



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: LINDA KAYE KENDALL GARNER, BPR #13573
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BOARD OF PROFESSIONAL RESPONSIBILITY
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July 5, 2006

MEMPHIS LAWYER PUBLICLY CENSURED

Linda Kaye Kendall Garner, of Memphis, was publicly censured by the Board of Professional Responsibility on June 27, 2006. The censure was issued by the Board pursuant to Rule 9, Section 8 of the Rules of the Tennessee Supreme Court. Garner initially requested a hearing on the matter, but later withdrew her request and agreed to accept the censure.

In one complaint filed against Garner, the Board found that between 2002 and 2004, she negligently failed to properly communicate with her clients regarding the setting of a writ of inquiry in a personal injury action which had been pending in Circuit Court since 1995, and in which respondent had obtained a default judgment on behalf of the clients in July of 2002. The Board also found that Garner was required to non-suit the case for a second time in May of 2004 because a writ of inquiry hearing had not been conducted and that she negligently failed to inform her clients of the second voluntary non-suit.

In mitigation, the Board found that Garner was remorseful and apologetic to her clients, that she was willing to accept financial responsibility to her clients for her neglect if she were sued, that she had no intent to violate the Rules of Professional Conduct and that she had cooperated fully with the Board's investigation.

Garner 28188-9 rel.doc

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