



## Counselors for the Profession

As Counselors for the Profession, we advise lawyers and law firms—from AmLaw100 firms to small practices and solo practitioners—on every aspect of the law governing lawyers, encompassing:

- Bar Admissions, Discipline and Reinstatement
- Law Firm Creation, Merger, Withdrawal, Dissolution, Business Model/ Structure advice
- Law Firm Internal Investigations
- Managing all aspects of technology and cyber risk
- Mergers and Lateral Movement, Compensation Structures
- Professional Responsibility Advice
- Risk Management (including reputation management, hotline counseling, forms drafting, opinion work, audits, policy and standards, CLE training, and management counseling)

We are thought leaders nationally in the law governing lawyers. We leverage our national knowledge to partner with our clients to proactively manage their risk, and when events arise, we guide them through stormy seas.

- Our Lawyers' Lawyer Newsletter is a leading publication in the area of ethics/professional responsibility.
- We annually host the Legal Malpractice & Risk Management Conference (LMRM), which has become the premier event focused on important and current developments in the law and litigation of malpractice claims, legal malpractice insurance and risk management strategies.

## **Experience**

## **Affiliations**

Represented acquiring firm in an affiliation with a firm in another state.
 Affiliation agreement addressed issues such as wind down of acquired firm's accounts receivable and WIP, real estate leases, capital account payouts, etc. The engagement also involved amending the acquiring firm's partnership agreement to accommodate the newly-added attorneys.

#### **Dissolution**

 Represented departing partner in dissolution of a law firm. In addition to drafting primary documentation, we also represented the partner in a mediation which successfully resolved the dispute.

### **Attorneys**

David A. Grossbaum Steven M. Puiszis

### **Related Services**

Consultant/Coach for the Profession®

Cyber Security for Law Firms

Law Firm Cyber Alerts

Law Firm Mergers & Combinations

Lawyers for the Profession®

Litigation Management

Litigators for the Profession®



#### **General Transactional**

- Multiple engagements advising law firms on amendments to partnership agreements, including those relating to compensation, management and other operational issues.
- Engagements also include advising and drafting documentation for joint ventures between law firms and related businesses (such as lobbying firms and consulting practices), with a special focus on the applicable jurisdictional regulations affecting lawyers.

### Merger

Represented an AmLaw 200 law firm in its acquisition/merger with a prominent 50-attorney regional firm.

#### Sale of Practices

Represented firms and individuals in purchase and sale transactions involving sale of a legal practice. Engagements
include assessment of regulatory issues, and drafting agreements to address collections.

## **News**

Matthew Henderson Reviews in a Law360 Byline What Law Firms Should Know Amid a Rise in Disqualification Motions April 30, 2024

Shelley Bethune Appointed Executive Director and General Counsel of Illinois Courts Commission May 23, 2022

Joanna Storey Authors BASF Blog Post: ABA Tips for Effective Client-Lawyer Communications January 26, 2022

Hinshaw Contributes U.S. Chapter in Fourth Edition of The Professional Negligence Law Review August 24, 2021

Hinshaw Partner Cassidy Chivers Appointed to Serve on California State Bar COPRAC August 23, 2021

Hinshaw Authors Updated Practical Law Q&A Guide on Regulation of the Legal Profession June 11, 2021

Noah Fiedler Flags Ethical Issues Connected to Lawyers Accepting Payment in Cryptocurrency March 15, 2021

In DRI Column, Cassidy Chivers Discusses Importance of "Minding the Gap" when an Attorney Relocates to Another State

January 24, 2020

Mollie Kugler and Alyssa Johnson Discuss Law Firm Cyber Liability Exposure in DRI's For the Defense November 8, 2019

As Severity of Legal Malpractice Claims Rise, LawyeringLaw.com Provides Risk Management Tools and Services for Lawyers and Law Firms

June 18, 2019

Hinshaw Helps Secure Sanctions Order Totaling \$1M against "Serial Litigator" April 8, 2019

Bloomberg Reviews LMRM: Off-the-Cuff Legal Advice Can Put Attorneys in Hot Water March 12, 2019



Steve Puiszis Authors Comprehensive Overview of EU's GDPR Privacy Law in Journal of the Professional Lawyer January 24, 2019

Media Coverage of the 16th Annual Legal Malpractice and Risk Management Conference March 28, 2017

Press Coverage of Appointment of Steven Puiszis as DRI National Defense Center Chair December 2, 2016

Tom McGarry Quoted in Cook County Record Article on Spike in Legal Malpractice Suits November 4, 2016

Terry McAvoy Authors DRI Article on Texas Supreme Court Malpractice Case October 27, 2016

Steven Puiszis Profiled in Article on his Presentation on Cyber Security at the IDC Conference October 11, 2016

Noah Fiedler Authors Article on Lessons for Law Firms on Client Intake June 30, 2016

Steven Puiszis Quoted in Article on Judge Allowing Access to Seized Records in John Doe Probe April 13, 2016

Steven Puiszis Authors Bloomberg BNA Article on How Technology is Redefining Competence April 12, 2016

Steven Puiszis Quoted in Bloomberg BNA Article Discussing Data Breaches in Law Firms March 9, 2016

Tom McGarry Quoted in Illinois Bar Journal Article on Court Sanctions January 8, 2016

Steven Puiszis Discusses New York's Proposed Cybersecurity Rules for Banks and Insurers November 16, 2015

Tom McGarry Quoted in Illinois Bar Journal Article on The Beau Brindley Case: Witness Preparation v. Coaching November 5, 2015

Adam Vaught Author Article in Dade County Bar Association Bulletin on Judicial Fundraising Rule July 29, 2015

Annmarie D'Amour Authors Article in DRI's The Voice on Ethics and Medical Marijuana July 22, 2015

Adam Vaught Quoted in Florida Bar News Article on Reactions to Yulee Decision June 1, 2015

Tom McGarry Quoted in Illinois State Bar Journal Article on IOLTA-Account Overdrafts March 30, 2015

Tom McGarry Quoted in ABA/BNA Lawyers' Manual on Professional Conduct Article on Using Judicial Error as Malpractice Defense

March 4, 2015

Law360 Profiles Hinshaw & Culbertson as a Law Firm "to Have on Speed Dial if Malpractice Trouble Hits" November 19, 2014



