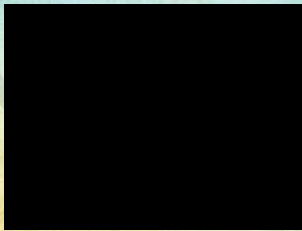


Rule 1.1 Competence

"Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation."



Woman in Gold





Rule 1.2 Scope Of Representation And Allocation Of Authority Between Client And Lawyer

- (d) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law.




Tripartite Relationship

The relationship between the insurance defense lawyer, the insured and the insurer.




The Tripartite Relationship

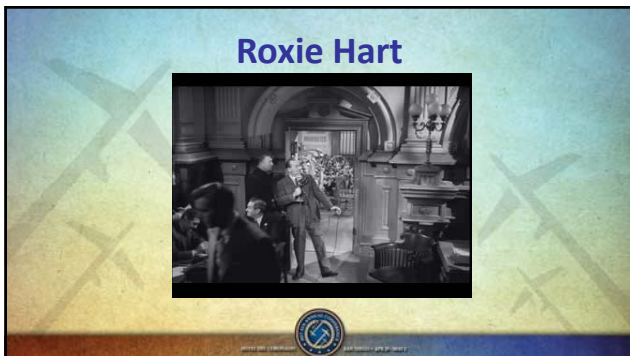
- The idea is that the three parties are in a coalition for a common purpose — a favorable disposition of the claim — with the attorney owing fiduciary duties to both the Insured and the Insurer as clients.

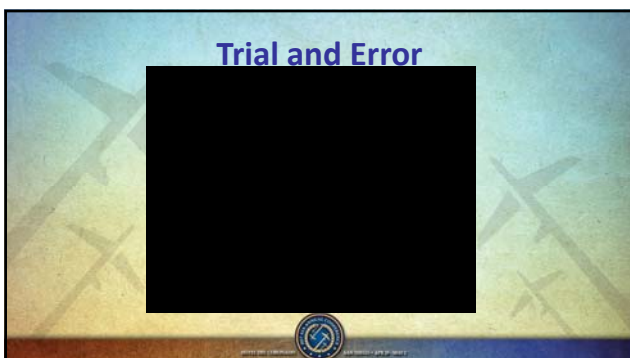


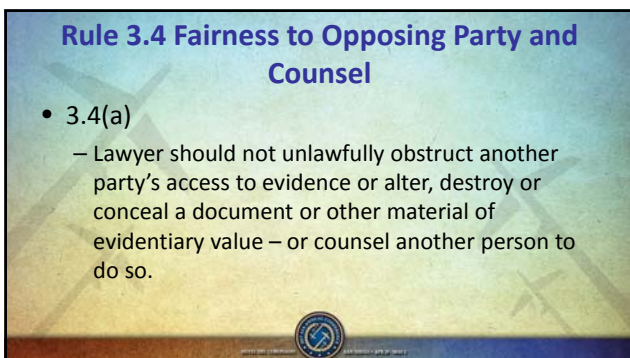
Rule 3.3 and Rule 3.4(b)

- 3.3(a)(3)
 - Requires lawyer not knowingly “offer evidence that the lawyer knows to be false.”
- Rule 3.4(b)
 - Lawyer must not “counsel or assist a witness to testify falsely.”









Rule 4.1 Truthfulness In Statements to Others

- In the course of representing a client a lawyer shall not knowingly make a false statement of material fact or law to a third person.



Rule 4.2 Communication with Person Represented by Counsel

- In representing a client, a lawyer shall not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the consent of the other lawyer or is authorized to do so by law or a court order.



Rule 4.2 Communication with Person Represented by Counsel

To whom it may concern:

This letter is to confirm that my client, Mrs. _____ is not filing any claims against her employer, or the mine for injuries sustained and/or for the death of her husband Mr. _____ on [Date of Loss]. Her claims are only as to the manufacturer of the plane, the manufacturer of the engine, and any component part manufacturer, and any company that performed maintenance on any part of said plane and/or engine. This lawsuit is only intended to involve those that were a cause of the incident and injuries involving my client, Mrs. _____. Thus, Mrs. _____ will not file any claims against her employer or the mine.

Further, please be advised that Attorney _____ with the law firm _____ may speak with [my client] with regards to her insurance claim and collection ONLY. Attorney _____ and/or any employee of [law firm name] may not speak to Mrs. _____ regarding any other matter.

Sincerely,

