

ETHICS ADVISORY PANEL
OPINION #93-96 REQUEST #441
Issued December 8, 1993

The inquiring attorney's law firm represents a public state corporation ("the Corporation"). The Corporation is considering proposals for a position. Company A has submitted a proposal for the position. The inquiring attorney's law firm represents one of Company A's shareholders, but it has no client-lawyer relationship with Company A. The inquiring attorney asks whether he may participate in discussions in the selection process relative to the matter.

The Panel does not perceive a violation of any of the Rules of Professional Conduct by the inquiring attorney's participation in the selection process. The inquiring attorney is not acting as legal counsel to the Corporation and does not have a client-lawyer relationship with Company A. However, out of an abundance of caution, the Panel suggests that the inquiring attorney advise the Corporation that his/her law firm has a client-lawyer relationship with a shareholder of Company A.

The Panel's guidance is restricted to interpretations of the Rules of Professional Conduct and does not extend to issues under the State Ethics Code or any other rules, regulations or laws that may have bearing on the issue raised by this inquiry.