

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

2011 MAY 18 AM 11:04

IN RE: JOHN BROADBENT CUNDIFF, BPR #24382
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

APPELLATE COURT CLERK
NASHVILLE

NO. M2011-01098-SC-BPO-BP

BOPR No. 2010-1943-5-CM

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed by the Board of Professional Responsibility ("Board") against John Broadbent Cundiff ("Respondent") on July 2, 2010; upon the Board's Motion for Default filed September 27, 2010; upon Order granting the Board's Motion for Default filed November 12, 2010; upon a final hearing held on December 1, 2010; upon Judgment of the Hearing Panel entered on December 15, 2010; upon consideration by the Board at its March 11, 2011 meeting; and upon the entire record in this cause. Neither the Respondent nor the Board has appealed the Hearing Panel's Judgment.

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

An Order of Temporary Suspension (2010-00620-SC-BPR-BP) was entered on March 19, 2010, pursuant to Section 4.3 of Supreme Court Rule 9. By Report and Recommendation of the Hearing Panel filed May 10, 2010, the Hearing Panel recommended the Respondent's temporary suspension remain in effect and not be dissolved. Further, Respondent was suspended for CLE noncompliance on August 17, 2009, and suspended for failing to pay his annual fee on June 10, 2009.

It is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. The Respondent John Broadbent Cundiff shall be publicly censured and suspended for one year pursuant to Supreme Court Rule 9, Section 4.4.

2. That the Respondent's temporary suspension, ordered March 19, 2010, is hereby dissolved.

3. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$951.50, and in addition, 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. That the Respondent shall comply in all aspects with Rule 9, Section 18, of the Rules of the Supreme Court regarding the obligations and responsibilities of suspended attorneys.

5. The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark
CHIEF JUSTICE CORNELIA CLARK