse of process case, Chasan said.

"We are happy with the court's \$65,000.00 judgment against defendant Edward Feierstein for our abuse of process claim," Littman said in a statement Friday. "We are excited to continue focusing on getting outstanding results for our clients and our charity work in the community."

Under the settlement of the abuse of process suit, Littman paid Chasan in two installments: \$20,000 for his law firm and \$20,000 to Chasan personally for "emotional distress," the settlement said.

In exchange, Chasan agreed to waive any future litigation arising from the 2014 letters or the abuse of process suit. Though Littman apologized for his accusations against Chasan, the settlement noted that neither party was admitting wrongdoing in the lawsuit. The settlement did not include a confidentiality provision.

Littman and the firm are represented by Austin R. Freundlich of Freundlich & Littman LLC and Stanley B. Cheiken.

Chasan is represented by Noreen P. Kemether and Dawn Courtney Doherty of Marks O'Neill O'Brien Doherty & Kelly PC.

The case is Freundlich & Littman LLC et al. v. Edward Feierstein et al., case number 150401569, in the Court of Common Pleas for Philadelphia County, Pennsylvania.

--Editing by Dave Trumbore.

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