

## Joseph M. Vincent, Ltd., P.C.

### CONFLICTS OF INTEREST CHECK

Dated February 1, 2023

Before I can be your attorney, I will make a preliminary inquiry as to whether I would have a conflict of interest that would require that I decline to represent you. The process of deciding this will usually be very brief but will involve the following considerations:

**My Prior State Employment.** From March 3, 2003, until April 30, 2021, I was employed at the Washington Department of Financial Institutions (“WDFI”) as its Director of Regulatory & Legal Affairs (fka General Counsel). As a former state employee in a senior capacity with a state agency, my first inquiry will likely be whether I would be barred under the restrictions of the Washington Ethics in Public Service Act, at **RCW 42.52.080**, from representing you. Before making this determination, I would first need to know whether my proposed client is or was (1) a WDFI vendor, (2) subject to regulation or enforcement by WDFI, or (3) is in an adversarial situation with a person or entity subject to regulation or enforcement by WDFI. Note the following:

- I cannot be your attorney if I know or have reason to believe that you seeking to hire me was intended to influence or reward me for any performance or nonperformance of an official duty I had while I was employed at WDFI.
- I cannot accept an offer by you to retain my legal services if circumstances would lead a reasonable person to believe that the offer was made to influence me while I was employed at WDFI.
- If, while I was employed at WDFI, I participated in a transaction, or supervisory or enforcement matter, involving you, or I supervised a team that participated in the same, I cannot be your attorney in relation to that transaction, or supervisory or enforcement matter. In other words, I cannot switch sides and now represent you in the same transaction, or supervisory or enforcement matter. This does not bar me from representing you generally if the transaction, or the supervisory or enforcement matter, has ceased to be a factor in my representation of you.

Note, in addition, that while there are restrictions on representing persons who had or have vendor contracts with WDFI, this only applies to situations in which I negotiated or administered the vendor contracts or supervised a team of persons who engaged in those negotiations or administered those contracts. Since I only negotiated and administered one contract while employed at WDFI and did not supervise any of the divisions at WDFI that negotiated or administer vendor contracts, I only have a conflict of interest with respect to one contract, which has long since terminated. Moreover, I am not likely to represent that contractor either.

In addition to rules under the Washington Ethics in Public Service Act, I am also bound by the Washington State Rules of Professional Conduct (“RPC”), including **RPC 1.11**, which, among other things, prohibits conflicts of interest related to having been a government officer or employee.

**Other Conflicts of Interest.** I am also bound to avoid other conflicts of interest, including, without limitation, prohibitions set forth in **RPC 1.7, 1.8, 1.9, and 1.10**, some of which relate to current clients and others that relate to former clients. I cannot be your attorney if those prohibitions, in combination with your circumstances, would pose an irreconcilable conflict of interest.

**THIS DOES NOT REPRESENT AN EXHAUSTIVE LIST OF THE REASONS THAT I MAY DECLINE TO REPRESENT YOU.**