

1 realistically here. In your day-to-day
2 activities as an attorney there will be
3 many occasions where clients will be
4 asked to sign certifications, affidavits,
5 settlement agreements, letters of
6 memorandum of intent, and they are going
7 to be passed on to other parties who
8 will rely on the contents of the docu-
9 ment.

10 All I want to know is whether
11 or not you feel it is appropriate to
12 advise the client to sign a document
13 which contained untrue information if
14 it would benefit your client?

15 MR. MAGUIRE: I do not think
16 my answer can be satisfactory to you.

17 MR. FAUNTLEROY: Answer
18 it and do not worry about whether it is
19 satisfactory.

20 MR. MAGUIRE: As a general
21 rule, no, but I think there are exceptions
22 to that. If you have a gun pointed to
23 your head, that would be one thing, but
24 let's think about the real world and what
25 is an exception and what is not. That

1 becomes more difficult. There are excep-
2 tions where the failure to sign an untrue
3 document presents consequences so severe
4 that a lawyer in good conscience would
5 have to tell a client to sign it, and I
6 do not think it would be a lawyer's obli-
7 gation to have a client get shot in the
8 head by him failing to sign an untrue
9 document.

10 MR. FAUNTLEROY: You feel that
11 your position as a representative of
12 that person should go beyond giving them
13 the alternative that they have in terms
14 of what would happen if you signed and
15 what happens if you don't, and you are
16 saying that as a lawyer it is appropriate
17 under certain circumstances to advocate
18 to a client to sign a document which the
19 client indicates is not totally true?

20 MR. MAGUIRE: I think we have
21 tried or I have tried to explain what I
22 think is appropriate and I still stand
23 by that example.

24 MS. MAUDSLEY: Anything further,
25 gentlemen?