

Exhibit A

RULE 4.2: COMMUNICATION WITH PERSONS REPRESENTED BY COUNSEL

Revised Comment

[4] This Rule does not prohibit communication with a represented person, or an employee or agent of such a person, concerning matters outside the representation. For example, the existence of a controversy between a government agency and a private party, or between two organizations, does not prohibit a lawyer for either from communicating with nonlawyer representatives of the other regarding a separate matter. Nor does this Rule preclude communication with a represented person who is seeking advice from a lawyer who is not otherwise representing a client in the matter. **Except as provided in Comment 4A, parties** ~~Parties~~ to a matter may communicate directly with each other, and a lawyer is not prohibited from advising a client concerning a communication that the client is legally entitled to make. A lawyer may not, however, make a communication prohibited by this Rule through the acts of another. See Rule 8.4(a). Also, a lawyer having independent justification or legal authorization for communicating with a represented person is permitted to do so. For example, counsel could prepare and send written default notices and written demands required by such laws as Chapter 93A of the General Laws.

Add Comment

[4A] A lawyer who is representing himself or herself in a matter in which he or she is personally involved is “representing a client” for the purposes of this Rule.

Exhibit B

RULE 4.4: RESPECT FOR RIGHTS OF THIRD PERSONS

Add Comment

[1C] A lawyer who is representing himself or herself in a matter in which he or she is personally involved is “representing a client” for the purposes of this Rule.

Exhibit C

RULE 5.5: UNAUTHORIZED PRACTICE OF LAW; MULTIJURISDICTIONAL PRACTICE OF LAW

Add Comment

[4A] Lawyers who are not admitted to practice in Massachusetts may remotely practice the law of the jurisdictions in which they are licensed while physically present in Massachusetts if they do not hold themselves out as being admitted to practice in Massachusetts, do not advertise or otherwise hold themselves out as having an office in Massachusetts, and do not provide, offer to provide, or hold themselves out as authorized to provide legal services in

Massachusetts. Remote practice that satisfies these requirements does not constitute systematic and continuous presence in this jurisdiction for purposes of Rule 5.5(b)(1).