## Conflicts of Interest:
### Identifying the Hazards and Resolving the Issues

Friday, May 6, 2011

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1. **Conflicts of Interest: Identifying the Hazards and Resolving the Issues**  
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ALI-ABA Telephone Seminar/Audio Webcast
Ethics and Professional Responsibility Series

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PROGRAM

Eastern 12:00 p.m. – 1:30 p.m. | Central 11:00 a.m. – 12:30 p.m.
| Mountain 10:00 a.m. – 11:30 a.m. | Pacific & Arizona 9:00 a.m. – 10:30 a.m.
| Alaska 8:00 a.m. – 9:30 a.m. | Hawaii 6:00 a.m. – 7:30 a.m.

- Conflicts of interest and how lawyers get into them
- Consequences of conflicts of interest
- Client identity issues, including corporate family issues
- Conflicts in joint representation
- Conflicts relating to underlying work problem
- Conflicts screens
- Waivers/consents to conflicts, including advance waivers
ALI-ABA Telephone Seminar/Audio Webcast
Ethics and Professional Responsibility Series

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FACULTY

Pamela A. Bresnahan (Planning Chair) is a partner at Vorys, Sater, Seymour and Pease LLP, and is the head of the firm’s Washington, D.C. litigation group. She serves as trial and appellate counsel in business and commercial litigation matters, with an emphasis on professional liability defense and coverage litigation. She represents lawyers, financial institutions, broker/dealers, financial professionals, directors and officers, fiduciaries, insurers and other professionals. Ms. Bresnahan serves as coverage and litigation counsel for insurers issuing errors and omissions policies. She advises law firms and lawyers on management issues and discipline matters. Ms. Bresnahan is a member of the American College of Trial Lawyers and was named by the National Law Journal as one of the 100 most influential lawyers in America.

Lucian T. Pera (Planning Chair) is a partner at Adams & Reese LLP. He practices primarily in the civil trial arena, including a wide variety of commercial, media, intellectual property, and personal injury litigation. Mr. Pera also counsels and represents lawyers, large and small law firms, law departments, clients of lawyers, and others on lawyer ethics, professional responsibility, malpractice, and loss prevention. His recent assignments have ranged from advice on conflicts of interest or legal advertising, to opinions on lawyer business transactions, to representation in disciplinary and bar admission proceedings, to defense and prosecution of lawyer disqualification motions, to addressing malpractice and loss prevention issues, to expert witness assignments. He has developed a nationwide practice and reputation in this emerging field, and writes and speaks frequently on these issues all over the country.

Richard E. Flamm is Principal of Law Office of Richard E. Flamm, a Berkeley, California-based law and consulting practice. In his practice, Mr. Flamm provides representation, advice and expert witness testimony with respect to legal and judicial ethics, legal malpractice, and breach of fiduciary duty matters -- with an emphasis on legal, judicial, and quasi-judicial disqualification motions and appeals. In his capacity as an expert witness, he has testified, either in court or by way of affidavit, in dozens of cases involving matters of legal and/or judicial ethics. Mr. Flamm is the author of two highly-acclaimed treatises: Lawyer Disqualification: Conflicts of Interest and Other
Bases, and Judicial Disqualification: Recusal and Disqualification of Judges, which has been widely relied on by state and federal courts throughout the country. He has also authored numerous scholarly articles on conflicts of interests, disqualification and related subjects for law reviews and other publications.

William Freivogel is the Principal of Freivogel Ethics Consulting in Chicago and formerly Senior Vice President – Loss Prevention of Aon Risk Services, Inc., where he was responsible for providing professional responsibility advice and risk management services to his company’s law firm clients. Mr. Freivogel was a trial lawyer for 23 years and since 1987 has concentrated on legal ethics, lawyer malpractice, and related disciplines. He served on the American Law Institute’s Members’ Consultative Group for the Restatement of the Law Governing Lawyers and as a member of the Advisory Council to the American Bar Association’s Ethics 2000 Commission. He is a member of the Editorial Board of ABA/BNA Lawyers’ Manual on Professional Conduct and just concluded his term as Chair of the ABA Business Law Section’s Professional Responsibility Committee. Mr. Freivogel writes and speaks extensively in the areas of legal ethics and loss prevention, and is the author of Freivogel on Ethics, a comprehensive online guide to conflicts of interest.