

**The University of Texas School of Law  
2019 Renewable Energy Law Conference  
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**CONFLICTS OF INTEREST IN  
RENEWABLE ENERGY**

**Hypotheticals**

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### **Hypothetical 1**

After about three years of practice, you decided to move in-house with your largest client. From your work with that client, you know that it has several wholly owned subsidiaries and several partially owned subsidiaries.

As an in-house lawyer, will you be jointly representing the parent corporation (which employs you) and all of its subsidiaries?

YES

NO

## **Hypothetical 2**

As the most experienced transactional lawyer in your law department, you generally take responsibility for large corporate transactions. Your client has been trying to strategically downsize, and you have several questions about the effect of transactions on the attorney-client relationship (including the privilege).

- (a)** If you sell the stock of a subsidiary to another company, who will own the attorney-client relationship and privilege --

Your client?

The former subsidiary?

- (b)** If your client sells substantially all the assets of a subsidiary to another corporation, who will own the relationship and privilege --

Your client?

The asset's purchaser?

- (c)** Can you affect the relationship's and the privilege's ownership in the transactional documents?

YES

NO

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