



## Ethical/Legal Minefields: Representing Start-Ups

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### Inception – Formation of a Start-Up

- When does a partnership arise?
- Representing Joint Founders
  - Who Qualifies as a Founder
  - Joint Client Relationships and Informed Consent
  - Consenting to Shared Representation and Information
- Founder Drift – can you continue representation?
  - Founder Mobility from conflict and from drift

## Representing Founders of Active For-Profit Enterprises

- When does a Group become a Partnership?
- Partner Mobility: Drift and Breakdown
  - Partner Drift
  - Partner Disengagement
- The Lawyer's Fiduciary Duty to All Partners



## Representing Founders of Non-Profit Enterprises

- What is the Charitable Nature of the Enterprise?
- Representation of an Emerging Charitable Enterprise
  - Determining the Client Identity
  - Representational Responsibilities with a Charitable Enterprise Client



## The Credits Page

- Today's presentation and this slide deck is based on the following article:
- Paul R. Tremblay, *The Ethics of Representing Founders*, William & Mary Business Law Review 8, no. 2 (2017); 267-339
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