

To all Clients of Schopf Law, PLLC

RE: Client Guidelines for interaction with our office and important points regarding your legal matter.

Dear Client:

Thank you for retaining the services of Schopf Law, PLLC (hereinafter “the Firm” or “Firm”). This letter is given to you as a supplement to the written retainer agreement. The purpose of this letter is to provide you with notice of the Firm’s office policies and procedures as well as to give you guidance as to common mistakes to avoid and helpful hints to make your legal matter proceed as smoothly as possible. Please read this letter and don’t hesitate to ask any questions.

OFFICE POLICIES FOR CLIENTS

Consultations and meetings with your attorney

Please be prepared to discuss all of the issues in your case openly and honestly. Discussions with your attorney are privileged and the attorney is there to help you, not to pass judgment upon you. For a great number of matters attorneys need to know the good, the bad and the ugly about your case, your finances, your personal life and your secrets. Nothing is worse than for your attorney to find out a “bad fact” from the opposing attorney and not be prepared to deal with it. Oftentimes clients will feel better having openly and honestly addressed a “bad fact” with their attorney and proactively developed a plan to deal with it.

A great number of things that you feel may not be relevant could be. For example, if you are contemplating a divorce and your attorney asks “how many bank accounts do you have”, don’t just give him or her the information about the ones that your spouse knows about; the attorney also needs to know about the other accounts that may be in your name alone.

Please be prepared to have all paperwork copied for your attorney for review. The papers should be in chronological order or organized in some fashion. All paperwork means anything that you have ever put in writing, text message, e-mail or social media post with an adverse party, witness or that touches up the facts of your particular case.

For transferring text messages and other data off of a mobile device our office highly recommends the use of Droid Transfer (for Android phones) and Touch Copy (for iPhone and IOS based phones) both produced by Wide Angle Software for the ease of transferring messages in an easy to read format. The app costs \$30.00 as a one-time fee and also requires a computer to transfer the documents to. Please download them in .pdf form. We can also perform this file transfer in our office if you do not have a computer. For evidence on applications that are designed to “disappear”, such as Snap Chat, please take screenshots of such evidence to preserve it.

If you require a flash drive to save electronic data or documents for ease of transfer, please ask us and we will provide a flash drive(s) for you at no charge.

Please plan on attending consultations alone. Although you may wish to bring a friend or family member for support or other purposes, please be advised that any discussions between you and your attorney that occur in the presence of a person not represented by the Firm are not privileged as between attorney and client. Should the opposing party learn of this, your friend or family member may well be called as a witness against you in court and he or she would be compelled to reveal the content of the discussions.

Follow your attorney's advice and instructions

This may seem obvious, but it happens constantly. Please remember that instructions from your attorney should be followed. If there is a question or you are unclear on what you should do, call us first, before taking action. If you are involved in a legal matter you should always advise your attorney about any life-changing or major decision (divorce, large purchase such as a car, sale of an asset, starting a new business or expecting a child). Even unrelated life decisions may have an impact on your existing matter. It is always better to ask your attorney prior to taking an action. Remember, the only bad question is an unasked one.

Communication with your attorney

Please choose only one email address to communicate with the Firm that you monitor and check regularly. Please ensure that your email address you use to communicate with the Firm is only accessible by you. Please do not use a work (corporate) email or state office email. These email communications are not privileged and are subject to being intercepted and viewed by your employer. This may also subject you to employer discipline for using a company email for your private business.

Our office will endeavor to keep you fully advised with respect to the significant events occurring during the course of the representation. Should you have any questions or concerns at all, please communicate them to us. We communicate with clients by telephone, mail, e-mail and personal contact. You should be aware that communication by e-mail, cell phone or text message is not a secure means of communication and it is possible that others may have access to our communications by this method which will void the attorney/ client privilege. It is possible that anything placed in writing and sent via an unsecure means of communication may be attempted to be used against the Client as evidence in a court of law. If you have confidentiality concerns about communication by e-mail, text or cell phone and prefer not to utilize this method of communication, please let us know and we will respect your wishes.

We will send you courtesy copies of relevant pleadings, documents, relevant correspondence and other information throughout the representation. These copies will be your file copies. We will also keep the information in a file in our office which will be my case file. Please bring your copy of the file to any necessary meetings so that we both have all of the necessary information in front of us at the meeting.

Discussions with persons other than your attorney

Conversations between the attorneys of the Firm and the Client are privileged and confidential. The Client is encouraged to fully and freely discuss any issues pertaining to Client's case with such attorneys. The Client is advised that any discussions with any person other than an attorney of the Firm regarding such conversations will void the attorney-client privilege and may be used

against the Client at trial. The Client should NOT discuss the Client's case, the trial strategy proposed by the Firm or any other aspects of the retention covered by the scope of this retainer with any person outside of an attorney of the Firm.

Please refer any and all inquiries from the media to your attorney and **DO NOT** comment to the media, other than to state that you are represented by an attorney from the Firm and that you cannot comment at this time. Please refer members of the media to an attorney of the Firm for comment. Also, please advise your family members and friends to not comment to the media regarding your case.

Social Media and internet usage by the Client

The Client is hereby advised that the use of Social Media Web-Sites such as Facebook, Instagram, Pinterest, Tumblr, Twitter, LinkedIn, MySpace and/ or personal websites, chat rooms and blogs whether or not such sites are restricted to "friends only" or otherwise believed to be "blocked" from public view during the representation regarding or conversations between the Client and the Firm or by posting content to the internet regarding the subject matter of the retention may void the attorney-client privilege and may make the Firm or its attorneys a witness at trial. The Client is also advised that **any postings** to the internet (written or photographic in nature) may be used against the Client at trial and may be prejudicial to the Client's case.

