



DEPARTMENT OF THE ARMY OFFICE OF THE GENERAL COUNSEL 104 ARMY PENTAGON WASHINGTON, DC 20310-0104

September 14, 2015

Mr. Eugene R. Fidell 1129 20th Street, N.W., 4th Floor Washington, DC 20036

Dear Mr. Fidell:

I have been asked to respond on behalf of the Department of the Army Professional Conduct Council to your request for an interpretation under Rule 9.1 of Army Regulation 27-26, Rules for the Professional Conduct for Lawyers (1 May 1992). You have asked whether it would violate the professional responsibility rules if you released certain information to the news media that you plan to offer into evidence at a preliminary hearing.

The Department of the Army Professional Conduct Council will not issue an advisory opinion regarding this matter. The applicable rules permit you to ask the convening authority to rescind or amend any protective order prohibiting release of the materials that you seek to release. Indeed, your request for an advisory opinion notes that you are already pursuing this remedy.

Thank you for request and for your zealous defense of your client.

Sincerely,

Daniel McCallum /
Deputy General Counsel
(Operations and Personnel)