

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: GARRY CHRISTOPHER FORSYTHE, BPR #20460

An Attorney Licensed to Practice Law in Tennessee
(Sumner County)

No. **M2016-00044-SC-BAR-BP**
BOPR No. 2015-2527-6-WM(22.3)

FILED

OCT 3 2016

Clerk of the Courts

ORDER OF ENFORCEMENT

This matter is before the Court upon the January 12, 2016 Order of Enforcement summarily suspending the license of Garry Christopher Forsythe and referring the matter to the Board of Professional Responsibility for the institution of formal proceedings to determine the extent of final discipline to be imposed; upon a Petition for Final Discipline filed against Garry Christopher Forsythe on January 28, 2016; upon a Motion for Default Judgment and that Charges in Petition for Final Discipline Be Deemed Admitted filed by the Board on May 2, 2016; upon entry of an Order for Default Judgment on May 10, 2016; upon a hearing on June 28, 2016; upon the Findings of Fact, Conclusions of Law and Judgment entered on June 28, 2016; upon service of the Judgment upon Mr. Forsythe by the Executive Secretary of the Board on June 28, 2016; upon the Board of Professional Responsibility's Application for Assessment of Costs filed on July 5, 2016; upon the Findings and Judgment for Assessment of Costs entered on July 26, 2016; upon consideration and approval by the Board on September 9, 2016; 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 Judgment recommending a disbarment.

On October 26, 2009, Mr. Forsythe was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 4.3 (2006) (Case No. M2009-02195-SC-BPR-BP). On September 7, 2010, Mr. Forsythe was administratively suspended for failure to comply with continuing legal education requirements. On December 3, 2010, Mr. Forsythe was administratively suspended for failure to pay Professional Privilege Tax. To date, Mr. Forsythe has not requested, nor been granted, reinstatement.

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

(1) Garry Christopher Forsythe is disbarred pursuant to Tenn. Sup. Ct. R. 9, § 12.1.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7, and as a condition precedent to any reinstatement, Mr. Forsythe shall make restitution in accordance with the Judgment in *United States of America v. Garry Christopher Forsythe* in the amount of \$2,249,294.80. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. Forsythe shall reimburse TLFCP in the same amount.

(2) Prior to seeking reinstatement, Mr. Forsythe must meet all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this disbarment until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(3) Additionally, Mr. Forsythe shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4 regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement.

(4) Further, the Order of Temporary Suspension entered on October 26, 2009, in Case No. M2009-02195-SC-BPR-BP, is hereby dissolved. The September 7, 2010, administratively suspension for failure to comply with continuing legal education requirements and the December 3, 2010, administrative suspension for failure to pay Professional Privilege Tax shall remain in effect.

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

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. Forsythe shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$517.82 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.

(7) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM