



## Newsletters

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

October 23, 2018

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**Conflicts of Interest – Advance Waivers – Requirements for Waivers of Existing Conflicts – Proper Forum to Determine Arbitrability of Disputes – Scope of Fee Disgorgement When Attorneys Violate Fiduciary Duties to Clients**

*Sheppard, Mullin, Richter & Hampton, LLP v. J-M Manufacturing Co., Inc.* (Aug. 30, 2018, No. S232946) \_\_\_ Cal.5th\_\_\_ (2018 Cal. LEXIS 6399)

**Risk Management Issues:** What are the requirements for obtaining waivers of existing conflicts? Does a client's sophistication matter when considering disclosure of a concurrent conflict? Is it possible to draft a viable advance waiver of potential conflicts? Are suits for fees ever appropriate?

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