Hinshaw & Culbertson LLP Receives Several Tier One Rankings in Multiple Practice Areas by U.S. News - Best Lawyers 2015

November 3, 2014

Twelve Hinshaw Lawyers Contribute to IICLE's Attorneys' Legal Liability, 2014 Edition October 13, 2014

Tom McGarry Quoted in Chicago Daily Law Bulletin

September 12, 2014

Twenty-Two Hinshaw Lawyers Chosen as Best Lawyers in America 2015

August 19, 2014

Thomas McGarry Quoted in Chicago Daily Law Bulletin on Sanctions Against Lawyers

January 15, 2014

Tom McGarry Quoted in Chicago Daily Law Bulletin Article on In-house Counsel Amnesty

December 17, 2013

Hinshaw & Culbertson LLP Recognized as U.S. News - Best Lawyers 2014 "Law Firm of the Year" in Ethics and

Professional Responsibility Law

November 1, 2013

Seventeen Hinshaw Lawyers Chosen as Best Lawyers in America 2014

November 1, 2013

## **Events**

22nd Annual LMRM Conference

March 7 - 9. 2023

Chicago

21st Annual Legal Malpractice & Risk Management Conference

March 1 - 3, 2022

20th Annual Legal Malpractice & Risk Management Conference

An All New Virtual Experience

March 2 - 4, 2021

Virtual

Joanna Storey to Discuss Legal Ethics at Bar Association of San Francisco Webinar

January 26, 2021

Joanna Storey to Discuss Legal Ethics in a Remote World at California Lawyers Association Webinar

December 16, 2020

2020 Legal Malpractice & Risk Management Conference

March 3 - 5, 2020

The Ritz-Carlton Chicago

Tom McGarry Reviews IP Law Malpractice Developments at 10th Annual Ethics in the Practice of IP Law Seminar

June 7, 2019

Chicago, Illinois

2019 Legal Malpractice & Risk Management Conference

March 5 - 7, 2019

Westin Chicago River North



#### 2018 Legal Malpractice & Risk Management Conference

March 5, 2018

320 North Dearborn Street, Chicago, IL

## 2017 Legal Malpractice & Risk Management Conference: EARLY BIRD REGISTRATION NOW AVAILABLE

March 1, 2017

320 North Dearborn Street, Chicago, IL

## Steven Puiszis to Speak at IDC/MODL Defense Law Seminar

September 29, 2016

#### Steve Puiszis to Speak at the International Legal Technology Association Conference

August 31, 2016

## Steven Puiszis to Speak at Law Bulletin Ethics 2016 Conference

June 7, 2016

Swissotel Chicago: 323 E Upper Wacker Dr, Chicago, IL 60601

## Steven Puiszis to Speak at Part II of the 2016 Symposium on the Law, Policy, and Implementation of Legal Protections for Data Management

April 12, 2016

The John Marshall Law School

## Register Now for the 2016 Legal Malpractice & Risk Management Conference

March 2, 2016

# Steven Puiszis to Speak at ABA Webinar "Bring Your Own Device (BYOD): Ethical and Practical Risks/Rewards of Using Smartphones & Tablets for Work"

January 13, 2016

Webinar

## Steven Puiszis to Present Amendments to the Federal Rules on Discovery at a DRI Live Webcast

December 10, 2015

Live Webcast

# Hinshaw Attorneys Tom McGarry and Steve Puiszis to Speak at the DRI Webinar "Risk Management for Law Firms: How to Prevent Legal Malpractice Claims"

November 19, 2015

### Steve Puiszis to Present at Law Bulletin Ethics Conference

June 16, 2015

Lucerne Ballroom of the Swissotel Chicago at 323 East Wacker Drive

## REGISTER NOW: 2015 Legal Malpractice & Risk Management Conference

February 25, 2015

The Westin Chicago River North located at 320 North Dearborn Street, Chicago, Illinois

#### 2014 LMRM Conference - Risk Management Topics

March 7, 2014

#### 2014 LMRM - Legal Malpractice/Risk Management Cross-Over Topics

March 6, 2014

### 2014 LMRM - Legal Malpractice Topics

March 5, 2014

## **Practical Ethical Solutions**

September 17, 2013



WEBCAST: Just How Absolute Is A Litigation Attorney's Immunity From Liability to A Non-Client? August 20, 2013

2011 LMRM Conference Panel: What You Need to Know About Lawyers' Liability Under the Federal and State Securities Laws

February 16, 2011

2011 LMRM Conference Panel: Using Pretrial Remedies – Anti-SLAPP Statutes, and Other Evidentiary Early Disposition Motions

February 16, 2011

2011 LMRM Conference Panel: Establishing a Fiduciary Breach

February 16, 2011

## **Publications**

A Defense Win in Texas on the Issue of "But For" Proximate Causation in a Legal Malpractice Case May 3, 2024

Lawyers for the Profession®

Ghosts of Clients Past: 3 Ethical Duties to Former Clients and Things to Consider When Moving Between Firms October 31, 2023

California's New "Snitch" Rule Means Attorneys Must Report Other Attorneys' Misconduct to the State Bar or Tribunal July 17, 2023

Lawyers for the Profession®

New York Federal Judge Declines to Reconsider Decision That Continuous Representation Doctrine Does Not Toll Statute of Limitations

July 10, 2023

Lawyers for the Profession®

Continuous Representation Rule Does Not Apply to Legal Malpractice Actions Says Georgia Appeals Court June 20, 2023

Lawyers for the Profession®

Absolute Litigation Privilege Bars Claim for Intentional Infliction of Emotional Distress Even Where Conduct is Unreasonable

June 13, 2023

Lawyers for the Profession®

Law Firm Exonerated Because an Unforeseen Change in a Party's Testimony was the Superseding Cause of the Claimed Malpractice Injury

June 6, 2023

Lawyers for the Profession®

New York Lawyer Who Cited Non-Existent Cases Generated by ChatGPT Now Faces Sanctions Hearing

May 31, 2023

Lawyers for the Profession®

A Multistate Analysis of the Ethical Rules Governing Attorneys Working Remotely May 2023

Federal District Court Holds That Engagement Letter Limited Scope of Law Firm's Duties

April 4, 2023

Lawyers for the Profession®

New Jersey Appellate Court Affirms Summary Judgment in Favor of Malpractice Defendants Due to Plaintiff's Failure to



