

- 1 Client gave Lawyer a financial document Client had prepared for a business transaction for possible use in a lawsuit against X. X has requested production of the document. Can Lawyer avoid production based on attorney-client privilege?
 - A Yes, if the document was confidentially communicated to Lawyer
 - B Yes, if the document related to the matter for which Lawyer was representing Client
 - C No, because the document does not manifest an attorney-client communication
 - D No, because documents are never protected by the privilege

- 2 Client consulted Lawyer to determine whether a certain transaction would be legal. Lawyer advised that it was likely that, if Client engaged in the transaction as proposed, it would be illegal. Lawyer suggested an alternative means of proceeding. Although Client seriously considered Lawyer's advice, she decided to proceed with the original plan. The Prosecutor has summoned Lawyer to testify about what advice Lawyer gave Client in order to prove Client's state of mind. Can Lawyer avoid answering Prosecutor's questions by asserting attorney-client privilege?
 - A Yes, since the communication did not involve a crime involving death or serious bodily harm
 - B Yes, if the conversations between Lawyer and Client were confidential
 - C No, because the conversations fall within the crime-fraud exception to privilege
 - D No, because Lawyer's advice to Client is not privileged

- 3 Under the Model Rules, which of the following must be disclosed?
 - A Information necessary to prevent the client from committing a crime the lawyer is reasonably certain will cause death or serious bodily harm once the client has been warned the lawyer will do so
 - B Information obtained during the representation that shows the client has committed perjury where the client fails to remedy it and no other remedial measures will suffice
 - C Information necessary to rectify substantial injury to the financial interests or property of another where the client has used the lawyer's services to perpetrate the fraud
 - D All of the above
 - E None of the above

- 4 Which of the following will subject Lawyer to discipline?
- A Communicating with jurors in the case Lawyer just lost after the verdict was announced
 - B Communicating with a person who is represented by counsel who contacts Lawyer because he believes his attorney is not doing a good job in obtaining a settlement
 - C Refusing to offer evidence Lawyer reasonably believes to be false in a criminal case
 - D All of the above
 - E None of the above
- 5 Client testified in a deposition and stated he had never been to the President Hotel. Lawyer thereafter discovered a document showing Client had stayed at the hotel twice in the past year under an assumed name. Client admitted to the false statement but refuses to correct it. The case is set to go to trial in a few months.

Must Lawyer disclose Client's false statement to the Court?

- A No, because Lawyer did not know the statement was false at the time Client testified in the deposition.
- B No, because the false statement was made in a deposition and not before a tribunal
- C Yes, if visiting the hotel is material and disclosure is reasonably necessary to remedy the false statement
- D Yes, unless the information Lawyer received showing Client lied was obtained in confidence

Answer Key : Confidentiality

Question:	Answer
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