

*This is your Release #4 (February 2021)*

# **Accountants' Liability**

## ***Second Edition***

**Christopher M. Cutler**

*(Partner, Foley & Lardner, LLP)*

**Thomas Arnold**

*(Professor of Law, Tulsa College of Law)*

*Accountants' Liability* reflects the most current rules, standards, and regulations that affect the activities of accountants from the FASB, SEC, PCAOB, AICPA, and NASBA, as well as the state boards of accountancy. It provides attorneys with the legal, strategic, and tactical knowledge they need to prove (or successfully defend against) claims against accountants. In addition, *Accountants' Liability* spotlights the damage done if accountants fail to follow professional conduct, auditing, accounting, or tax standards. The authors discuss the sources of current claims, the various legal theories upon which they may be instituted, and some of the practical problems faced by the parties in litigating such claims.

Release #4 keeps readers up to date on all the key 2020 state and federal cases on issues such as:

- **Limitation on Liability and Arbitration Provisions.** Recent New York cases have applied a direct benefits theory of equitable estoppel to determine whether a non-signatory to an engagement agreement can be compelled to arbitrate a claim against an accountant. *See* section 3:3.3.
- **Aiding and Abetting Fraud Under State Law.** Courts in Michigan and New Jersey have reached differing conclusions on whether a claim for aiding and abetting fraud is barred by the pertinent state's privity statute. *See* section 5:8.2[H].
- **RICO.** *See* chapter 6 for discussion of *Schreier v. Drealan Kvilhaug Hoefker & Co.*, a Minnesota case dealing with intent to defraud, the enterprise requirement, and the injury discovery rule.

Thank you for purchasing *Accountants' Liability*. If you have questions about this product, or would like information on our other products, please contact customer service at [info@pli.edu](mailto:info@pli.edu) or at (800) 260-4PLI.

Practising Law Institute  
1177 Avenue of the Americas  
New York, NY 10036  
**#317390**



# FILING INSTRUCTIONS

## Accountants' Liability

Release #4  
(February 2021)

**REMOVE OLD PAGES  
NUMBERED:**

- Title page to xix
- 2-1 to 2-31
- 3-1 to 9-45
- T-1 to T-52

**INSERT NEW PAGES  
NUMBERED:**

- Title page to xix
- 2-1 to 2-31
- 3-1 to 9-44
- T-1 to T-52

Practising Law Institute  
1177 Avenue of the Americas  
New York, NY 10036  
**#317390**