#### **Establish Duty and Proximate Cause**

March 27, 2023

Lawyers for the Profession

Illinois Appellate Court Affirms That Attorney Representing a Closely Held Business Does Not Owe a Duty to its Managing Member

March 1, 2023

Identifying and Resolving Conflicts of Interest: Three Simple Rules

January/February 2023

Appellate Court Affirms \$700,000 Judgment Against Lawyer in Malpractice Action, in Part, Because Defendant Failed to File Post-Trial Motion

February 16, 2023

Lawyers for the Profession®

Florida Appellate Court Reverses Summary Judgment for Attorneys Where They Could Have Remedied Prior Counsel's Mistakes and Salvaged Plaintiff's Case

December 20, 2022

Lawyers for the Profession®

Where Cannabis Law Stands Today: When State Law Says Yes, but Federal Law STILL Says No

December 2022 | Updated December 21, 2022

Ransomware: The Ghoulish Battle With New Rules

October/November 2022

California Court Affirms Ethical and Statutory Obligation to Warn Opposing Counsel of Intent to Seek Default

October 25, 2022

Lawyers for the Profession®

When Aggressive Tactics Cross the Line: Illinois ARDC Suspends Lawyer Accused of Sending "Abusive and Aggressive" E-Mails

October 7, 2022

Lawyers for the Profession®

Illinois Supreme Court Holds Former Client Alleging Legal Malpractice May Recover Punitive Damages Awarded Against it in Underlying Case

September 30, 2022

Lawyers for the Profession®

Massachusetts Court Applies Litigation Privilege to Dismiss Claims Against Attorney Accused of Fraudulent Activity During Trial

August 17, 2022

Lawyers for the Profession®

Pennsylvania Allows Suit Against Attorneys for "Bad Settlements" Where Fraud/Negligence Alleged

August 1, 2022

Lawyers for the Profession®

Clients Also Have Responsibilities: Plaintiffs' Lack of Diligence Defeats Fraudulent Concealment Claim and Precludes Tolling of Statute of Repose

June 20, 2022

Lawyers for the Profession®

Summary Judgment Granted in Defendants' Favor As There Was No Attorney-Client Relationship Between Plaintiffs And Defendants

May 13, 2022



Lawyers for the Profession®

Lawyer Unsuccessfully Attempts to Invoke Statute of Limitations Defense in Malpractice Claim Alleging He Missed Statute of Limitations on Underlying Claims

May 2, 2022

Lawyers for the Profession®

California Appellate Court Denies Anti-SLAPP Motion and Sanctions Attorney for his "Tunnel Vision"

April 26, 2022

Lawyers for the Profession®

Illinois Court Holds Plaintiff Failed to Show Her Attorneys Mishandled Discovery or That She Would Have Prevailed in Underlying Case

April 12, 2022

Lawyers for the Profession

In Unusual Ruling, Rhode Island Supreme Court Excuses Statute of Limitations Violation Because of COVID-Related Issues

April 5, 2022

Lawyers for the Profession

Third Circuit Affirms Plaintiff Must Establish He Would Have Prevailed in Underlying Case But For Attorneys' Alleged Negligence

March 30, 2022

Lawyers for the Profession®

California Court: Attorney's Failure to Cite Known Adverse Authority Violated Duty of Candor To Court

March 11, 2022

Lawyers for the Profession®

When Aggressive Settlement Tactics Go Too Far: California Appellate Court Holds Counsel's Threat to Reveal Opponent's Alleged Illegal Activity was Extortion

February 8, 2022

Lawyers for the Profession®

"Bonus Payment" Phishing Emails Are Seeking New Ransomware Victims

February 3, 2022

Law Firm Cyber Alerts

Illinois Supreme Court Applies Adverse Judgment Rule, Rejects Statute of Limitations Defense in Legal Malpractice Claim February 1, 2022

Lawyers for the Profession®

Defendant's Due Process Rights Violated When Counsel's Remote Technology Prevented Meaningful Participation in Trial January 24, 2022

Lawyers for the Profession®

Illinois Appellate Court Reverses Summary Judgment for Defendants on Plaintiffs' Malpractice Claims Stemming From \$2.8 Million Estate Dispute

October 26, 2021

Lawyers for the Profession®

Eleventh Circuit Finds Attorneys Owed No Duty to be Clairvoyant on Unsettled Law

October 14, 2021

Lawyers for the Profession®

Marijuana Company's Legal Malpractice Claim Goes Up in Smoke

October 1, 2021



Lawyers for the Profession®

Illinois Appellate Court Affirms Summary Judgment For Defendant in Legal Malpractice Action Based on No Duty and No Causation

September 13, 2021

Lawyers for the Profession®

Practical Tips to Mitigate Legal Risk When Videoconferencing

December 11, 2020

Lawyers for the Profession®

Is New York's New Consumer Privacy Bill a Bridge Too Far?

November 2, 2020

Insights for Insurers: Cyber Coverage

Mental Well-Being Resources for Lawyers During COVID-19

March 23, 2020

Client Service Continuity Strategies for Law Firms Responding to Coronavirus Pandemic

March 13, 2020

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - February 2020

February 20, 2020

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - December 2019

December 19, 2019

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - Halloween 2019

October 31, 2019

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - July 2019

July 31, 2019

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - May 2019

May 29, 2019

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - April 2019

April 25, 2019

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - March 2019

March 19, 2019

Owners of Apple Devices Like iPhones Advised to Turn Off FaceTime App Until Apple Issues a Patch

January 29, 2019

Cyber Alert

What a Famous Hip-Hop Artist Can Teach About Cyber Security

November 27, 2018

Cyber Alert

The Lawyers' Lawyer Newsletter - Halloween Issue - October 2018

October 30, 2018

Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - October 2018

October 23, 2018

Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - September 2018

September 17, 2018

Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - March 2018



March 7, 2018

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - January 2018 January 4, 2018

The Lawyers' Lawyer Newsletter - Halloween Issue October 2017 October 26, 2017

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - September 2017 September 27, 2017

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - August 2017 August 17, 2017

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - May 2017 May 17, 2017

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - April 2017 April 10, 2017

State Court Lacks Jurisdiction Over Legal Malpractice Claim That Required Court To Resolve Federal Issues Relating To Scope, Validity Or Infringement Of Patent

