



**BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

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RELEASE OF INFORMATION
RE: MATTHEW Q. BASTIAN, BPR# 12562
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

December 1, 2009

COLUMBIA LAWYER SUSPENDED

On November 20, 2009, the Tennessee Supreme Court suspended Matthew Q. Bastian, of Columbia, Tennessee, for one (1) year with all time probated upon Mr. Bastian's compliance with two (2) conditions: he must engage a practice monitor for one (1) year and he must obtain professional liability insurance. Further, Mr. Bastian must pay restitution to his client in the amount of \$20,000 no later than March 15, 2010. He must attend fifteen (15) additional hours of continuing legal education related to the subject of law office management. Mr. Bastian is also ordered to pay the Board's costs in this matter.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Bastian pursuant to Rule 9 of the Rules of the Supreme Court of Tennessee. After a full hearing on the matter, a Hearing Panel determined that Mr. Bastian failed to file a lawsuit as requested by his clients. He did not communicate with his clients in a satisfactory manner throughout his representation. Mr. Bastian offered to settle any potential claims for liability that his clients may have against him. Mr. Bastian did not advise his clients of the potential conflict of interest and did not advise them to seek independent legal counsel. Mr. Bastian made only a partial payment of the agreed sum and he has failed to make any further payments since 2005.

Mr. Bastian's actions violated the following Disciplinary Rules and Rules of Professional Conduct: DR 1 102(A)(1)(5) and (6); DR 6-101 (A)(1)(2) and (3); DR 7-101 (A)(1)(2) and (3); DR 9-102(B)(2) and (4); RPC 1.1 (Competence), RPC 1.2 (Scope of Representation), RPC 1.3 (Diligence), RPC 1.4 (Communication), RPC 1.16 (Declining and Terminating Representation) and RPC 8.4 (Misconduct).

Mr. Bastian must comply with Section 18 of Rule 9, Rules of the Supreme Court, regarding the obligations and responsibilities of suspended attorneys.

Bastian 1655-6 rel.doc

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