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Dear Clients:

You have asked us to work with you on your estate planning and to draft certain estate planning documents for both of you. We are happy to perform these services and will charge you a fee for such services in accordance with a separate Attorney-Client Fee Agreement.

The Lawyers' Code of Professional Responsibility requires us to inform you that spouses or domestic partners may have conflicting interests during estate planning that concerns their several property interests. If, as you have requested, we are to act as attorneys for both of you, we must try to balance all factors. We cannot, therefore, be an advocate for either of you, as that could favor one of you to the detriment of the other.

To do the best job possible for you, we need to obtain confidential information from each of you. However, since we will be representing both of you, we cannot promise to keep that information confidential from either of you. Further, should a dispute arise between you, this firm would probably not be able to represent either side, and the attorney-client privilege, which gives a client the right to have his or her lawyer keep his or her communications confidential, could be waived by either one of you.

The interests of spouses or domestic partners may not be identical, or even compatible, for a number of reasons. For example, a conflict may exist in the determination of what is joint or marital property and what is separate property. That determination may be more beneficial for one of you than for the other. The possibility of a divorce or a breakup also must be recognized. Consequently, our advice could affect the income, property, and support provisions in any such divorce or property division proceeding or after the death of one or both of you.

We will attempt to represent both of you as best we can; however, should either of you wish to consult independent counsel on any estate planning issue at any time, we understand and encourage you to do so.

If you do wish us to proceed with estate planning assistance to you, please sign this letter and return it to us.

Very truly yours,

Susan Silber

We have read the letter above and we understand that conflicts of interest exist between my spouse or domestic partner and me in the matters about which we are consulting you. If either or both of us wish to have separate counsel or desire that you not be involved in any aspect of estate planning on my or our behalf, then you will be notified in writing. We consent to have Silber, Perlman, Sigman & Tilev, P.A. represent both of us in our estate planning. We understand that, where you are representing both of us on the same matter, as between my spouse or domestic partner, me, and you, no confidential communications are possible.

Date:_____ _____
Client

Date:_____ _____
Client