March 16, 2017

Lawyers for the Profession®

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - February 2017 February 15, 2017

Seventh Circuit Affirms Dismissal of Malpractice Claim Based on Plaintiff's Failure to Plead "But For" Causation January 9, 2017

Lawyers for the Profession®

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - November 2016 November 30, 2016

The Lawyers' Lawyer Newsletter - Halloween Issue October 2016 October 28, 2016

Trial Court's Error in Underlying Case Was Superseding Cause of Plaintiffs' Claimed Damages September 20, 2016

Lawyers for the Profession®

Anti-SLAPP Applies to Concealment Claim

September 8, 2016

Lawyers for the Profession®

Massachusetts Supreme Court Holds That "Self-Help Discovery" Is Protected Activity

September 6, 2016

Lawyers for the Profession®

Supreme Court of Nevada Holds That Legal Malpractice Claim Was Impermissibly Assigned

August 25, 2016

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Illinois Court Holds That \$6.5 Million Malpractice Claim Barred By Statute of Repose

August 22, 2016

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The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - August 2016

August 11, 2016



Plaintiff Who Could Not Afford to Pay for Arbitration Was Allowed to Pursue Her Malpractice Action in Court

July 27, 2016

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New York Recognizes Attorney-Client Privilege Regarding Consultations with Firm's General Counsel

July 13, 2016

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Illinois Appellate Court Holds That Legal Malpractice Claim Was Barred by Six-Year Statute of Repose, and Collateral Estoppel Precluded Fraudulent Concealment Claim

July 5, 2016

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New York and North Carolina Take a Narrow Approach to Common Interest Doctrine

June 24, 2016

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The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - June 2016

June 20, 2016

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - May 2016

May 3, 2016

Absent a Fee-Sharing Agreement Signed by Client, Referring Attorney Cannot Recover Fees From Receiving Attorney

April 20, 2016

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Colorado Supreme Court Upholds the "Strict Privity Rule" When Interpreting Attorney-Client Relationship

April 12, 2016

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The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - March 2016

March 24, 2016

Texas Court Holds That Law Firm is Immune From Liability to Claims by Non-Client

March 22, 2016

Lawyers for the Profession®

California Court Reluctantly Vacates Dismissal of Legal Malpractice Action

March 16, 2016

Lawyers for the Profession®

Communications in Anticipation of Litigation Held Subject to California's Anti-SLAPP Statute

February 16, 2016

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Client Agreement and Failure to Terminate Representation Under the Terms of Client Agreement Results in Firm's

Disqualification Under Concurrent Representation Rule

January 25, 2016

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Illinois Claim for Aiding and Abetting Client's Breach of Fiduciary Duty Time-Barred

January 11, 2016

Lawyers for the Profession® Alert

Oregon Supreme Court Limits Mediation Confidentiality

December 16, 2015

Lawyers for the Profession® Alert

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - December 2015



December 1, 2015

Federal Court in New York Court Finds No Implied Attorney-Client Relationship

October 29, 2015

Lawyers for the Profession® Alert

The Lawyers' Lawyer Newsletter - Halloween Issue October 2015

October 26, 2015

Former Shareholders' Claims Fail for Lack of Standing and Absence of Damages

October 21, 2015

Lawyers for the Profession® Alert

Kansas Draws the Line Regarding Actual Innocence and Legal Malpractice Actions

September 10, 2015

Lawyers for the Profession® Alert

Illinois Legal Malpractice Action Barred By Res Judicata and Rule Against Claim-Splitting

August 27, 2015

Lawyers for the Profession® Alert

Legal Malpractice Action Time-Barred By Statutes of Repose and Limitations

August 18, 2015

Lawyers for the Profession® Alert

Future Conflict Waiver Allows Firm to Representation Adverse to Former Client

August 11, 2015

Lawyers for the Profession® Alert

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - July 2015

July 28, 2015

Absolute Attorneys' Litigation Privilege Bars Claims By Non-Clients

July 22, 2015

Lawyers for the Profession® Alert

Ethical Wall Does Not Preclude Disqualification of Firm

July 8, 2015

Lawyers for the Profession® Alert

California Court Extends Attorney-Client Privilege to Protect Attorneys' Invoices

June 29, 2015

Lawyers for the Profession® Alert

Plaintiff's Failure to Disclose Expert Was Fatal to Legal Malpractice Claim

June 8, 2015

Lawyers for the Profession® Alert

Illinois Appellate Court Affirms \$6 Million Judgment, But Also Upholds Jury's Rejection of Claim for Lost Profits

May 13, 2015

Lawyers for the Profession® Alert

Legal Malpractice Action Time-Barred and Fraudulent Concealment Claim Rejected

May 7, 2015

Lawyers for the Profession® Alert

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - May 2015

May 5, 2015

Virginia Supreme Court Recognizes Judgmental Immunity (or "Error-in-Judgment" Rule), But Collectability Is an



#### Affirmative Defense of Attorney Defendant

April 15, 2015

Lawyers for the Profession® Alert

## Collateral Estoppel Defense to Malpractice Claim Rejected and Derivative Claims Addressed

April 13, 2015

Lawyers for the Profession® Alert

## Mediation Confidentiality Precludes Inferences of Malpractice

April 1, 2015

Lawyers for the Profession® Alert

### Failure to Challenge Victim's Credibility Sufficient to State Malpractice Claim Against Defense Counsel

March 25, 2015

Lawyers for the Profession® Alert

## Under Dual Representation Doctrine, Privilege Does Not Apply to Communications Related to Matters on Which Attorney Represents Both Clients

March 23, 2015

Lawyers for the Profession® Alert

### Misrepresentation in Renewal Application Voids Professional Liability Policy

March 5, 2015

Lawyers for the Profession® Alert

## The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - March 2015

March 5, 2015

## Paralegal's Mistake Costs Lender (JPMorgan Chase) a \$1.5 Billion Security Interest in Loan

February 13, 2015

Lawyers for the Profession® Alert

### Estate Held Liable for \$1.2 Million Based on Failure to Timely File Estate Tax Return Due to Attorney's Brain Cancer

January 21, 2015

Lawyers for the Profession® Alert

## The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - January 2015

January 5, 2015

#### California Court Upholds In-House Counsel Privilege

December 10, 2014

Lawyers for the Profession® Alert

# Third-Party Intended Beneficiary of Estate Planning Document Has Standing to Bring Malpractice Claim Against Attorney for Drafting Error

