



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@tbpr.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: TOM ANTHONY NACARATO, BPR #15236
CONTACT: SANDY GARRETT
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

June 17, 2004

LAW LICENSE OF LEXINGTON ATTORNEY SUSPENDED

On June 10, 2004, the Supreme Court of Tennessee entered an Order suspending the law license of Tom Anthony Nacarato for a period of three (3) years and requiring Nacarato's satisfaction of conditions prior to Nacarato's filing a Petition for Reinstatement. The Supreme Court ordered the following conditions be completed:

- a. Proof of Nacarato's mental and emotional fitness to practice law;
- b. Proof of Nacarato's enrollment in Tennessee Lawyers Assistance Program and his compliance with any and all recommendations made by TLAP;
- c. Proof of Nacarato's engaging a law practice assistance expert agreed to by Disciplinary Counsel, and Nacarato's compliance with any and all recommendations made by that expert;
- d. Proof of Nacarato's payment of a client's judgment, including court costs and accrued interest; and
- e. Proof of payment of all costs to the Board.

The Board of Professional Responsibility filed a Petition for Discipline against Nacarato pursuant to Rule 9, Rules of the Supreme Court of Tennessee. On January 19, 2004, a hearing panel heard the Board's charges against Nacarato and entered findings and recommendations recommending a three years suspension and conditions. By Order filed January 10, 2004, the Supreme Court accepted the hearing panel's findings and recommendations.

While suspended, Nacarato shall not use any indicia of lawyer, legal assistant or law clerk, nor maintain a presence where the practice of law is conducted. Section 18 of Tennessee Supreme Court Rule 9 requires Nacarato to notify all clients that are being represented in pending matters; all counsel and opposing counsel of the Supreme Court's order suspending him. Section 18 of Rule 9, Rules of the Supreme Court also requires Nacarato to deliver to all clients any papers or property to which they are entitled.

SG:mw
Nacarato 1322 rel.doc