Who Can Assert The Attorney-Client Privilege After A Corporation Is Sold

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Imagine you are a representative of Company A when a group of investors contacts you to propose a merger. On behalf of Company A, you consult with Company A's outside counsel about the terms of the deal. Eventually, the deal goes through and Company A is the surviving corporation following the merger. Unfortunately, the merger does not go as planned, and the new owners of Company A (the "Buyers") sue, alleging that you and some of your fellow, now former, representatives of Company A (the "Sellers") fraudulently induced Buyers into purchasing the company.