December 2, 2014

Lawyers for the Profession® Alert

#### New York Accepts Likely-To-Succeed Standard for Appeals In Underlying Cases

November 6, 2014

Lawyers for the Profession® Alert

## The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - October 2014

October 29, 2014

#### No Duty to Defend Based on Insured's Material Misstatement at Time of Renewal

October 29, 2014

Lawyers for the Profession® Alert

Under Dual Representation Doctrine, Attorney-Client Privilege Generally Does Not Apply to Communications Related to



#### Matters on Which the Attorney Represents Both Clients

October 21, 2014

Lawyers for the Profession® Alert

## Illinois Supreme Court Addresses Calculation of Damages in Legal Malpractice Action

October 14, 2014

Lawyers for the Profession® Alert

## The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - September 2014

September 8, 2014

#### Plaintiff's Failure to Have Expert Define the Standard of Care was Fatal to Claim

August 20, 2014

Lawyers for the Profession® Alert

## Insurer Ordered to Produce Communications With its Counsel Regarding Settlement of Bad Faith Claim, Which Led to Legal Malpractice Action Against Defense Counsel

July 31, 2014

Lawyers for the Profession® Alert

## The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - July 2014

July 17, 2014

## California Court Awards Attorneys' Fees in Legal Malpractice Case Based on Rates that Exceeded the Actual Amounts Billed

July 17, 2014

Lawyers for the Profession® Alert

#### Unfinished Business Doctrine No Longer Applicable To New York Law Firms

July 8, 2014

Lawyers for the Profession® Alert

### Exoneration Rule Is Alive and Well in Texas

June 25, 2014

Lawyers for the Profession® Alert

#### Non-Client Awarded Damages for Emotional Distress

May 20, 2014

Lawyers for the Profession® Alert

#### Exoneration Defense Not Applicable to Criminal Contempt Order in Civil Case

May 8, 2014

Lawyers for the Profession® Alert

## Failure to Comply With Fee-Sharing Agreement Rules Results in Loss of Fee

April 30, 2014

Lawyers for the Profession® Alert

#### The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - April 2014

April 29, 2014

### Expert Testimony Not Required For Attorney's Mishandling of Client Checks

April 2, 2014

Lawyers for the Profession® Alert

#### Trial Court's Error Constituted an Intervening Cause of Plaintiff's Claimed Damages

March 28, 2014

Lawyers for the Profession® Alert

### The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - February 2014



March 17, 2014

Attorney's Death Is Not Excuse For Allowing Statute of Limitations to Expire

March 17, 2014

Lawyers for the Profession® Alert

Illinois' Statute of Repose Is Not Limited to Claims Asserted By Client

February 26, 2014

Lawyers for the Profession® Alert

Damages Caused by the Court's, Not the Lawyer's, Mistake

February 20, 2014

Lawyers for the Profession® Alert

Ninth Circuit Provides Comprehensive Analysis of Anti-SLAPP Statute Application

February 5, 2014

Lawyers for the Profession® Alert

Under Maine Law, Advice to Seek Independent Counsel Is Unnecessary When an Engagement Agreement Contains a Clear Arbitration Clause

December 23, 2013

Lawyers for the Profession® Alert

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - December 2013

December 16, 2013

Final Due Date for Filing Estate Taxes Triggered Statute of Limitations in Third-Party Complaint for Contribution

December 12, 2013

Lawyers for the Profession® Alert

Negligent Attorney Not Entitled to Setoff For His Attorney's Fees

December 4, 2013

Lawyers for the Profession® Alert

Washington Supreme Court Rejects Standing of Title Insurer to Sue Defense Counsel

November 6, 2013

Lawyers for the Profession® Alert

Former Clients Who Are Indigent May Be Excused From Paying Arbitration Fees

October 29, 2013

Lawyers for the Profession® Alert

Expert's Opinion That Settlement Was Inadequate Was Insufficient To Establish Damages

October 23, 2013

Lawyers for the Profession® Alert

Attorney Owes Duty to Next of Kin in Wrongful Death Action Despite Lack of Direct Retention of Attorney

October 10, 2013

Lawyers for the Profession® Alert

Law Firm Not Entitled to Summary Judgment After Failing to Advise CEO of Unauthorized Loans by CFO

August 7, 2013

Lawyers for the Profession® Alert

Guilty Plea Does Not Protect Lawyer Providing Advice Before Criminal Acts

June 12, 2013

Lawyers for the Profession® Alert

Alleged Fiduciary Duty Breach Duplicative of Negligence Claim



June 5, 2013

Lawyers for the Profession® Alert

Legal Malpractice Policy Covered Law Firm After Falling Victim to "Phishing Scheme"

May 29, 2013

Lawyers for the Profession® Alert

Failure to Inform Statutory Beneficiary of Conflict May Breach Lawyer's Duty

May 15, 2013

Lawyers for the Profession® Alert

Attorneys Owe Duty to Next of Kin in Wrongful Death Action

May 8, 2013

Lawyers for the Profession® Alert

Out-of-State Attorney Severely Criticized for Taking Unfair Advantage of Client

May 1, 2013

Lawyers for the Profession® Alert

Lawyer Not Liable for Failure to Make a Better Argument to Avoid an Error by the Trial Court

April 26, 2013

Lawyers for the Profession® Alert

Law Firm's Continued Availability for Background Information Did Not Rekindle the Attorney-Client Relationship

April 10, 2013

Lawyers for the Profession® Alert

Conflict Imputed from Client's "Outside In-house Counsel" to Client's Separate Litigation Defense Counsel

April 3, 2013

Lawyers for the Profession® Alert

Claim Seeking Recovery of Excessive Estate Taxes Did Not Survive Death of Client

April 1, 2013

Lawyers for the Profession® Alert

Florida Supreme Court Limits Use of Absolute Privilege as a Defense

March 20, 2013

Lawyers for the Profession® Alert

Federal Court Upholds Validity of Advance Conflict Waiver by Client with In-House Counsel

March 13, 2013

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Florida Bar Issues Proposed Advisory Opinion Regarding Cloud Computing

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Legal Malpractice Claim Is Assignable in the Context of a Commercial Transaction

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U.S. Supreme Court Narrows Federal Jurisdiction For Malpractice Actions Arising out of Federal Patent Issues

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New Jersey Clarifies Permissible Scope of Transactional Work by Out-of-State Lawyers



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Legal Expert Cannot Opine on Merits of Underlying Medical Malpractice Case

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Attorney Who Failed to Challenge Uncertainty in the Law Not Entitled to Dismissal

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"Suit Within a Suit" Requires Full Jury Instructions and Lost Punitive Damages Are Not Part of Legal Malpractice Recovery

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Illinois Allows Excess and Umbrella Insurers to Bring Equitable Subrogation Claim Against Law Firm

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Plaintiff Failed to Establish Collectibility of Underlying Judgment

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Excess Carrier May Sue Attorneys Retained by Primary Carrier for Equitable Subrogation, But Not Legal Malpractice

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Plaintiffs Failed to Establish Causation and Damages in "Settle and Sue" Type of Legal Malpractice Action

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Attorney's Admission of Error Without Insurer's Approval Did Not Relieve Insurer of Duty to Defend In Legal Malpractice Action

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D.C. Bar Clarifies Boundaries for Disclosure of Client Confidences by Discharged In-House Counsel

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Georgia Deems Intra-Firm Communications Regarding Potential Malpractice Privileged Under Certain Circumstances

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Ninth Circuit Denies Class Counsel Attorney Fees Due to Conflict

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Attorney's Failure to Pursue Enforcement of Judgment Was Actual Injury That Stopped Tolling of Statute of Limitations

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Duty to Defend Triggered by Allegations of Malicious Prosecution

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Showing of Proximate Cause Required in Transactional Legal Malpractice Claim

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IOLTA Indemnification Provisions Trigger Attorney's Obligation to Indemnify Bank for Underlying Litigation Expenses

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SDNY Issues Conflicting Opinions Regarding Rights to Dissolved Firm Hourly-Fee Matters

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Court Rejects Insurer's Arguments That Claim Was Made Prior to Policy Period and Attorney Knew of Potential Claim

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Lack of Involvement by Co-Counsel Did Not Preclude Liability for Malicious Prosecution

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Settlement Agreement Precluded Client From Establishing Justifiable Reliance

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Public Policy Precludes Nonpecuniary Damages in Legal Malpractice Case Arising out of Criminal Defense

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Judgment Against Law Firm, Which Included Punitive Damages, Affirmed

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Supreme Court of Louisiana Upholds Use of Arbitration Clauses in Retainer Agreements

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Pennsylvania Court Prohibits Commercial Assignments of Legal Malpractice Claims

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Client Did Not Sustain "Actual Injury" Until Court Ruled on Trust Documents

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Law Firm Could Compel Arbitration of Claims Despite Being Nonparties to Arbitration Agreement

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Settlement of Underlying Case Does Not Preclude Malpractice Action



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Second Circuit Affirms Sanctions Against Law Firm Entity Under Section 1927

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Failure to Demand a Jury is Too Speculative to Support Legal Malpractice Claims

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Ninth Circuit Rejects Selective Waiver of Attorney-Client Privilege

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Plaintiff Not Required to Present Expert Testimony Pertaining to Reasonableness of Attorneys' Fees Incurred

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Minnesota District Court Finds Jurisdiction Over Ohio Lawyer

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Ninth Circuit Reverses Sanctions for Failure to Consider Willfulness, Fault or Bad Faith

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Bankruptcy Court Authorizes Destruction of Client Files

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California Federal Court Holds Buyer and Seller Protected by Common Interest Privilege

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Ohio Federal Court Allows Insurer to Sue Defense Counsel

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Illinois Appellate Court Rejects Fiduciary Duty Exception to Attorney-Client Privilege

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Second Circuit Strikes Down Two Aspects of New York's Attorney Advertising Rule

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Second Circuit Strikes Down Two Aspects of New York's Attorney Advertising Rule

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Montana Supreme Court Disqualifies Law Firm Based on Lateral Lawyer's Concurrent Conflict

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New York Appellate Court Adopts Zubulake, Imposes Spoliation Sanctions



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Mississippi Appellate Court Upholds Standing of Excess Insurer To Sue Defense Counsel

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In Criminal Malpractice Context, Accrual Occurs When Indictment Was Dismissed

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Despite Supreme Court's Critical Language, Expert Testimony in Legal Malpractice Case Required on Standard of Care

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Insurer's Duty to Defend Triggered by TCPA Claim Even Though Fax Recipient Was a Corporation

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Federal Court Has Exclusive Jurisdiction Over Legal Malpractice Action Arising Out of Patent Infringement Claim

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A Clearly Drafted Engagement Letter Can Limit the Scope of Attorney's Duties

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Attorney Who Signed Settlement Agreement Not Liable for Its Breach

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Plaintiffs' Contributory Negligence in Failing to Read Leases Precludes Malpractice Claim

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Second Circuit Allows Undisclosed Ghostwriting

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Louisiana Law Does Not Require an Appeal of an Adverse Judgment Before Filing Malpractice Action, But Expert

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Attorney Owed No Duty to Plaintiffs as Intended Third-Party Beneficiaries

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New York Law Office Requirement Held Unconstitutional

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Federal Circuit Upholds Advance Conflict Waiver in Joint Defense Agreement

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Nevada Supreme Court Adopts Disqualification Rule for Use of Information From Anonymous Source



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Firm's Agreement With Opposing Party Creates Unconsentable Conflict

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Lawyers May Influence Their Clients' Communications With Represented Parties

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Lawyers for the Profession® Alert

Plaintiff's Malpractice Suit Placed Attorney-Client Communications With Subsequent Counsel "At Issue" and Plaintiff Thus Waived Privilege

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Summary Judgment to Insurer Based on Breach of Notice and Cooperation Clauses

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ABA Provides Guidance for Warning Clients About the Risks of Electronic Attorney-Client Communications

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ABA Provides Guidance for Ethical and Legal Duties When Employee's Lawyer Obtains Employee's E-mails With the Employee's Lawyer

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ABA Provides Guidance for Permissible Changes to Attorney Fee Agreements During Representation

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Illinois State Court Has Jurisdiction of Legal Malpractice Claim Arising Out of Patent Matter

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Litigation Privilege Does Not Shield Attorney and Client Who Make Allegedly Defamatory Statements to News Reporters

