



Newsletters

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

March 7, 2018

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- Lateral Hires – Screening – Moonlighting – Due Diligence by Hiring Firm – Vicarious Liability because of Lawyer's Apparent Authority
- Partners and Officers – Personal Liability – Tax Liability
- Former Client Confidentiality – Exceptions – When is "Generally-Known Information" Confidential?

Lateral Hires – Screening – Moonlighting – Due Diligence by Hiring Firm – Vicarious Liability because of Lawyer's Apparent Authority

McFarland v. Niekamp, Weisensell, Mutersbaugh & Mastrantonio, LLP, 2017-Ohio-8394, 2017 Ohio App. LEXIS 4774 (November 1, 2017)

Risk Management Issue: When a law firm hires a lateral attorney, what due diligence must it undertake in connection with the business introduced by the lateral attorney?

Partners and Officers – Personal Liability – Tax Liability

Alex Spizz v. United States of America v. Todtman; Case No. 15-CV-2361, (S.D. N.Y. December 4, 2017)

Risk Management Issue: When do officers and shareholders or partners of law firms bear personal liability for the firm's failure to pay trust fund taxes to the Internal Revenue Service?

Former Client Confidentiality – Exceptions – When is "Generally-Known Information" Confidential?

American Bar Association Formal Opinion 479, December 15, 2017

Risk Management Issue: May a lawyer use information related to the representation of a former client to the former client's actual or potential disadvantage if the information has become "generally known"?

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Filomena E. Meyer

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Newsletter

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