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**SUPREME COURT OF TENNESSEE**

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**RELEASE OF INFORMATION**  
**RE: MARK W. HENDERSON, BPR #11525**  
**CONTACT: SANDY GARRETT**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
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August 15, 2003

**LEBANON ATTORNEY CENSURED**

On July 31, 2003, the Board of Professional Responsibility publicly censured Mark W. Henderson, of Lebanon, Tennessee. Henderson was given notice of the censure and did not request a hearing.

A client retained Henderson to represent her regarding a personal injury accident. The client complained that Henderson was not returning her telephone calls and on November 22, 2002, the client wrote Henderson firing him and requesting that Henderson return her file to her that day. Henderson has stated he did not receive the client's November 22, 2002 letter until Monday, November 25, 2002. On November 22, 2002, Henderson filed the client's complaint. On December 4, 2002, twelve days after the client terminated Henderson's services, Henderson, without the client's or the client's new counsel's knowledge or permission, entered into an agreement with counsel for the defendant, agreeing that the defendant did not have to file a responsive pleading so settlement negotiations could be discussed. Additionally, on December 3, 2002, Henderson wrote his former client, who was then represented by new counsel, asking the client to contact Henderson to discuss settling her case.

Henderson's actions violate Disciplinary Rules 1-102(A)(1)(4)(5) and (6); DR 2-110(A)(2); DR 2-110(B)(4) and DR 9-102(B)(4) of the Code of Professional Responsibility, and for these violations the Board publicly censures Henderson. The censure declares Henderson's action to be improper but does not limit Henderson's right to practice law.

SG:mw

Henderson 25856 rel.doc