

The Lawyers' Lawyer Newsletter - Recent Developments in Risk Management - April 2014 Edition

Lawyers' Lawyer Newsletter | 1 min read

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- [Protecting the Attorney-Client Privilege in a Merger](#)
- [Consequences of Failure to Protect Client Confidential Information During Discovery - Sanctions](#)
- [Conflicts of Interest – Duties to Former Clients – Screening Procedures – What Are the Attributes of an Effective Screen?](#)

Protecting the Attorney-Client Privilege in a Merger

Great Hill Equity Partners IV, LP v. SIG Growth Equity Fund I, LLP, 80 A.3d 155 (Del.Ch. 2013)

Risk Management Issue: In a dispute between a former parent entity and the buyer of a former wholly owned subsidiary, which entity owns the former parent entity's attorney-client privilege with respect to the sale? What can the parent entity do to ensure the privilege does not pass to the buyer?

Consequences of Failure to Protect Client Confidential Information During Discovery - Sanctions

Apple Inc. v. Samsung Electronics Co., LTD. et al. (No. 11-01846, N.D. Cal. Jan. 29, 2014)

Risk Management Issue: What is the scope of law firms' duties to manage sensitive data in discovery and avoid inadvertent disclosures of confidential data subject to protective orders? What are the consequences of failing to meet their obligations?

Conflicts of Interest – Duties to Former Clients – Screening Procedures – What Are the Attributes of an Effective Screen?

Adaptix, Inc. v. Dell, Inc., E.D. Texas Case No. 6:13CV437 (February 12, 2014)

Risk Management Issue: How can a firm best avoid disqualification based upon conflicts arising from former representations of laterally hired lawyers?

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