

Rule 1.8.7 [3-310] Aggregate Settlements
(Commission's Proposed Rule Adopted on October 21–22, 2016 – Clean Version)

- (a) A lawyer who represents two or more clients shall not enter into an aggregate settlement of the claims of or against the clients, or in a criminal case an aggregate agreement as to guilty or nolo contendere pleas, unless each client gives informed written consent.* The lawyer's disclosure shall include the existence and nature of all the claims or pleas involved and of the participation of each person* in the settlement.
- (b) This Rule does not apply to class action settlements subject to court approval.

**Proposed Rule 1.8.7 [3-310(D)] Aggregate Settlements
Synopsis of Public Comments**

TOTAL = 2	A = 2
	D = 0
	M = 0
	NI = 0

No.	Commenter/Signatory	Comment on Behalf of Group?	A/D/M/NI ¹	Rule Section or Cmt.	Comment	RRC Response
Y-2016-21i	State Bar Office of Chief Trial Counsel (OCTC) (Dresser) (01-09-17)	Yes	A		OCTC supports this rule.	No response required.
Y-2016-7f	State Bar Committee on Professional Responsibility and Conduct (COPRAC) (Spencer) (12-20-16)	Yes	A		COPRAC supports the adoption of proposed Rule 1.8.7 as revised.	No response required.

¹ A = AGREE with proposed Rule

D = DISAGREE with proposed Rule

M = AGREE ONLY IF MODIFIED

NI = NOT INDICATED

