

Indemnification Clauses and Defining the Relationship

An attorney client-relationship can arise from something far less definite than an explicit agreement between the attorney and his or her client, warns **Robert J. Glowacki Jr.** in a post for **Poyner Spruill LLP**.

He explains:

“In the recently decided *Friday Invs., LLC v. Bally Total Fitness of the Mid-Atl., Inc.*, the North Carolina Supreme Court found the existence of an attorney-client relationship under circumstances where neither party explicitly discussed legal representation. There, the central question was whether an attorney-client relationship exists between a defendant to a lawsuit and a non-party that contractually agreed to indemnify that defendant and, if so, whether correspondence between the two is protected by the attorney-client privilege.”

Read the article.