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7 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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9 NICHOLAS SANTORSOLA,

10 Plaintiff,

11 v.

12 MICHAEL MANUSOS,

13 Defendant.

No. C16-29RSL

ORDER DENYING PLAINTIFF'S
MOTIONS TO DISQUALIFY
COUNSEL AND TO STRIKE
NOTICE OF APPEARANCE

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15 This matter comes before the Court on plaintiff's "Motion to Disqualify Counsel," Dkt.
16 # 33, and "Motion to Strike Notice of Appearance," Dkt. # 35. In both motions, plaintiff asks
17 the Court to disqualify defendant's counsel, Thomas George Crowell, on the grounds that
18 Mr. Crowell is employed by State Farm Mutual Automobile Insurance Company ("State Farm")
19 and both plaintiff and defendant are insured by State Farm. (State Farm engaged Mr. Crowell to
20 represent defendant in this action pursuant to defendant's insurance policy. Dkt. # 38, ¶ 1.)
21 Plaintiff claims that this constitutes a "concurrent conflict of interest" in violation of the
22 American Bar Association Model Rules of Professional Conduct and Washington Rule of
23 Professional Conduct 1.7.

24 Those ethics rules do not apply to these circumstances. Neither Mr. Crowell nor any
25 other member of State Farm's legal office represents or has ever represented plaintiff. Dkt. # 38,
26 ¶ 2. Plaintiff cites no legal authority for the proposition that his insurer may not provide a legal

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1 defense to another insured pursuant to the terms of that insured's policy, and the Court is aware
2 of none. Though plaintiff highlights defendant's informed consent pursuant to RPC 1.8(f)(1),
3 that ethics rule applies where a third party – such as an insurance company – pays for a party's
4 legal expenses. The rule does not establish a concurrent conflict of interest involving the other
5 party to the lawsuit.

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7 For all the foregoing reasons, plaintiff's motions to disqualify and to strike (Dkt. ## 33,
8 35) are DENIED.

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10 SO ORDERED this 8th day of June, 2017.

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14 Robert S. Lasnik
15 United States District Judge
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