
LASUSA LAW OFFICES, PLC

BUSINESS LAW AND LITIGATION

ATTORNEYS LICENSED IN ILLINOIS, MICHIGAN AND WISCONSIN
MAKING AND SAVING BUSINESSES MILLIONS OF DOLLARS BY AVOIDING LEGAL PITFALLS.

Client Bulletin

© Lawrence R. LaSusa

E-Mails to Lawyer May Not be Privileged Because Of Employer Policy

A New York judge recently ruled that a hospital's e-mail policy means messages sent by a physician to his lawyers are not protected by attorney-client privilege. The physician claimed he was fired in violation of his contract. The judge ruled that e-mail sent from a hospital computer could be disclosed in a lawsuit because the hospital's policy specified that employees had no personal property right in their messages and the hospital had the right to read and disclose e-mails. Many employers have similar policies stating that their email system belongs to the employer and employees have no privacy rights in the system.

Solution: Do not use the company computer to send private email or at minimum use a personally owned web based email account (AOL, Yahoo, Hotmail, etc.).

AREAS OF PRACTICE

- BANKING AND FINANCE: BANK, BUSINESS AND INDIVIDUAL FINANCING TRANSACTIONS
- COMMERCIAL REAL ESTATE: LAND DEVELOPMENT, PURCHASES, SALES AND LEASES
- COMPLEX COMMERCIAL LITIGATION: EXPERTISE IN CREATIVE NEGOTIATION AND TRIAL LITIGATION
- CORPORATE (LLC S AND PARTNERSHIPS): FORMATION, OPERATION AND PURCHASE OR SALE
- EMPLOYMENT AND LABOR: HIRING, DISCIPLINE, FIRING, AND COVENANTS NOT TO COMPETE
- INTELLECTUAL PROPERTY: COPYRIGHT AND TRADEMARK PROTECTION, LICENSING AND SALES

2305 US 31 NORTH, SUITE 207
TRAVERSE CITY, MI 49686

PHONE: (231) 392-9616
EMAIL: LLASUSA@LASUSALAW.COM
WEB: WWW.LASUSALAW.COM

THIS CLIENT BULLETIN IS NOT INTENDED TO BE A SOURCE OF SOLICITATION OR LEGAL ADVICE. LEGAL ADVICE VARIES DEPENDING ON THE FACTS; FOR THAT REASON, THE INFORMATION IN THIS CLIENT BULLETIN SHOULD NOT BE ACTED ON WITHOUT CONSULTING A LAWYER.