



**FOR IMMEDIATE RELEASE**

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**IN LATEST ROUND OF 16 YEAR OLD LITIGATION, LAMB  
McERLANE ANNOUNCES THAT THE SUPREME COURT HAS  
RULED IN FAVOR OF ITS CLIENT, H&R BLOCK**

*Representing H&R Block, a team of attorneys, led by Justice William Lamb, received the Pennsylvania Supreme Court's ruling in H&R Block's favor.*

**WEST CHESTER, PA, June 29, 2009** — Lamb McErlane PC, a full service law firm, announced today that after 16 years of litigation in *Basile v. H&R Block*, the Pennsylvania Supreme Court ruled that the tax preparer did not waive its right to appeal the trial court's decision to certify the case as a class certification. In 1993, Sandra Basile filed suit against H&R Block over its Rapid Refund program, claiming that what she believed was a rapid tax refund actually was a short-term, high interest loan from Mellon Bank. Basile claimed a breach of fiduciary duty and sought class certification.

The case hinged on the analysis of Pennsylvania Rules of Appellate Procedure 501 and 511. Justice Jane Cutler Greenspan concluded that the Superior Court erred in ruling that H&R Block was required to file an interlocutory appeal of the class certification order. The Supreme Court, hearing the case for the third time, ruled that a non-aggrieved party is not required to file a protective cross-appeal in order to preserve issues should the victory be overturned. The case was remanded to the Superior Court for consideration of the merits of the trial court's order granting H&R Block's motion for class decertification.

Justice Lamb said, "We are very, very pleased. Not only does Justice Greenspan's Opinion comport with Rules 501 and 511, but it logically makes sense. An opposite ruling would unnecessarily inundate the court with superfluous litigation."

The team of five attorneys that successfully presented the case includes: Justice William Lamb, and Partners Jim Sargent, Maureen McBride, John Cunningham and Scot Withers.



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### **About Lamb McErlane PC**

Since 1948, the law firm of Lamb McErlane PC has provided a comprehensive menu of sophisticated legal counsel to the suburban Delaware Valley, the Commonwealth of Pennsylvania, and to national Fortune 500 companies. With the dedication and customization of a boutique firm, its 30 practitioners offer expertise in litigation, municipal law, municipal finance, business law, estate planning, personal injury, criminal defense, environmental law, and family law. Its litigation practice is particularly renowned for its Post-Trial and Appellate Advocacy Group, led by former Pennsylvania Supreme Court Justice William H. Lamb. For more information, please visit [www.chescolaw.com](http://www.chescolaw.com).

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