



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

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**RELEASE OF INFORMATION**  
**RE: STUART BRIAN BREAKSTONE, BPR #14761**  
**CONTACT: PRESTON SHIPP**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

February 4, 2014

**SHELBY COUNTY LAWYER CENSURED**

On January 6, 2014, Stuart Brian Breakstone, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Breakstone received \$7,500 from a client. The written retainer agreement that his client signed provided for a nonrefundable fee of \$3,500. This amount was deemed earned upon receipt, so Mr. Breakstone was free to deposit it into his operating account. However, there was no written agreement as to the additional \$4,000 that the client paid. This money should have been deposited into Mr. Breakstone's trust account, but he instead placed it in his operating account.

By these acts, Stuart Brian Breakstone, has violated Rule of Professional Conduct 1.15 (safekeeping property) and is hereby Publicly Censured for this violation.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Breakstone 36452-9 rel.doc

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