The Firm strongly recommends that the Client suspend posting on social media and remove all the Client's social media profiles from the Internet during the course of the representation. The Firm reserves the right to discontinue representation should the Client post any written or photographic content to the Internet which, in the Firm's sole discretion, is prejudicial to the Client's case or cause(s) of action or undermines the attorney-client representation and/ or privilege.

Promptly advise your attorney if you have any communications with the opposing party or potential witnesses to your legal matter. Remember that anything you put in writing (letter, text, Facebook post, e-mail, etc.) can be used against you in court. Additionally, in New York, telephone and in person conversations can be recorded without your knowledge. Please do not say or communicate anything in writing to the opposing party or a witness that you would not want to be read aloud in court.

Appointments

We make every effort to be available to our clients. However, often attorneys are in meetings with other clients, in court, out of the office at depositions or on conference calls. Please do us the courtesy of calling in advance (even if it is the same day) to schedule an appointment for when the attorney can be available and prepared to discuss your case.

"No Show" Fee

Please be courteous and give advance notice if you cannot make a previously scheduled appointment. The Firm reserves the right to charge a "no show" fee for clients who do not appear for scheduled consultations or meetings. The fee shall be equal to one hour of the usual hourly rate chargeable to the Client's matter.

Payment and retainer replenishment

Please understand that no one works for free, especially not your attorney. Please honor your payment agreement as set forth in the retainer agreement. If the retainer is not replenished when it is exhausted or if an invoice remains unpaid for 30 days the Firm reserves the right pursuant to the retainer agreement to cease work on the legal matter until the payment arrangements are brought current. If necessary or appropriate the Firm may seek permission from the court to withdraw as counsel.

File Retention Policy

At the conclusion of the representation, should you desire a copy of those portions of the file that are considered the client's, please let me know and I will have a copy made for you at your expense. Otherwise, for documents that do not need to be physically retained, the Firm retains the files for a brief period upon the end of the representation of the Client and then scans the originals to our file server and/ or CD-ROM backup and destroys the originals by shredding. Regardless of this process the Firm is under no obligation to retain any file in any form beyond a period of seven years running from the conclusion of the representation. If you wish to have your original file please notify me to the contrary, in writing at the conclusion of our representation of you.

Granting and Consenting to Adjournments and Extensions:

Given the rules of civility governing attorney conduct, the Firm may from time-to-time grant reasonable extensions of time to opposing counsel or an unrepresented party to the lawsuit without notice to the Client, as well as consent to adjournments for good cause, such good cause to be determined by the Firm without notice to the Client. The Firm will advise the Client when any such adjournment or extension has been granted and will advise the Client of any appearance dates or court dates.

Do's and Do Not's

DO

1. **Cooperate with your attorney.** Cooperation means that the Client agrees to cooperate in the Firm's representation of the matter by providing information and/or documents on a timely basis as requested, by attending court, depositions, conferences, etc., upon reasonable request by the Firm and by generally cooperating in the handling of this matter. In the event that the Client fails to comply with this paragraph, the Client hereby consents to the withdrawal by the Firm in the matter for which the Firm was retained and the Firm shall retain a lien on the file until all fees and disbursements are paid. Lack of cooperation with the Firm includes but is not limited to: ignoring or not following the advice of counsel.
2. **Dress appropriately for court.** A suit is not required, but business casual (slacks and a plain button down or polo type shirt for men, slacks, dress or business attire for women) will always help in the jury, judge and court staff forming a favorable impression of you. Avoid clothing that is revealing, contains political references, references to alcohol or drugs or depictions of anything that is silkscreened or otherwise embellished upon the article of clothing.
3. **Behave in court.** Be courteous to court staff, security guards and other counsel. Sit quietly and wait for your case to be called. This can take some time. Often your attorney will be waiting in the attorney room or in a separate area discussing your case with opposing counsel

or preparing for the appearance. If your attorney is not present do not speak with opposing counsel, the adverse party or adverse witnesses.

4. **Be discrete.** During hearings or court appearances where there is testimony or arguments being had, do not interrupt your attorney's train of thought by asking questions or offering suggestions of questions for him or her to ask. Instead write down a short note and slide it to your attorney. They will interject the question when and if appropriate.

DO NOT

1. Make direct contact with the court or adversaries without your attorney's knowledge or against their advice.
2. Speak directly to the judge unless asked.
3. Fail to provide documents and or answers to questions asked for by your attorney, written or oral in a timely manner.
4. Lie to your attorney.
5. Request that your attorney commit an act or be complicit in conduct that is unethical or illegal.
6. Engage in behavior that is rude and/ or belligerent behavior towards your attorney, law firm staff, opposing counsel, the court and/ or court staff.
7. Forge or alter of documents.
8. Ignore your attorney's advice.
9. Do not omit or conceal information from your attorney.
10. Comment to the media.

Please do not hesitate to contact me directly with any questions about the above policies, your retainer agreement or your case at any time. I try to return all non-emergency calls and respond to all emails within one to two business days. Thank you again for retaining Schopf Law, PLLC and I look forward to working on your legal matter with you.

SCHOPF LAW, PLLC

Jonathan G. Schopf