



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

10 CADILLAC DRIVE, SUITE 220  
BRENTWOOD, TENNESSEE 37027  
TELEPHONE: (615) 361-7500  
(800) 486-5714  
FAX: (615) 367-2480  
E-MAIL: [ethics@tbpr.org](mailto:ethics@tbpr.org)  
Website: [www.tbpr.org](http://www.tbpr.org)

**RELEASE OF INFORMATION**  
**RE: DAVID E. DANNER, BPR# 17060**  
**CONTACT: KEVIN D. BALKWILL**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

March 13, 2012

**NASHVILLE ATTORNEY SUSPENDED**

On March 9, 2012, David E. Danner of Nashville, Tennessee, was suspended for thirty (30) days by the Tennessee Supreme Court pursuant to Rule 9, Section 4.2, of the Rules of the Supreme Court. Additionally, Mr. Danner was ordered to pay \$2,500.00 in restitution to a client pursuant to Rule 9, Section 4.7, of the Rules of the Supreme Court, and must complete an ethics course at an accredited law school in the State of Tennessee within eighteen (18) months of entry of the Supreme Court's Order.

In Mr. Danner's representation of a client in a federal discrimination case, he failed to provide competent representation, failed to act in a diligent manner, and failed to adequately communicate with his client. Upon Mr. Danner's withdrawal from representation, he failed to promptly return unearned fees to his client.

By the aforementioned acts, Mr. Danner violated Rule 1.1 (competence), 1.3 (diligence), 1.4 (communication), and 1.16 (terminating representation) of the Rules of Professional Conduct.

Mr. Danner was further ordered to pay the expenses and costs of the disciplinary proceedings against him pursuant to Rule 9, Section 24.3, of the Rules of the Supreme Court and fully comply in all respects with the requirements and obligations of suspended attorneys as set forth in Rule 9, Section 18, of the Rules of the Supreme Court.

Danner 1763-5.rel.doc

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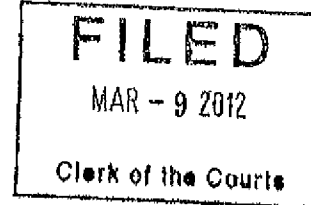
IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

IN RE DAVID E. DANNER, BPR #017060  
An Attorney Licensed to Practice Law in Tennessee  
(Davidson County)

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No. M2010-02396-SC-R3-BP  
BOPR No. 2008-1763-5-RS

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed on July 21, 2008 by the Board of Professional Responsibility ("Board") against David E. Danner; upon an Answer filed by Mr. Danner on August 11, 2008; upon a Supplemental Petition for Discipline filed on October 7, 2008; upon an Answer to the Supplemental Petition for Discipline filed on October 23, 2008; upon a hearing held March 30, 2009; upon the Judgment of the Hearing Panel entered on April 14, 2009; upon approval of the Board given on June 3, 2009; upon the Petition for Writ of Certiorari filed in the Chancery Court for Davidson County by Mr. Danner on April 23, 2009; upon the Chancery Court's Order of Dismissal of the Petition for Writ of Certiorari for lack of subject matter jurisdiction entered on February 10, 2011; upon Notice of Appeal to this Court filed by Mr. Danner; upon this Court's Order dismissing Mr. Danner's appeal entered on May 2, 2011; upon this Court's Order denying Mr. Danner's petition for rehearing entered on May 10, 2011; upon this Court's Order denying Mr. Danner's motion seeking permission to file a second petition for rehearing entered on May 25, 2011; and upon the entire record in this cause.

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

It is therefore, ordered, adjudged, and decreed by the Court that:

1. David E. Danner shall be and hereby is suspended from the practice of law for thirty (30) days pursuant to Tenn. Sup. Ct. R. 9, § 4.2.
2. David E. Danner shall pay restitution in the amount of \$2,500 to Peggy A. Richardson Herbert pursuant to Tenn. Sup. Ct. R. 9, § 4.7.

3. David E. Danner shall successfully complete an ethics course at an accredited law school in the State of Tennessee within eighteen (18) months of the entry of this Order.

4. Due to inadvertence, this Order of Enforcement was not entered following the Court's Orders dismissing Mr. Danner's appeal and denying Mr. Danner's petitions for rehearing. Accordingly, this Order of Enforcement is entered *nunc pro tunc* May 26, 2011. However, the suspension imposed upon David E. Danner pursuant to this Order of Enforcement shall become effective on and shall run from March 19, 2012.

5. David E. Danner shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 18 regarding the obligations and responsibilities of suspended attorneys.

6. Pursuant to Tenn. Sup. Ct. R. 9, § 24.3, David E. Danner shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$3,494.55 and in addition, shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the March 19, 2012 effective date of his suspension under this Order of Enforcement, for all of which execution may issue if necessary.

7. The Board shall cause notice of this suspension to be published as required by Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:



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WILLIAM C. KOCH, JR., JUSTICE