

**QUESTION 10 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK IV**

Arnie Attorney telephoned a former client (Dan Defendant) who owed him \$5,000 for representation of Dan in connection with criminal charges. Arnie had negotiated a very good deal for Dan. Drug-dealing charges were dropped and Dan's plea to simple possession was accepted because the State could not prove the essential elements of the more serious charge. In fact, Dan had admitted to Arnie those elements--that he had just started to work for a drug distribution ring and he was about to deliver drugs to certain buyers. He also admitted to Arnie that he pocketed the money he convinced the buyer to pay in advance. Both the drug dealers Dan worked for and the buyer erroneously believed the police confiscated the money. In Arnie's phone conversation with Dan, he not only reminded Dan that his payment for fees was seriously past due, but Arnie also said: "I've been more than patient. I need my money, and you really don't want to make me angry. I may have to tell the court and the cops what really happened. Also, it would be a shame if the truth came out and your 'friends' found out what really happened to the money you took."

**Which of the Michigan Rules of Professional Conduct apply to Arnie's efforts to collect his fee using the information learned from Dan? Explain your answer.**

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