

ATTORNEYS IN THIS PRACTICE

Shari A. Brandt

Ian Craig

Lee S. Richards, III

James Q. Walker

RELATED PRACTICES

Corporate Governance

Evaluation of Regulatory Risk

Operational Advice

Regulation and Compliance

Securities Regulation Advice and Training

Trading/Ethical Policies and Compliance

Lawyers and Ethics Compliance

RK&O has a wealth of experience representing lawyers and law firms in matters ranging from internal or criminal investigations to professional ethics and loss prevention. Closer scrutiny of the role of lawyers in corporate misconduct, especially after the Sarbanes-Oxley Act introduced rules governing attorney conduct before the SEC, has increased the need for law firms and lawyers to seek our counsel.

Though RK&O frequently acts as outside counsel to advise lawyers and firms on their ethical responsibilities, we also work alongside in-house counsel to provide practical and effective guidance concerning conflicts of interest, lawyer misconduct and client confidentiality – including guidance on handling the challenging privilege and confidentiality issues that arise when our clients' lawyers become involved in criminal or regulatory investigations.

Outside the firm, RK&O's attorneys are involved in bar activities related to the issues facing lawyers and law firms. Our lawyers frequently publish articles and memoranda concerning attorney conduct and professional responsibilities.

PUBLICATIONS

"Expanded Supervisory Liability for In-House Lawyers" by James Walker, Daniel Zinman and Grant Mogan published in the *New York Law Journal*

"In-House Lawyers Beware: SEC Expands Supervisory Liability" by James Walker, Daniel Zinman and Grant Mogan

"Ninth Circuit's Reversal of Evidence Exclusion in Broadcom Case Does Not Alter Lessons Learned Regarding *Upjohn* Warnings" by Shari Brandt and James Walker

"Issuing a Proper *Upjohn* Warning Will Not Cure Multiple Representation Conflicts" by James Walker and Shari Brandt

"Can an *Upjohn* Warning Avoid Representational Ambiguity?" by Shari Brandt and James Walker

"New Decision on the Application of Attorney-Client Privilege to Communications With In-House Counsel" by James Walker, Daniel Zinman and Hellen Park

"Employers Need To Revisit E-Mail Policies In Light Of Court Decision Rejecting Attorney-Client And Work Product Privileges" by James Walker and Daniel Zinman

PRESENTATIONS

James Walker presents "LinkedIn, Facebook and Twitter, Oh My! Ethics & Privacy in Social Media" hosted by the LSTA

Richards Kibbe & Orbe LLP to co-sponsor and present at the inaugural Latin American Congress on Ethics, Transparency & Anti-Corruption Compliance

LAWYERS AND ETHICS COMPLIANCE (Cont.)

James Walker participates in PLI "Ethics for Corporate Counsel: Multijurisdictional Practice and Other Current Issues" seminar

James Walker participates in "Preserving Privileges: Ethical Issues Confronting Insurers, Policyholders, & Counsel" panel sponsored by the New York City Bar Association

James Walker participates in "Transforming Preparation Into Practice: The Martin Act" sponsored by the New York State Bar Association

James Walker participates in PLI "Ethics for Corporate Lawyers 2011" seminar

James Walker participates in "How to Effectively Maneuver Through the Forest of Social Media," hosted by the Association of Black Women Attorneys

James Walker presents "Assessing, Investigating and Responding to Data Breaches" at the 4th Annual Corporate Counsel Institute

James Walker presents "Corporate Governance: Legal Implications of Working with Boards," a webinar sponsored by National Constitution Center

James Walker co-presented "High Tech/High Impact Ethics" at the National Employment Lawyers Association New York City Conference on Representing Employees

RK&O partners participate in the panel discussion "Receiving Information, Managing Risk, and Preserving Liquidity: Strategies for the Current Regulatory Landscape" at the Financial Services General Counsel Luncheon in San Francisco

James Walker participates in the PLI "Hot Issues in Executive Compensation 2011" seminar

James Walker speaks at the PLI "Information Technology Law Institute 2011: Navigating the New Risks in Mobile Technology, Social Media, Electronic Records and Privacy" seminar

RK&O partners present "Receiving Information, Managing Risk and Preserving Liquidity: Strategies for the Current Regulatory Landscape" at the Alternative Asset Management General Counsel Luncheon in New York City

James Walker participates as Panelist at the New York City Bar Association "Professional Liability & Legal Ethics: Preventing, Defending & Obtaining Insurance For Claims Against Law Firms" program

James Walker speaks at the Women in eDiscovery "Ethics, E-Discovery & Social Networking" seminar

James Walker speaks at the PLI "Ethics for Corporate Lawyers 2010" seminar

James Walker participates as a Panelist at the Third Corporate Counsel Institute

James Walker participates as a Panelist at the Aon Large Law Firm Symposium

James Walker participates as a Panelist in the "Ethics in the Investigation and Prosecution of Civil Lawsuits" seminar

James Walker speaks at the PLI "Mergers & Acquisitions 2009: Trends and Developments" seminar

James Walker speaks at the PLI "Ethics for Corporate Lawyers 2008" seminar

James Walker and Daniel Zinman present "The Erosion of the Attorney-Client Privilege over Electronic Communications: A Discussion of Recent Developments in the Law and Practical Guidance for In-House Counsel to Consider in Preserving the Privilege"



LAWYERS AND ETHICS COMPLIANCE (Cont.)

NEWS & ANNOUNCEMENTS

Eva Marie Carney quoted in *Hedge Fund Law Report* article "Dual-Hatting: Benefits, Challenges and Recommendations for Persons Simultaneously Serving as General Counsel and Chief Compliance Officer of a Hedge Fund Manager"

James Walker quoted in *Law360* article "FDIC Sets Its Sights On Failed Banks' Law Firms"

James Walker quoted in the *CBS New York* article "NY Bar: Lawyers May Comb Social Media For Dirt"

MaryJeanette Dee and James Walker appear in *Super Lawyers - Corporate Counsel Edition*

James Walker quoted in the ABA/BNA "Lawyers' Manual of Professional Conduct"

Craig Newman quoted in *InsideCounsel* article "Waive the Flag: Bank of America case has companies reconsidering what is privileged"

James Walker quoted in *Financier Worldwide*