

## Case Holding Up Huge Canadian Deal Settled

After 14 non-stop hours of court-ordered mediation one recent Saturday in Dallas, the case that threatened a \$3.2 billion natural resources transaction in Canada settled Aug. 3 for \$25 million. The transaction involves massive mineral reserves in Labrador and is set to conclude at the end of August.

Plaintiff's attorney Eric Fryar, a partner in Houston's Susman Godfrey, says the parties in *International Resources Ventures Inc., et al. v. Jean Boulle, et al.* No. 96-04854 in Dallas County's 101st District were motivated to settle and avoid what promised to be a long and rancorous litigation battle. [See "Susman-O'Quinn Suits Stall Big Canadian Deal," *Texas Lawyer*, July 8, 1996, page 1.] The suit was filed on behalf of shareholders who alleged a breach of fiduciary duty involving diamond exploration information that was transferred from one company to another.

Fryar was embroiled in related litigation in Arkansas state court over his potential role as a witness in the case. Fryar says that case, currently pending before the Arkansas Supreme Court, will be dismissed as part of the settlement deal.

Also as part of the settlement package, Fryar says plaintiffs' attorneys will be asking presiding Judge Jay Patterson for contingency fees totaling 25 percent of the settlement, or \$6.25 million. The settlement is scheduled for a hearing before Patterson on Aug. 19.