



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

10 CADILLAC DRIVE, SUITE 220
BRENTWOOD, TENNESSEE 37027
TELEPHONE: (615) 361-7500
(800) 486-5714
FAX: (615) 367-2480
E-MAIL: ethics@tbpr.org
Website: www.tbpr.org

RELEASE OF INFORMATION
RE: JOHNATHAN KENNETH BORSODI, BPR #25892
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

December 12, 2013

KNOX COUNTY LAWYER SUSPENDED

On December 10, 2013, Johnathan Kenneth Borsodi, of Knoxville, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for three (3) years retroactive to a Temporary Suspension Order entered on July 25, 2012. Pursuant to the Order of Enforcement, Mr. Borsodi shall submit to an evaluation by Tennessee Lawyers Assistance Program (TLAP), pay restitution to his former client, and pay the cost and expense of the disciplinary proceedings. Payment of restitution and contact with TLAP are conditions precedent to Mr. Borsodi's reinstatement to the practice of law, and if reinstated, Mr. Borsodi shall engage a practice monitor and enter into a monitoring agreement for a period of one year.

The Board of Professional Responsibility filed a Petition for Discipline against Johnathan Kenneth Borsodi on January 24, 2013. The Hearing Panel determined Mr. Borsodi accepted a non-refundable fee in the amount of \$7,500.00 and thereafter, misrepresented to his client the appeal was progressing. The client later discovered the appeal had never been filed. Further, the Hearing Panel found Mr. Borsodi failed to respond to his client's requests for information, abandoned his legal practice without notice to his client and failed to respond to the Petition for Discipline.

The Hearing Panel found Mr. Borsodi's actions violated Rules of Professional Conduct 1.1 (competence), 1.4 (communication), 1.5 (fees), 3.2 (expediting litigation), 8.1 (bar admission and disciplinary matters), and 8.4 (misconduct).

Mr. Borsodi must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 18 and 19, regarding the obligations and responsibilities of suspended attorneys.

Borsodi 2180-2 rel.doc

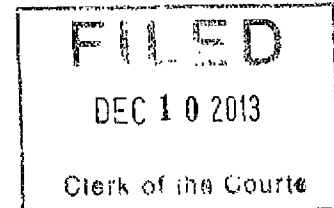
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: **JOHNATHAN KENNETH BORSODI, BPR #025892**
An Attorney Licensed to Practice Law in Tennessee
(Knox County)

No. **M2013-02660-SC-BAR-BP**
BOPR No. 2013-2180-2-AW



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Johnathan Kenneth Borsodi on January 24, 2013; upon the Board's Motion for Default Judgment and that Charges in Petition for Discipline be Deemed Admitted filed on April 1, 2013; upon the Hearing Panel's Order Granting Default Judgment and Setting Final Hearing entered May 20, 2013; upon the Judgment of the Hearing Panel entered July 8, 2013; upon consideration and approval by the Board of Professional Responsibility on August 12, 2013; upon service of the Judgment on Mr. Borsodi by the Executive Secretary for the Board of Professional Responsibility on July 8, 2013; upon Tennessee Lawyers Assistance Program's acceptance of the terms of the Hearing Panel Judgment on October 3, 2013; upon the expiration of the time for appeal and no appeal taken and upon the entire record in this cause.

On July 25, 2012, Mr. Borsodi was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 4.3 (Case No. M2012-01485-SC-BPR-BP). To date, Mr. Borsodi has not filed a petition for dissolution.

From all of which the Court approves the Order of the Hearing Panel and adopts the Judgment of the Hearing Panel as the Court's Order.

It is, therefore, ordered, adjudged and decreed by the Court that:

- (1) Pursuant to Tenn. Sup. Ct. R. 9, § 4.2, Johnathan Kenneth Borsodi is hereby suspended for three (3) years retroactive to July 25, 2012.
- (2) As a condition precedent to reinstatement, Mr. Borsodi shall make restitution to his former client, Richard McAfee, in accordance with the judgment entered

by the General Sessions Court for Anderson County. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Borsodi shall reimburse TLFCP in the same amount.

(3) Upon reinstatement of his license to practice law, Mr. Borsodi shall engage a practice monitor, approved by the Board, and enter into a Practice Monitoring Agreement for a period of one (1) year following his reinstatement.

(4) As a further condition precedent to reinstatement, Mr. Borsodi shall submit to an evaluation by Tennessee Lawyers Assistance Program (TLAP) and fully comply with any agreement deemed appropriate by TLAP.

(5) Additionally, Mr. Borsodi shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 regarding the obligations and responsibilities of suspended attorneys.

(6) The Court further finds that Mr. Borsodi was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 4.3 on July 25, 2012, for failure to respond to the Board of Professional Responsibility concerning a complaint of misconduct. Said temporary suspension is hereby dissolved.

(7) Pursuant to Tenn. Sup. Ct. R. 9, § 18.5, this Order shall be effective ten (10) days after the date of entry.

(8) Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, Mr. Borsodi shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,478.87 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.

(9) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:

Cornelia A. Clark
CORNELIA A. CLARK, JUSTICE