



**BOARD OF PROFESSIONAL RESPONSIBILITY**  
of the  
**SUPREME COURT OF TENNESSEE**

LANCE B. BRACY  
CHIEF DISCIPLINARY COUNSEL

LAURA L. CHASTAIN  
DEPUTY CHIEF DISCIPLINARY COUNSEL

BEVERLY P. SHARPE  
CONSUMER COUNSEL/DIRECTOR

1101 KERMIT DRIVE, SUITE 730  
NASHVILLE, TENNESSEE 37217  
TELEPHONE: (615) 361-7500  
(800) 486-5714  
FAX: (615) 367-2480  
E-MAIL: ethics@tbdr.org

WILLIAM W. HUNT, III  
CHARLES A. HIGH  
SANDY GARRETT  
JESSE D. JOSEPH  
JAMES A. VICK  
THERESA M. COSTONIS  
DISCIPLINARY COUNSEL

**RELEASE OF INFORMATION**  
**RE: DUNCAN E. RAGSDALE, JR., BPR #4934**  
**CONTACT: JESSE D. JOSEPH**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

February 5, 2003

**MEMPHIS LAWYER PUBLICLY CENSURED**

Duncan E. Ragsdale, Jr., of Memphis, was publicly censured by the Board of Professional Responsibility on February 3, 2003. The censure was issued by the Board pursuant to Rule 9, Section 8 of the Rules of the Tennessee Supreme Court. Ragsdale did not request a hearing on the matter.

In one complaint filed against Ragsdale, the Board found that he failed to move with reasonable diligence and promptness, and failed to promptly explain the status of a toxic tort matter he handled on behalf of two clients against a local hospital. At the end of August, 1999, Ragsdale was facing a hearing on the hospital's summary judgment motion set for September 17, 1999, but he had no expert affidavit in support of his clients' claims. The clients delivered to Ragsdale's offices on September 4, 1999, a requested \$1,200 money order to obtain a review and affidavit from an expert physician, but Ragsdale did not request any continuance in the matter to attempt to obtain the affidavit. Instead, Ragsdale filed an order of voluntary dismissal of the clients' action on September 10, 1999, without prejudice, without ever informing his clients of, or explaining to them the effect of the September 10, 1999 voluntary dismissal order.

In January, 2000, the expert forwarded to Ragsdale a report very favorable to his clients' cause, and Ragsdale did forward this report on to his clients later that year. However, since the clients did not know of the entry of the voluntary dismissal in September, 1999, or of the bar date on refiling the suit in September, 2000, they were deprived of the ability to take action to protect their rights.

The Board also found that Ragsdale had been disciplined previously for these types of violations.

JDJ:mw

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