

CARNEY & SUGAI, LLP

Janis A. Carney, Esq.

Certified Specialist, Estate Planning, Trust and Probate Law
The State Bar of California Board of Legal Specialization
e-mail - janisc@carneysugai.com

Leslie Yarnes Sugai, Esq.

Certified Specialist, Estate Planning, Trust and Probate Law
The State Bar of California Board of Legal Specialization
e-mail - leslieys@carneysugai.com

The Trinity Building
16450 Los Gatos Blvd., Suite 208
Los Gatos, California 95032
(408)356-6886 fax (408)356-6024

web site - www.carneysugai.com

Date _____

RE: CONSENT FOR DUAL REPRESENTATION

Dear _____:

This is to confirm that you, _____, have requested Carney & Sugai, LLP (the "Firm") to represent you in the matter of your estate planning. As both of you are aware, we are already representing your _____, _____, and we will need consent from both of you for dual representation.

Whenever an attorney represents two or more clients in any one matter, there is always a potential for a conflict of interests present. Because of this potential for conflict, the California Rules of Professional Conduct require that the attorney obtain each client's knowing consent in writing to the dual representation.

When representing dual parties in one matter, the attorney owes each of them a duty of loyalty. In most cases where the attorney agrees to take on dual clients in the same case, it is not anticipated that the attorney's duty to one client will conflict with the attorney's duty to other clients. However, should an actual conflict arise, the attorney must either resign from the case or, upon informing each client of the full nature of the conflict, obtain a written waiver of the conflict.

In addition, a dual representation voids the client-attorney communications privilege between the co-clients. This means that nothing the client tells the attorney will be privileged as to the other clients and that the attorney could be compelled to testify under oath regarding the client's communication. However, the attorney would still have a duty to each of the clients to keep all communications otherwise confidential unless it violates the attorney's duty of loyalty to the other clients. In this Firm, if a situation arises where our duty of confidentiality and loyalty to one client violates our duty of loyalty to the other clients in the case, we will inform the other clients of the relevant communication as part of the explanation of the nature of the conflict.

If a conflict arises which one or more of the dual clients refuses to waive, the Firm will present its statement for all services to that date and withdraw as attorney in the case on behalf of some or all of the clients.

If you understand the consequences of dual representation and, with such understanding, nevertheless desire the Firm to represent both of you, please sign this document below consenting to the representation.

CARNEY & SUGAI, LLP

By: _____:
Leslie Yarnes Sugai

We have read the foregoing and, understanding the consequences if an actual conflict of interest should arise, hereby consent to being represented jointly by the Firm in the matter referenced above.

Dated: _____

Dated: _____