

FILED  
*January 17, 2007*  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE  
*Mary K. Goodroy*  
Executive Secretary

**IN DISCIPLINARY DISTRICT V  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**

**IN RE: LEROY CAIN, JR., BPR #6510  
Respondent, An Attorney  
Licensed to Practice  
Law in Tennessee  
(Davidson County)**

**FILE NO. 29108c-5-sg**

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**CONDITIONAL PUBLIC CENSURE**

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The Respondent accepted \$13,700 in fees regarding the McGinnis Estate. The Respondent accepted this \$13,700 in fees without first seeking or obtaining court approval. The Seventh Circuit Court Probate Division for Davidson County entered an Order on June 29, 2006 finding "It further appears that it was improper for the prior attorney of the estate to charge the estate a fee, and demand that the fee be paid, without first seeking court approval. However, it appears, based upon statement of counsel, that the estate has no funds, and to initiate a cause of action against Leroy Cain to recover the unapproved fee would be costly to the estate. The Court is making no determination of the appropriateness in the amount of the fee charged by prior counsel, only that it was improper to charge the Administratrix a fee without first seeking court approval."

It is therefore **ORDERED** by the Board of Professional Responsibility that the Respondent is issued a Public Censure, conditioned upon the Respondent's compliance with any Probate Court Order issued in the McGinnis Estate regarding the Respondent's fees.

FOR THE BOARD:

  
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W. Ferber Tracy, Chairman  
Board of Professional Responsibility  
of the Supreme Court of Tennessee

DATE: 1/12/07