

*Committee Opinion*  
*August 11, 1981*

LEGAL ETHICS OPINION 379

THIRD PARTY PRACTICE – CONFLICT  
OF INTEREST.

Attorney was employed to represent Mr. & Mrs. "A" as plaintiffs in a suit against defendant and defendant's employer, in a personal injury claim arising out of an automobile accident. Mr. "B" also retained the same attorney to represent him in a suit against the same defendant and defendant's employer in a personal injury claim arising out of an automobile accident which occurred shortly after the accident involving Mr. & Mrs. "A" as a result of Mr. "B's" vehicle striking defendant's vehicle which had remained on the highway after the accident involving Mr. & Mrs. "A." It would not be improper for attorney to represent, or continue to represent Mr. & Mrs. "A" or Mr. "B" against defendant and defendant's employer, in separate lawsuits, even though defendants have filed a third party motion for judgment against Mr. & Mrs. "A" in the suit brought by Mr. "B," so long as Mr. & Mrs. "A" and Mr. "B" consent after full disclosure by attorney. [See II: DR:4-101(C)(1) and DR:5-105(C).]

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