Problem #15 - Imputed Disqualification and Lateral Movements

Characters:

Plaintiff, National Gasket
Defendant, Worldwide Container
C & B - New York City attorney for Defendant
Willis & Xerxes, local attorney for Defendant
RST - another firm in town
ABC - another firm in town

Willis & Xerxes, Attorneys at Law
Willis - in practice since 1990;
lawyer for the railroad;
Xerxes - closed separate practice and
joined Willis in 2005;
Associate Sandra Jones - since 2005
Paralegal Peggy - since 2001
Law Clerk Conrad-Summer of 2006
Joe - Client of the firm

National Gasket v. Worldwide Container
C & B
Willis & Xerxes

1. Xerxes did some related work for National Gasket in 2003 in his separate practice and learned some confidential information. Is he disqualified as local counsel for Worldwide? See Rule 1.9(a,c).

2. If Xerxes is disqualified, is Willis disqualified? See Rule 1.10(a). See (A), page 256 of Morgan.

3. If Xerxes is disqualified, is Sandra Jones disqualified?

4. If Xerxes is disqualified, is C & B disqualified? See (B), page 258 of Morgan.

   and X? See (D), page 266.

disqualified from representing Worldwide? See Rule 1.10(b). See (3), page 262.

7.Same as (6), but Xerxes takes with him his regular client, Joe. Can Willis bring a lawsuit against Joe in July 2008 for Joe's actions in March

8

work on the plaintiff's case? See Rule 1.9(b). See (2), page 261.

9.During the pending Sam v. Railroad, Peggy leaves Mr. Willis and joins ABC. Can ABC continue to represent the plaintiff Sam? See Herron

10