



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

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**RELEASE OF INFORMATION**  
**RE: CYNTHIA LEE COSTNER-SEXTON, BPR #9936**  
**CONTACT: A. RUSSELL WILLIS**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

September 22, 2015

**BLOUNT COUNTY LAWYER SUSPENDED**

On September 18, 2015, the law license of Cynthia Lee Costner-Sexton, a Maryville attorney, was suspended by Order of the Tennessee Supreme Court for eleven (11) months and twenty-nine (29) days retroactive to July 21, 2014. Ms. Costner-Sexton must pay restitution, the Board's costs and expenses, and court costs within ninety days of the entry of the Order of Enforcement. The Supreme Court Order was effective upon entry, and Ms. Costner-Sexton remains suspended until an Order of Reinstatement is entered.

A Petition for Discipline was filed against Ms. Costner Sexton based upon one complaint of misconduct. A Hearing Panel for the Board found Ms. Costner-Sexton failed to reasonably communicate with her client, failed to provide professional services after accepting a retainer, failed to refund unearned fees and failed to respond to the Board.

Ms. Costner-Sexton's actions violated Rules of Professional Conduct 1.3, Diligence; 1.4, Communications; 1.5, Fees; 1.16, Declining or Terminating Representation; 8.1, Bar Admission and Disciplinary Matters; and 8.4, Misconduct

Ms. Costner-Sexton must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30, regarding the obligations and responsibilities of suspended attorneys.

Costner-Sexton 2390-2 rel.doc

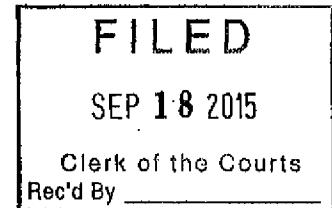
IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE: CYNTHIA LEE COSTNER-SEXTON, BPR #9936**  
An Attorney Licensed to Practice Law in Tennessee  
(Blount County)

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**No. M2015-01777-SC-BAR-BP**  
BOPR No. 2014-2390-2-AW

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed against Cynthia Lee Costner-Sexton on November 14, 2014; upon the Board's Motion for Default Judgment and that Charges in the Petition for Discipline Be Deemed Admitted filed on February 9, 2015; upon the Order of Default Judgment entered April 7, 2015; upon the trial of this matter on April 20, 2015; upon the Board's Application for Assessment of Costs filed on April 24, 2015; upon the Hearing Panels' Findings of Fact and Conclusions of Law entered June 11, 2015; upon service of the Hearing Panel's Findings of Fact and Conclusions of Law on Ms. Costner-Sexton by the Executive Secretary of the Board on June 11, 2015; upon the Order Assessing Costs entered July 6, 2015; upon service of the Order Assessing Costs upon Ms. Costner-Sexton by the Executive Secretary for the Board on July 6, 2015; upon consideration and approval of the Hearing Panel's judgment by the Board on July 9, 2015; upon expiration of the appeal period with no appeal taken; and upon the entire record in this cause.

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

On July 21, 2014, Ms. Costner-Sexton was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2014-01329-SC-BAR-BP). To date, Ms. Sexton has not requested, nor been granted reinstatement.

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

(1) Cynthia Lee Costner-Sexton is suspended for eleven (11) months and twenty-nine (29) days retroactive to July 21, 2014, pursuant to Tenn. Sup. Ct. R. 9, § 12.2 (2014), and indefinitely thereafter, until completion of the following: payment of restitution, payment of outstanding professional privilege taxes, payment of outstanding

registration fees, payment of court costs, payment of Board costs, and compliance with any outstanding CLE requirements.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7 (2014), Ms. Costner-Sexton shall make restitution to Robert Ortmann in the amount of \$1,000 and 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), Ms. Costner-Sexton shall reimburse TLFCP in the same amount.

(3) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d) (2014), Ms. Costner-Sexton shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$674.54 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.

(4) Ms. Costner-Sexton shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4 (2014) regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement. Prior to seeking reinstatement, Ms. Costner-Sexton must comply with all conditions set forth in this Order of Enforcement.

(5) The Order of Temporary Suspension entered on July 21, 2014, in Case No. M2014-01329-SC-BAR-BP is hereby dissolved.

(6) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. § 28.11 (2014).

(7) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1 (2014), this Order shall be effective upon entry.

PER CURIAM