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October 22, 1987

[REDACTED]
[REDACTED]
[REDACTED]
Re: Ethics Committee Opinion

Dear [REDACTED]

This is in response to your request to the Ethics Committee dated October 16, 1987.

We reviewed your request at our meeting on October 22nd. We would recommend that on all correspondence you handle on behalf of the [REDACTED] Law Offices you sign your name in the following manner:

[REDACTED] of [REDACTED]
& [REDACTED], as Agent of the Estate
of [REDACTED] of [REDACTED] Law Office."

Such an indication on each and every letter should put clients and others on sufficient notice of your status in those matters.

Sincerely,

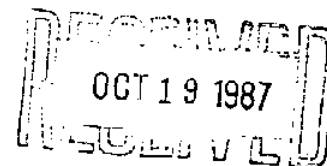
Patrick J. Ward

PJW:gb

[REDACTED]

October 16, 1987

Mr. Pat Ward
Chairman, Ethics Committee
ZUGER & BUCKLIN
P.O. Box 1695
Bismarck, ND 58502



ZUGER-BUCKLIN PJW

Mr. Ward and the Ethics Committee:

Approximately one week ago I talked with Mr. Ward on the telephone about the [REDACTED] Law Office in [REDACTED] North Dakota. As you know [REDACTED] passed away on September 18th. Before entering the hospital Mr. [REDACTED] had asked the [REDACTED] office and/or me to cover his cases while he was in the hospital. [REDACTED] knew that he might not live through his surgery and had also requested that in the event of his death we wind up his affairs or try to sell his office. Our firm has now entered into an agreement with the Personal Representative of his Estate to carry on the legal activities of [REDACTED] office.

The main question I have for the Committee pertains to the use of [REDACTED] Law Office letterhead and the like. The question arose when I communicated with [REDACTED]'s malpractice insurance carrier and my insurance carrier to verify my coverage for work done in [REDACTED] office. The insurance carriers asked me to get an opinion from this committee regarding the use of [REDACTED] Law Office letterhead.

I have reviewed DR 2-102 and feel there may indeed be a problem using [REDACTED] Law Office letterhead. However, I do not feel it is appropriate to use [REDACTED], letterhead. The [REDACTED] firm does not want to give the impression that we have taken over [REDACTED]'s office. Therefore, I am seeking an opinion on what letterhead would be appropriate to use. Right now I am simply writing letters on plain paper and ending it with my name obviously, as an attorney at law, and the address of the [REDACTED] Law Office, but not mentioning "[REDACTED] Law Office" itself. I have used [REDACTED] Law Office letterhead for billings representing work completed primarily by [REDACTED]. I am using [REDACTED] letterhead to send out letters telling all of [REDACTED]'s clients of [REDACTED] death and the current status of the office and their file.

Mr. Pat Ward
October 16, 1987
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This seems like a small problem but I do not want to misrepresent what is happening in the Beach office. I would also appreciate hearing any other suggestions or comments regarding the appropriate procedure in a situation as this if anyone has been through it before.

Thank you for your attention to this matter. I understand your meeting is scheduled for October 22nd. I will be in the Dickinson Office that day if anyone has any questions of me.

Sincerely,

[REDACTED]
[REDACTED]

BLS:lw