

LETTER 6—FUTURE CONFLICTS WAIVER LETTER

Dear _____:

In accordance with our phone conversations, the purpose of this letter is to provide a framework for addressing present and future conflict of interest that may arise when attorneys from this firm represent clients in matters adverse to you. Before our firm agrees to represent you, we believe that it is appropriate to spell out in writing the expectations or standards that will govern our relationship.

In light of the conflict of interest rules that govern attorneys, we would appreciate it if you would give us your consent and acknowledge that our representation of you in this matter will not disqualify the firm from opposing you on other matters. More specifically, we ask that you consent to our representation of other clients in unrelated matters adverse to you as long as all of the following are true:

1. The representation does not involve any work that the firm has done for you; and
2. The representation would not place the firm in a position to use your confidences or secrets adversely to you.

As in any potential conflict of interest situation, you should consider whether the arrangement that I have outlined above could or might affect the “zealousness” or eagerness with which the firm represents you. You should also consider whether our representation of clients adversely to you would place the firm in a position to use your confidences or secrets against you. Although I do not believe that the likelihood of harm to you is material in light of the limitations that I have outlined above, these are necessarily issues that you should review for yourself. In fact, the ethical rules governing an Oregon attorney’s conduct require that I recommend that you seek independent counsel to determine whether consent in this matter should be given. Whether or not you do so, however, is up to you.

If you are willing to consent to the terms outlined above, please sign the enclosed extra copy of this letter and return it to me for my files. If you have any questions, or if there is any other information that I can provide which might help you make a decision on this matter, please let me know.

Very truly yours,

Consent to the terms outlined above is hereby granted.

Dated: _____ By _____