



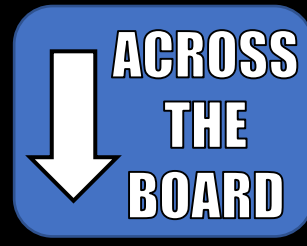
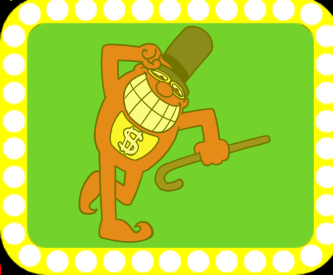
**PRESS
YOUR
LUCK**

- Round 1
- Question 1
- Question 2
- Question 3

- Round 2
- Question 1
- Question 2
- Question 3

- Round 3
- Question 1
- Question 2
- Question 3

- Round 4
- Question 1
- Question 2



SPINS	Lisa	MONEY
0		0

FORCED SPINS	0
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SPINS	Jim	MONEY
0		0

FORCED SPINS	0
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SPINS	Paul	MONEY
0		0

FORCED SPINS	0
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1 Spin



Round 1
Question 1

You began practicing law nearly 30 years ago when social media didn't exist. So you don't really use social media and only have a Facebook account because that's where they post your law school class reunion events. Does it impact your practice?

Answer

1 Spin



Round 1
Answer 1

Yes, ABA Ethics 20/20 Commission and new Rule 1.1 provides that for lawyers to “maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risk associated with relevant technology.”



1 Spin



**Round 1
Question 2**

You represent a chapter 11 debtor. The newly hired lawyer for the committee is the father of the star outfielder on your son's baseball team and your next-door neighbor. Do you have a problem?

Answer 

1 Spin



**Round 1
Answer 2**

No, so long as you disclose to your client and the court your relationship with committee counsel, including that your families have been going on vacation together for the past 10 years, and your client consents to your continued representation.



1 Spin



Round 1
Question 3

You are on an ABI Committee with several lawyers who all are now your Facebook friends. One of the lawyers represents a debtor in a chapter 7 case against whom your client is considering filing a 727 action. Do you need to unfriend counsel for the debtor?

Answer

1 Spin



**Round 1
Answer 3**

Yes, right after you tell your client that you saw that debtor's counsel recently was on vacation in Hawaii with the debtor and it looked like they stayed in an ultra-chic and expensive resort.



2 Spins



Round 2
Question 1

In connection with litigation, you express to your team that the debtor is not being truthful about assets. One of your ambitious associates creates a Facebook profile and “friends” the debtor and obtains pertinent and relevant information. Can you use this information?

Answer

2 Spins



**Round 2
Answer 1**

No way, this is a communication with a represented party. We need to send this associate to an ethics CLE with the College.



2 Spins



Round 2
Question 2

The chief restructuring officer who was also the first day declarant and primary witness in the case just commented on twitter after a mass shooting that “he was not sympathetic about the people killed because they were probably gun toters.” Your communication team has advised that his statements are not only a public relations problem, but that he should be fired. Are they right?

Answer

2 Spins



**Round 2
Answer 2**

Yes, views expressed on social media are public and therefore could be imputed to the company.



2 Spin



**Round 2
Question 3**

A client contacts you to file a chapter 11 case for his strip mall on the eve of a foreclosure sale. Due to the Covid 19 pandemic and your health issues, you cannot meet with the client in person and need to get the filing information via Facebook video call. Can you file the case?

Answer 

2 Spin



**Round 2
Answer 3**

Yes, so long as you got all of the necessary information and have the client sign the filing documents electronically.



2 Spins



Round 3
Question 1

You represent a chapter 11 debtor whose chief executive officer is very active on twitter. You expect that she may have tweeted some things that could be taken out of context. Should you advise the CEO to delete or “clean up” her social media?

Answer

2 Spins



**Round 3
Answer 1**

Yes, but not before the account is review or audited to ensure that the CEO is not removing or deleting evidence.



2 Spins



Round 3
Question 2

A paralegal on your team runs a fashion blog on the side. He thinks the chief executive officer dresses great and has begun posting outfits with comments about the case with each outfit. Is this okay?

Answer

2 Spins



Round 3
Answer 2

Maybe, did the CFO agree? I heard that's he flattered by the fact that he's considered stylish and is not only commenting, but has reposted some of them.



2 Spins



Round 3
Question 3

You represent a creditor in an interesting, high-profile chapter 11 case. You are an active blogger. While the chapter 11 case is in progress, can you blog, in real time, about important rulings in the case as they are rendered?

Answer

2 Spins



**Round 3
Answer 3**

Maybe, even if you have “informed consent,” it depends on the circumstances...



3 Spins



Round 4
Question 1

You represent your client in connection with an adversary proceeding. After a lengthy mediation, the parties settled and the agreement included confidentiality provisions. As far as resolution, the client told his children that “the lawsuit was settled and we were happy with the results.” Exciting for her father, his daughter immediately took to Facebook and posted that “Mama and Papa won the case against Company. Company is now officially paying for my vacation to Europe this summer. SUCK IT.” Your daughter saw the post and told you about it. Should you worry?

Answer

3 Spins



**Round 4
Answer 1**

Yes, it's likely a breach of the settlement agreement.



2 Spins



Round 4
Question 2

You interviewed to be the restructuring counsel for a potential chapter 11 debtor. Another law firm was retained, and you do not represent any creditor or party in interest in the subsequently filed chapter 11 case. While the chapter 11 case is in progress, can you blog, in real time, about important rulings in the case as they are rendered?

Answer

2 Spins



**Round 4
Answer 2**

Yes, so long as you do not disclose confidential information you received during the interview process, or if you received a written confirmation that you did not receive any client confidences.

