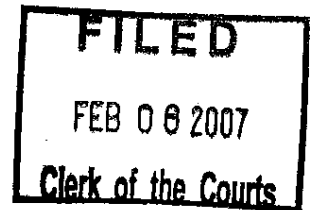


IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**STUART B. BREAKSTONE, BPR #014761**  
An Attorney Licensed to Practice Law in Tennessee  
(Shelby County)



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BPR DOCKET NO. 2005-1565-9-LC

NO. M 2007-00229-SC-BPO-BP

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**ORDER OF ENFORCEMENT**

The Board of Professional Responsibility of the Supreme Court of Tennessee, by and through Disciplinary Counsel, filed a Petition for Discipline on December 28, 2005 against the Respondent, Stuart B. Breakstone, a Shelby County, Tennessee lawyer.

Pursuant to Section 16.1 of Tennessee Supreme Court Rule 9, Respondent submitted a Conditional Guilty Plea in exchange for a stated form of discipline. The Guilty Plea embraces complaint number 27969-9-LC. A copy of the Conditional Guilty Plea is attached as Exhibit A.

Respondent admitted his guilt of violating Rules 1.7(b) and 8.4(a)(d) of the Tennessee Rules of Professional Conduct.

It is therefore **ORDERED, ADJUDGED and DECREED** that the Respondent, Stuart B. Breakstone, be and hereby is **publicly censured** for being removed as counsel for an ex-wife/mother as a result of a conflict of interest arising from his personal relationship with that client during that representation in a post-divorce/custody proceeding.

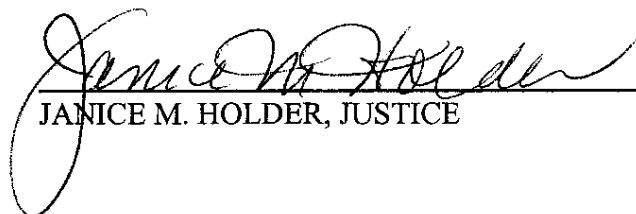
Order of Enforcement  
Stuart B. Breakstone, Respondent, BPR #014761  
BPR Docket No. 2005-1565-9-LC

It is further **ORDERED, ADJUDGED and DECREED** that Respondent, Stuart B. Breakstone, shall pay the costs in this matter of \$1,149.07, and in addition, shall pay the Clerk of this Court the costs incurred herein, for all of which execution shall issue, if necessary.


The Board of Professional Responsibility is directed to make notification of this public censure as provided in Section 18.10 of Supreme Court Rule 9.

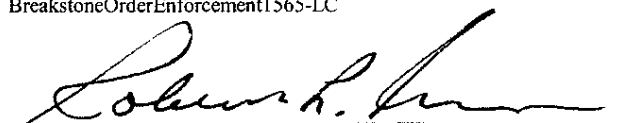
ENTERED this 30<sup>th</sup> day of January, 2007.

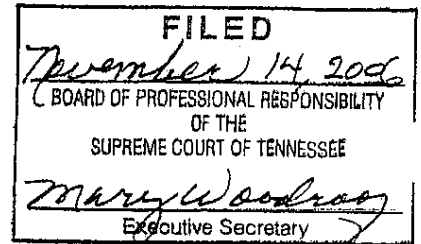
FOR THE COURT:

  
\_\_\_\_\_  
JANICE M. HOLDER, JUSTICE

APPROVED FOR ENTRY:

  
\_\_\_\_\_  
Laura L. Chastain, BPR #12018  
Deputy Chief Disciplinary Counsel  
1101 Kermit Drive, Suite 730  
Nashville, TN 37217  
BreakstoneOrderEnforcement1565-LC

  
\_\_\_\_\_  
Robert L. Green, BPR #7849  
Attorney for Stuart B. Breakstone  
80 Monroe Avenue, Suite 650  
Memphis, TN 38103



IN DISCIPLINARY DISTRICT IX  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE

IN RE: STUART B. BREAKSTONE,  
BPR #014761, Respondent, An  
Attorney Licensed to Practice  
Law in Tennessee  
(Shelby County)

DOCKET NO. 2005-1565-9-LC

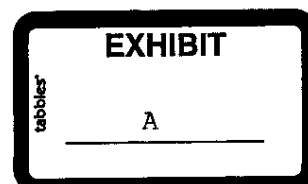
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CONDITIONAL GUILTY PLEA

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Comes now the Respondent, Stuart B. Breakstone, and pursuant to Section 16.1 of Tennessee Supreme Court Rule 9 tenders this Conditional Guilty Plea showing the Court as follows:

1. Respondent has been served with a Petition for Discipline on December 28, 2005.
2. Respondent is represented by Robert L. Green.
3. Respondent has been advised by counsel and is aware that he is entitled to a hearing to determine the extent of discipline based on the charges set forth in the Petition for Discipline before a Hearing Committee.



4. Respondent is aware that he is entitled to make appeals of the Hearing Committee's decision to the Chancery Court and to the Supreme Court of Tennessee if he is dissatisfied with the decision of the lower tribunal.

5. Respondent desires to specifically waive such hearing and appeals provided that this Conditional Guilty Plea is accepted by the Board of Professional Responsibility and the Supreme Court of Tennessee.

6. Respondent is aware that, should he desire a hearing as to the extent of discipline based upon the charges set forth in the Petition for Discipline, he would have the right to testify and to present evidence in his behalf, including the right to subpoena witnesses in his favor, however, he desires to waive those rights and to submit this Conditional Guilty Plea.

7. Respondent enters this Conditional Guilty Plea freely and voluntarily, without being subjected to coercion or duress, and he is fully aware of the implications of submitting this Conditional Guilty Plea.

8. Respondent admits his guilt of violating the following Tennessee Rules of Professional Conduct: 1.7(b) and 8.4(a)(d). This Conditional Guilty Plea embraces File No. 27969-9-LC.

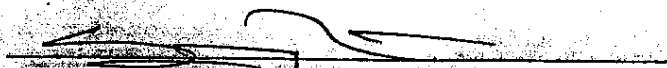
9. If approved, the discipline or stated form of punishment shall be that the Respondent shall be publicly censured because Respondent was removed as counsel for an ex-wife/mother as a result of a conflict of interest arising from his personal relationship with that client during that representation in a post-divorce/custody proceeding.

10. Respondent agrees to reimburse the Board of Professional Responsibility the cost of the expenses of this proceeding in the amount of \$\_\_\_\_\_.

11. In the event this Conditional Guilty Plea is not accepted and approved by the Board of Professional Responsibility and the Supreme Court of Tennessee, it shall be considered void and of no effect.

This Conditional Guilty Plea has been executed on this 8<sup>TH</sup> day of

November, 2006 by the Respondent.

  
Stuart B. Breakstone, BPR #014761  
6477 Cottingham Place  
Memphis, TN 38120

STATE OF TENNESSEE  
COUNTY OF SHELBY

Subscribed and sworn before me, a notary public, in the State of Tennessee, on  
this the 8<sup>th</sup> day of November, 2006.



Kathy D. Baker Jernom  
Notary Public

My Commission Expires: 11-30-08

This Conditional Guilty Plea is approved and concurred in by Robert L. Green,  
attorney for the Respondent.

Robert L. Green  
Robert L. Green, BPR #7849  
80 Monroe Avenue, Suite 650  
Memphis, TN 38103

This Conditional Guilty Plea is hereby submitted by Disciplinary Counsel, who  
has approved and recommends this discipline by consent of Respondent as evidenced by  
counsel's signature below.

Laura L. Chastain  
Laura L. Chastain, BPR #12018  
Deputy Chief Disciplinary Counsel  
1101 Kermit Drive, Suite 730  
Nashville, TN 37217  
615-361-7500