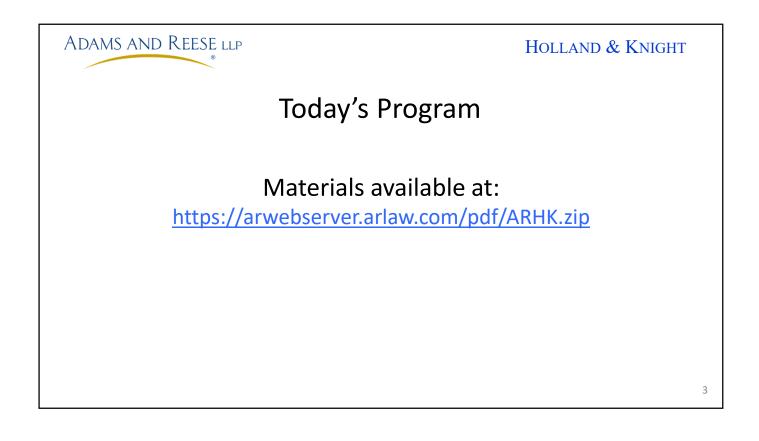
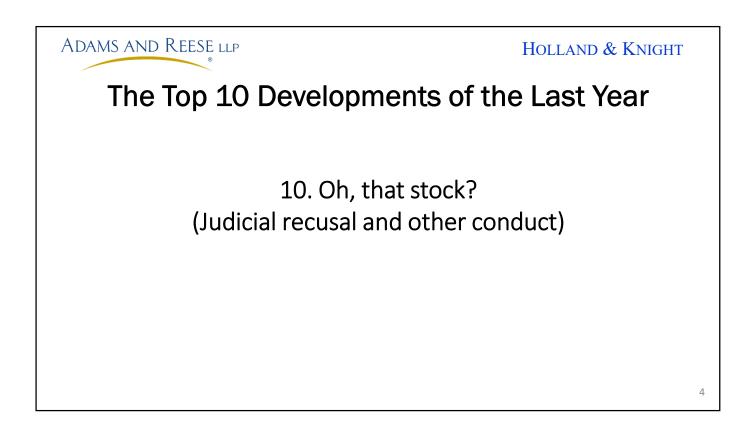
ADAMS AND REESE LLP	HOLLAND & KNIGHT
The Legal Ethics Year in Review: News You Can Use	
December 15, 2022	
Lucian T. Pera Adams and Reese LLP <u>lucian.pera@arlaw.com</u> • 901-524-5278 • @LucianPera	Trisha M. Rich Holland & Knight <u>trisha.rich@hklaw.com</u> • 312-578-6514 • @_TrishRich
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Today's Program	

The Top 10 Developments of the Last Year (or so...) in Ethics and Lawyering

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The Top 10 Developments of the Last Year

10. Oh, that stock? (Judicial recusal and other conduct)

- J. Grimaldi, C. Jones and J. Palazzolo, "131 Federal Judges Broke the Law by Hearing Cases Where They Had a Financial Interest," *Wall Street Journal* (Sept. 28, 2021)
- C. Jones, J. Palazzolo, and J. Grimaldi, "Federal Judges or Their Brokers Traded Stocks of Litigants During Cases," *Wall Street Journal* (Oct. 15, 2021)
- ⇒ Courthouse Ethics and Transparency Act, Pub. L. No. 117-125, 136 Stat. 1205 (May 13, 2022)

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The Top Developments of the Last Year
Oh, that stock? (Extrajudicial statements)
e.b. 10, 2022: hearing awarding terminating sanctions against Endo Pharma.
e.b. 14, 2022: Law360.com article quoting Judge: "...the worst case of document hiding that I've ever seen. It was like a plot out of a John Grisham movie, except that it was even worse than what he could dream up."
e.b. 15, 2022: Judge's Facebook postings begin ...
Judge "liked" this comment: "I don't know if you're going to get the help or platform you need from those with power/deep pockets. Many of Tennessee's powerful have ties to pharmaceuticals."

