

DISCUSSION:

The Court anticipates that Plaintiffs will introduce both fact and opinion testimony to the effect that the Defendants breached their duty to exercise the appropriate standard of care in connection with their professional representation of the Plaintiffs, and that Plaintiffs suffered damages as a result of that breach. While testimony to that effect is generally relevant and admissible, it may not include reference to the Pennsylvania Rules of Professional Conduct.

The Preamble to those Rules provides as follows, as Section 19:

Violation of a Rule should not itself give rise to a cause of action against a lawyer nor should it create any presumption in such a case that a legal duty has been breached. In addition, violation of a Rule does not necessarily warrant any other nondisciplinary remedy, such as disqualification of a lawyer in pending litigation. The Rules are designed to provide guidance to lawyers and to provide a structure for regulating conduct through disciplinary agencies. They are not designed to be a basis for civil liability. Furthermore, the purpose of the Rules can be subverted when they are invoked by opposing parties as procedural weapons. The fact that a Rule is a just basis for a lawyer's self-assessment, or for sanctioning a lawyer under the administration of a disciplinary authority, does not imply that an antagonist in a collateral proceeding or transaction has standing to seek enforcement of the Rule. Accordingly, nothing in the Rules should be deemed to augment any substantive legal duty of lawyers or the extra disciplinary consequences of violating such a duty.

ORDER

And now, this __ day of June, 2026, for the reasons more fully set forth above, Defendants' Motion in Limine No. 4 is granted. None of the parties shall introduce any testimony, evidence, argument, or other material related to the Pennsylvania Rules of Professional Conduct, at the trial of this matter.

BY THE COURT,

William P. Carlucci, Judge

cc: Court Administrator
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