

Committee Opinion
April 2, 1985

LEGAL ETHICS OPINION 678

CONFIDENCES AND SECRETS –
ATTORNEY AS CREDITOR OF
FORMER CLIENT.

Attorney closed a real estate transaction for his client resulting in a second deed of trust held by the seller. The second deed of trust went into default and the attorney's newly formed law partnership purchased the second deed of trust note, foreclosed upon the second deed of trust and instituted suit for the deficiency. If, by doing so, the attorney has used the confidences and secrets of his client to the disadvantage of his client or to the advantage of himself or third party, the attorney has violated Canon 4. [DR:4-101(B)(2), DR:4-101(B)(3)]

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