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The Top 10 Developments of the Last Year

10. Oh, that stock? (Extrajudicial statements)

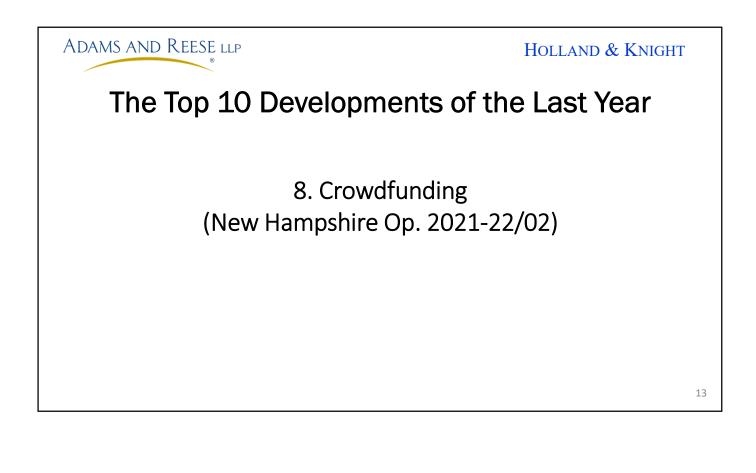
- Responding to Facebook question why the case was newsworthy, Judge responded, "Is a \$1.2 Billion opioid case. Our area has been rocked with that drug for decades. Lots of interesting and new developments about the manufacturers in this case."
- Another Facebook user commented: "We do not have a serious local news reporting outfit around here. ... *The Tennessean* is a left leaning rag so that leaves the internet to provide people the local 'news."
 - Judge "liked" this post and responded that "[t]his is an earth shattering case, especially for our community. Fake news is not always what they publish, but what they choose not too also."





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Molland & Knight
The Top 10 Developments of the Last Year
Freydin's Sept. 2017 posting on Facebook:
"Did Trump put Ukraine on the travel ban list?! We just cannot find a cleaning lady!"
Then in comments:
"My business with Ukrainians will be done when they stop declaring bankruptcies. If this offends your national pride, I suggest you look for underlying causes of why 9 out of 10 cleaning ladies we've had were Ukrainian and 9 out of 10 of my law school professors were not. Until then, if you don't have a recommendation for a cleaning lady, feel free to take your comments somewhere else."

