

Date: [Insert Date]

To: [Name of Spouse 1] and [Name of Spouse 2]

From: [Attorney Name/Law Firm Name]

Subject: Conflict of Interest Waiver for Joint Representation in Business Formation

Dear [Name of Spouse 1] and [Name of Spouse 2],

You have asked [Law Firm Name] to represent both of you in connection with the formation of [Name of Proposed Business Entity] (the "Company").

The purpose of this letter is to explain the implications of joint representation and to obtain your informed consent regarding potential conflicts of interest. Under the Rules of Professional Conduct, an attorney generally cannot represent multiple clients if their interests are adverse. In a business formation, spouses may have differing interests regarding ownership percentages, management control, buyout provisions, and the division of assets in the event of a future separation or divorce.

By signing this letter, you acknowledge and agree to the following:

- **Joint Representation:** We will act as legal counsel for both of you jointly. We will not advocate for one spouse over the other.
- **Shared Information:** There is no expectation of confidentiality between you. Any information provided by one spouse regarding the Company may be shared with the other spouse.
- **Potential Conflicts:** While you currently share a common goal, your individual interests regarding the Company may diverge in the future. If a serious conflict arises that cannot be resolved, we may be required to withdraw from representing both of you.
- **Independent Counsel:** You have the right to seek independent legal advice from separate attorneys before signing this waiver and throughout the formation process.

If you wish to proceed with joint representation based on these terms, please sign and return the enclosed copy of this letter.

Sincerely,

[Attorney Signature]

[Attorney Printed Name]

CONSENT AND WAIVER

We have read the foregoing letter and understand the potential conflicts of interest described. We voluntarily consent to the joint representation by [Law Firm Name] under the terms stated above.

[Name of Spouse 1]

Date: _____

[Name of Spouse 2]

Date: _____