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Indiana Supreme Court Provides Guidance on Ethics Rules for Out-of-State Attorney Advertising

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Federal Circuit Has Exclusive Jurisdiction of Appeal of Claim Arising Out of Patent Matter

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Lawyers for the Profession® Alert

Legal Malpractice Claim Arising Out of Patent Matter Dismissed for Lack of Jurisdiction

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SEC Whistleblower Rule Excludes Money Awards to Attorneys and Others Violating Attorney-Client Privilege and Confidentiality



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Notice of Claim to Insurer by Claimants Is Insufficient, But Estoppel Precludes Summary Judgment

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Attorney Representation Concludes When Client No Longer Has Reasonable Expectation of Representation

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Ohio Court of Appeals Affirms Parol Evidence Rule As Applied to Engagement Letters for Attorneys

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Illinois Six-Year Statute of Repose Commenced on Date of Injury, Not on Date of Client's Death, and Claim Was Thus

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Doctrine of In Pari Delicto Did Not Bar Trustee's Claims

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U.S. Supreme Court Insulates Advisers, Including Lawyers, From Rule 10b-5 Liability for Statements Made by Companies

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California Supreme Court Holds Attorney Can Be Sued for Civic Efforts Against Former Client's Interests

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Doctrine of In Pari Delicto Did Not Bar Trustee's Claims

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Continuous Representation May Toll the Statute of Limitations in Washington

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Modification of Protective Orders to Permit Disclosure of Confidential Materials Must Satisfy Three-Prong Test

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Negligent Misrepresentation Does Not Apply to Prospective Client's Negligence Lawsuit

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For Statute of Repose to Be Tolled, Attorney Must Make Affirmative Misrepresentations

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New York Bar Blesses Agreement for In-House Lawyer Imposing Post-Employment Confidentiality Obligations

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In-House, Out-of-State Licensed Counsel Must Register to Practice in New York State



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Attorney-to-Client Communications Categorically Protected in Pennsylvania

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North Carolina Bar Opinion Advises Firms to Run Conflicts Checks for Newly Hired Law School Graduates

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California Federal Court Allows Screening of Conflicted Lawyer

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Oregon Bar Issues Formal Opinion on Ethics Issues Arising in Mentoring Relationships and Use of LISTSERVs

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Framework Retainer Agreement Does Not Perpetually Bind Law Firm for Purposes of Current Client Conflicts

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Third Circuit Applies Stoneridge, Denies Class Certification to Securities Fraud Claims Against Law Firm

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FDCPA Does Not Apply to Misleading Communications Directed at Judge

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Attorney Who Engaged in Criminal Conduct to Exonerate Client Not Immune as a "Law Enforcement Officer"

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Law Firm Violated FDCPA Relying on Client Information; Committed Malicious Prosecution by Not Acting on Client Information

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California Malicious Prosecution Claim Against Attorneys Governed by One-Year Malpractice Statute of Limitations

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Florida Supreme Court Upholds Attorney-Client Privilege in Bad Faith Claims

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Insurance Coverage Alert / Lawyers for the Profession® Alert

Expert Declaration Containing Conclusory Assertions Not Sufficient to Sustain Legal Malpractice Action

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Law Firm's Internal Loss Prevention Communications Are Privileged From Discovery by Client

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Internal Law Firm E-mail Is Privileged From Discovery by Client in Securities Litigation

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Lawyers for the Profession® Alert

Mediation Confidentiality Statutes Include All Evidence of Discussions Immediately Preceding, During and After Mediation March 8, 2011

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Ninth Circuit Rejects Attorney-Client Privilege and Work Product Protection for Tax Appraisal File

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Court Balances Contract Law Principles With Legal Ethics in Fee-Sharing Case

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NY Appellate Court Manages Litigation Issues Stemming From Pilfered E-Mails

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Experienced Patent Lawyer Unqualified to Testify Regarding Standard of Care and Causation

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Texas Lawyers May Reveal Corporate Client's Fraud to Client's Creditors

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Fifth Circuit Strikes Certain Rules Governing Attorney Advertising in Louisiana

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California Court of Appeal Holds Privilege Waived When Employee E-Mails Attorney on Employer's System

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Client's E-Mails and Blog Postings Regarding Conversations With Counsel Waive Attorney-Client Privilege

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Attorney Who Refers Matter For a Fee Has Duty to Act if Receiving Lawyer Commits Misconduct

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Prosecutors' Use of Undercover Informant Armed With False Subpoena Does Not Violate No-Contact Rule

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Federal Judge Sets Aside Magistrate's Controversial Corporate Attorney-Client Privilege Ruling

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Colorado Bar Differentiates Online Directories From Lawyer Referral Services

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FTC Issues Rule Governing Mortgage Relief Providers; Includes Lawyer Exemption

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Future Conflict Requires Knowledge of Specific Adversity or Particular Clients Who May Be Involved

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Ninth Circuit Allows Immediate Appeal of Third-Party Discovery Order Involving Privilege

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Attorney Cannot Recover From Former Client for Loss of Future Fees

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Careful Prior Consideration of Conflicts Issue Assists in Avoiding Discipline

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Work Product Protection Applies to Plaintiff's Testing Data in Patent Dispute

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New York High Court Declines to Broaden Liability of Third-Party Professionals for Client Fraud

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New York Bar Allows Online Storage of Confidential Client Information With Third Parties

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California Court Strikes Malicious Prosecution Claim Based on Anti-SLAPP Motion

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Ohio Supreme Court Recognizes Self-Protection Exception to Attorney-Client Privilege

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ABA Formal Opinion Emphasizes the Duty of Confidentiality in Responding to Ineffective Assistance of Counsel Claims

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ABA Issues Guidance on Ethical Issues Related to Lawyer Websites

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No Privilege for In-House Counsel Communications in Europe's High Court

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Federal Court Recognizes Several Legally Cognizable Injuries Resulting From Firm's Conflict of Interest

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### Screening of Nonlawyer Employees Requires Formal Institutionalized Measures in Texas

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## Eighth Circuit Invalidates Fee-Splitting Agreement Based on Technical Violations of Ethical Rule

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## Uniform Bar Examination Gains Traction With Important Backing

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### Ethical Rule Does Not Alter Unconscionability Analysis As to Fee Arrangement