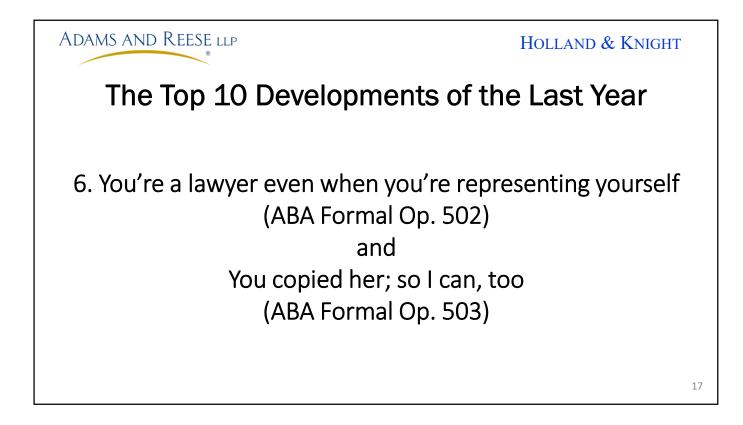






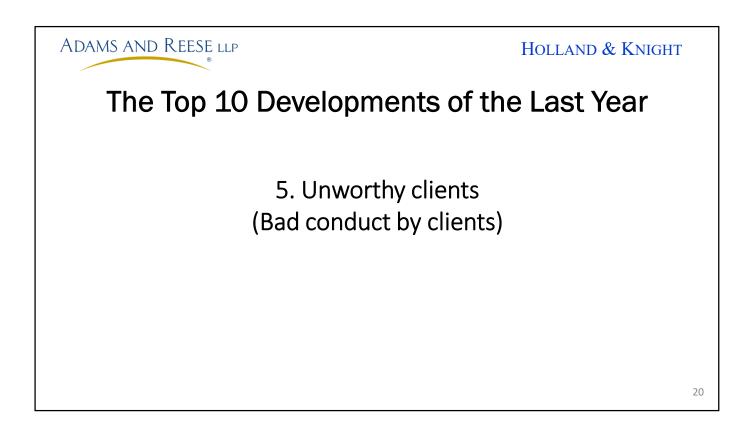
























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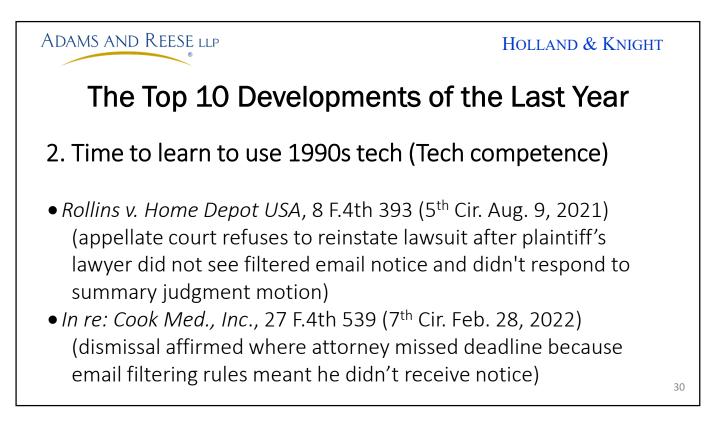
The Top 10 Developments of the Last Year

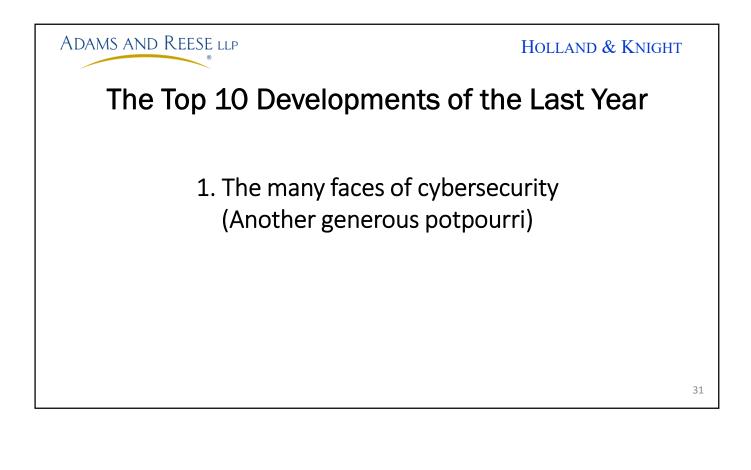
3. Conflicts, conflicts everywhere (A generous potpourri)

• Tecnicas Reunidas De Talara SSAC v. SSK Ingenieria Y Construccion SAC, 40 F.4th 1339 (11th Cir. July 22, 2022) (arbitration award upheld despite lawyers switching sides based on failure to object before tribunal)



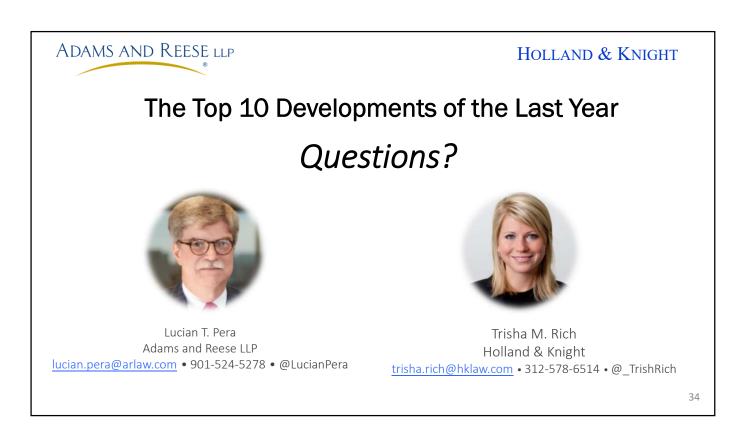








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