



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

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RELEASE OF INFORMATION
RE: ROBERT L. BOOKER, BPR #024887
CONTACT: JERRY MORGAN
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

March 11, 2020

MONTGOMERY COUNTY LAWYER SUSPENDED

Effective March 11, 2020, the Supreme Court of Tennessee suspended Robert L. Booker from the practice of law for a period of three (3) years, pursuant to Tennessee Supreme Court Rule 9, Section 12.2. Mr. Booker must pay the Board's costs and expenses and the court costs in the disciplinary proceeding within ninety days of the entry of the Order of Enforcement.

The hearing panel held that Mr. Booker, while representing a seller of a music collection, concealed the identity of the purchaser from his client for fear that his client would negotiate directly with the purchaser and exclude him from the transaction, withheld communications from his client, had a conflict of interest; and sent inappropriate communications to his client.

In a separate matter, the hearing panel found that Mr. Booker provided false disclosures to the United States District Court for the Eastern District of Texas in his application for admission by failing to disclose previous discipline from Utah, the Ninth Circuit Court of Appeals and Tennessee, failed to provide adequate representation to his client, and engaged in improper billing practices by charging exorbitant fees.

Mr. Booker's conduct violated Rules of Professional Conduct 1.4 (Communication); 1.7(a) (Conflicts of Interest); 1.16 (Terminating Representation); 8.1(a) (Bar Admission and Disciplinary Matters); and 8.4(a) and (c) (Misconduct). Mr. Booker's conduct also violated Texas Rules of Professional Conduct 1.01 (Competent and Diligent Representation); 1.04 (Fees); 8.01 (Bar Admission, Reinstatement and Disciplinary Matters); and 8.04(3) (Conduct involving Dishonesty, Fraud, Deceit or Misrepresentation).

Mr. Booker must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement. In addition, as a condition of reinstatement, Mr. Booker must pay restitution to one client in the amount of \$136,275.00.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

03/11/2020

Clerk of the
Appellate Courts

IN RE: ROBERT L. BOOKER, BPR #024887
An Attorney Licensed to Practice Law in Tennessee
(Montgomery County)

No. M2020-00318-SC-BAR-BP
BOPR No. 2016-2608-6-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed by the Board of Professional Responsibility (“the Board”) against Robert L. Booker on July 19, 2016; upon the Response to Petition for Discipline filed by Mr. Booker on August 8, 2016; upon a Supplemental Petition for Discipline filed against Mr. Booker on November 22, 2016; upon the Response to Amended Petition for Discipline filed by Mr. Booker on January 25, 2017; upon the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel filed on August 29, 2018. and served upon Mr. Booker by the Executive Secretary of the Board on the same date; upon the Findings and Judgment for Assessment of Costs entered by the Hearing Panel on September 19, 2018, and served upon Mr. Booker by the Executive Secretary of the Board on the same date; upon a Petition for Review filed by Mr. Booker in the Montgomery County Circuit Court on November 19, 2018; upon the Order entered by the Circuit Court on August 12, 2019; upon the Findings and Judgment for Assessment of Costs entered by the Circuit Court on September 9, 2019; upon a Notice of Appeal filed by Mr. Booker in the Supreme Court on September 11, 2019; upon the Order dismissing the appeal filed by the Supreme Court on January 17, 2020; upon the “Motion to Re-Instate Appeal” filed by Mr. Booker on January 22, 2020; upon the Response to Mr. Booker’s “Motion to Re-Instate Appeal” filed by the Board on January 23, 2020; and upon the Court’s Order denying Mr. Booker’s Motion to Re-Instate Appeal filed on February 5, 2020. Mr. Booker filed a response to the Board’s Notice of Submission on February 28, 2020. He then filed a supplemental response on March 4, 2020.

From all of which the Court approves the Order of the Hearing Panel and adopts the Hearing Panel’s Findings of Fact, Conclusions of Law and Judgment as the Court’s Order.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

(1) Robert L. Booker is suspended from the practice of law for three (3) years, pursuant to Tenn. Sup. Ct. R. 9, § 12.2. In addition, as a condition of reinstatement, Mr. Booker must make restitution to E.L. Jenkins in the amount of \$136,275.00. Mr. Booker shall furnish to the Board of Professional Responsibility proof of restitution. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Booker shall reimburse TLFCP in the same amount.

(2) Prior to seeking reinstatement, Mr. Booker must have met all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this suspension until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(3) Additionally, Mr. Booker shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Booker shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$5,715.49 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(6) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM