

Committee Opinion  
March 11, 1987

LEGAL ETHICS OPINION 879

CONFLICT OF INTEREST – ATTORNEY  
AS WITNESS.

Plaintiff's attorney, in a pending suit, seeks sanctions from the defendant in the form of plaintiff's attorney's fees generated by defendant's failure to properly respond to discovery. In this situation, it is not improper for plaintiff's attorney to continue his representation when plaintiff's attorney will be giving evidence through the proffered affidavits so long as the attorney's testimony, if required to testify, relates solely to the nature and value of legal services rendered. [ DR: 5-101(B)(1) and (2), DR:5-102(A)]

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