



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: G. THOMAS NEBEL, BPR #5206
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July 2, 2003

NASHVILLE LAWYER PUBLICLY CENSURED

G. Thomas Nebel, of Nashville, was publicly censured by the Board of Professional Responsibility on June 25, 2003.

Disciplinary Counsel, acting on the authority of the Board, filed a Petition for Discipline against Nebel. The petition alleged that during 1997 Nebel had shared attorney's fees he received after August 1, 1997, with a non-lawyer with a J.D. degree.

Disciplinary Counsel and Nebel entered into a Settlement Agreement whereby Nebel agreed to the imposition of a public censure. The Board found that Nebel's conduct was prejudicial to the administration of justice and that he improperly shared attorney fees with a non-lawyer after August 1, 1997.

The Board found mitigating the fact that the non-lawyer held himself out as a licensed attorney to many private practitioners in middle Tennessee during the 1980's and 1990's while employed as a Director of Claims and Risk Management, and given the non-lawyer's statements to other plaintiff's attorneys to the effect that he "acted as his own lawyer" in handling and settling serious medical malpractice claims against his employer. The Board also considers as mitigating Nebel's agreement to act as presenter at two Ethics Workshop CLE presentations relative to the ethical prohibitions against fee-sharing and his experiences in that regard.

The Board did not find that Nebel acted intentionally or knowingly with respect to his sharing of attorney fees, but found at the very least that he should have known the individual was not a licensed attorney. Further, Nebel assisted the non-lawyer in obtaining employment in mid-1996 with a law firm as "Litigation Manager", and should have known the individual had no law license.

The Board concluded that Nebel acted recklessly and should have known the individual was not a lawyer.

JDJ:mw

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