



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

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**RELEASE OF INFORMATION**  
**IN RE: TOM ANTHONY NACARATO, BPR # 15236**  
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**BOARD OF PROFESSIONAL RESPONSIBILITY**  
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August 11, 2004

**LAW LICENSE OF LEXINGTON ATTORNEY SUSPENDED**

On August 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. This three year suspension shall run concurrent with the Supreme Court suspension entered against Mr. Nacarato on June 10, 2004.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Nacarato pursuant to Rule 9, Rules of the Supreme Court of Tennessee. In the Petition, the Board alleged Mr. Nacarato failed to communicate with the client, failed to act with professional diligence in turning over a check to a client, failed to provide a client and her new counsel with a copy of the client's file, and failed to respond to the Board of Professional Responsibility regarding this complaint. Mr. Nacarato filed no answer to the Petition and a default judgment was entered against Mr. Nacarato on May 11, 2004. Mr. Nacarato was sent notice of the hearing to determine discipline, but failed to participate. The Hearing Panel of the Board of Professional Responsibility recommended a three year suspension running concurrent with the Supreme Court's previous suspension of Mr. Nacarato entered June 10, 2004. Mr. Nacarato did not appeal the Hearing Panel's recommendation. On August 10, 2004, the Supreme Court entered an order suspending Mr. Nacarato for three years.

This disciplinary matter was held pursuant to Supreme Court Rules 8 and 9. In Tennessee, suspended lawyers may, after the passage of their suspension, apply for reinstatement of their law licenses. To be reinstated, the lawyers must show by clear and convincing evidence that their reinstatement will not be detrimental to the integrity and standing of the Bar, the administration of justice, or subversive to the public interest.

SG:jdr

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