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#### Loss of Chance Doctrine May Apply to Legal Malpractice

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#### D.C. Circuit Clarifies Scope of Work-Product Protection

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## Attorney Cannot Agree to Arbitrate Without Client Consent

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#### Lawyer Avoids Malpractice Liability by Expressly Limiting Scope of Representation

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# Newly Adopted ABA Model Rule 1.15 Offers Guidance to Client Trust Account Maintenance, Brings Lawyers Into Updated Technological Practices

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### Ninth Circuit Holds Lawyer Has Duty to Investigate Source of Legal Fees to Avoid Constructive Trust

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## Second Circuit Adopts Factors for Assessing Corporate Affiliate Conflict of Interest

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## California Bar Recommends Adoption of a Conflicts Imputation Rule But Rejects a Related Screening Rule

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## Sharing Documents With Litigation Financing Companies Waives Privilege for Those Documents

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#### California Statute Modifies Limitations Period for Certain Malpractice Claims Against Criminal Lawyers



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Federal Court Lacks Jurisdiction Over Legal Malpractice Claim Arising From Labor Negotiations

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Contingent Fee Agreement Does Not Compensate Lawyer for Defense Against Potential Counterclaims

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Ninth Circuit Holds That Legal Malpractice Claim May Arise From Activity Protected by Anti-SLAPP

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Court Disqualifies Firm, Despite Screening of Conflicted Lawyer, Because of Firm's Size

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Ninth Circuit Sanctions Lawyers in High-Profile Case

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Ninth Circuit Adopts Two New Attorney-Client Privilege Standards for Corporate Counsel

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Parent Company's Rejection of "One-Entity" Clause in Retainer Did Not Create Attorney-Client Relationship With

Subsidiaries

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No Attorney-Client Privilege for Corporation That Failed to Confirm In-House Attorney's Licensure Status

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Lawyers for the Profession® Alert

ABA Allows Mediators to Draft Divorce Settlement Agreements With Appropriate Party Consent

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Lawyers for the Profession® Alert

Firm That Prosecuted Competing Patents Subject to Breach of Fiduciary Duty Claim, But Not to Conversion Claim

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New York Relaxes Privity Rule for Personal Representative's Legal Malpractice Claims

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New Jersey Supreme Court Rejects Two Potential Bars to Legal Malpractice Cause of Action

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Arizona Enforces Hurdles for Multi-jurisdictional Practice

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Supreme Court Approves Amendments to Federal Rule of Civil Procedure 26 Limiting Discovery of Expert Witnesses

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Federal Circuit Lays Out Test for When Lawyer's Access to Opposing Party's Confidential Information May Be Used to Limit the Scope of Attorney's Representation

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New Jersey Supreme Court Elaborates on Meaning of "Substantially Related Matters" Under Former-Client Conflicts Rule June 10, 2010

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Maine Supreme Court Requires Party Seeking Law Firm Disqualification to Demonstrate Particular, Actual Prejudice From Alleged Ethical Violations

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Iowa Supreme Court Uses Equitable Power to Enjoin an Out-of-State Attorney Practicing Federal Law Under MJP Rules in Iowa, for Violations of the Iowa Ethics Rules

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Federal Circuit Reverses \$4.4 Million Sanctions Award Against Patent Infringement Plaintiffs and Law Firm May 20, 2010

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Client May Vacate Default Judgment Caused by Lawyer's Neglect Even Though Lawyer Was In-House Counsel May 18, 2010

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Contract Lawyer's Conflicts of Interest Not Necessarily Imputed to Firm According to D.C. Bar

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Federal District Court Strikes Down Texas Criminal Restrictions on Professional Solicitations

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Lawyers for the Profession® Alert

Illinois Supreme Court Holds That Ethical Rule Prohibiting Communication With a Represented Party Is Limited to the Same Matter, Regardless of Whether the Matters Are Factually Related

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Trio of Recent Decisions Address Lawyer Mobility

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U.S. Supreme Court Strictly Limits Enhancements of Attorney Fee Awards Above Lodestar Amounts

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U.S. Supreme Court Holds That the Bona Fide Error Defense in the Fair Debt Collection Practices Act Does Not Include Mistakes of Law

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State Appeals Court Adopts U.S. Supreme Court's Recent Mohawk Industries Holding: Privilege Ruling Not Subject to



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Second Circuit Splits on Authority of Magistrate Judge to Impose Rule 11 Sanctions Absent Consent of the Parties

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Court Rejects a Mandatory Disqualification Rule for a Law Firm's Current-Client Conflict of Interest, and Denies Motion to Disqualify the Firm

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Ninth Circuit Reverses Prior Decision Based on a Subsequent Statutory Charge and Holds That Lawyer Cannot Discharge in Bankruptcy the Costs Owed to Bar Assessed in Disciplinary Proceeding

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Expert Witness Work Leads to Conflict of Interest, Imputed Disqualification

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Pennsylvania Supreme Court Splits on Rationale for Subject Matter Waiver; Avoids Decision on Scope of Privilege for In-House Counsel-to-Client Communication

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U.S. Supreme Court Weighs in on Applicability of 2005 Bankruptcy Law to Attorneys' Advice and Advertising

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South Carolina Attorney Ad Tests Bounds of Advertising Rule

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City of New York Bar Issues Formal Opinion That Jointly Represented Clients May Not Waive the Right to Approve Aggregate Settlements

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Statutes of Repose Do Not Shorten Bankruptcy Trustee's Period to Pursue Legal Malpractice

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New Jersey Supreme Court Sets Clear Conditions That Would Allow a Company to Pay Attorney Fees for Employees Who Are Targets and Potential Witnesses in a Grand Jury Proceeding

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California Class Action Lawyers Must Help Class Members Enforce Judgment

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Lawyers May Solicit Lay Organizations to Lecture on Legal Topics, But Limits Apply

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## Discharged Firm May Still Collect Contingency Fee

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## Narrow Interpretation of Spoliation of Evidence Tort Offset By Potential Ethical, Criminal and Other Civil Liability

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## Joint Defense Agreements Give Rise to Unique Conflicts and Imputation Issues

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## FSA Lenders Not Subject to State UPL Laws

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## FTC Lacks Authority to Regulate Lawyers Under the Fair and Accurate Credit Transactions Act

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## Lawyer Suspended for Representing Ward and Conservator

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