



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

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RELEASE OF INFORMATION
RE: CARRIE LEIGH GASAWAY, BPR #18746
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 10, 2017

MONTGOMERY COUNTY LAWYER DISBARRED

Effective October 9, 2017, the Supreme Court of Tennessee entered an Order disbaring Carrie Leigh Gasaway from the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 12.1, and requiring payment of restitution and costs of the disciplinary proceeding. Ms. Gasaway was previously disbarred by Order entered October 15, 2015, and said Order remains in effect.

A Petition for Discipline (2016-2653-6-AW) was filed November 9, 2016, containing three (3) complaints alleging misappropriation of funds from trust, lack of diligent representation and charging of an unreasonable fee. A Petition for Final Discipline (2016-2629-6-AW-22.3) was filed December 1, 2016, based upon Ms. Gasaway's criminal conviction for felony theft in excess of \$10,000.00.

Both disciplinary actions were consolidated and tried before a Hearing Panel who determined Ms. Gasaway's conduct violated Rules of Professional Conduct 1.3 (diligence); 1.4 (communication); 1.5 (fees); 1.15 (safekeeping property and funds); 1.16 (terminating representation) and 8.4(a), (b), (c) and (d) (misconduct) and ordered restitution totaling \$57,899.45 be paid to four (4) former clients.

Ms. Gasaway must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30.4, regarding the obligations and responsibilities of disbarred attorneys and the procedure for reinstatement.

Gasaway 2653-6; 2629-6 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

10/09/2017

Clerk of the
Appellate Courts

IN RE: CARRIE LEIGH GASAWAY, BPR #018746

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

No. M2017-02005-SC-BAR-BP
BOPR No. 2016-2653-6-AW
BOPR No. 2016-2629-6-AW-22.3

ORDER OF ENFORCEMENT

This matter is before the Court upon an Order of Enforcement (Docket No. M2016-01884-SC-BAR-BP) entered September 16, 2016; upon a Petition for Discipline (Docket No. 2016-2653-6-AW) filed November 9, 2016; upon a Petition for Final Discipline (Docket No. 2016-2629-6-AW-22.3) filed December 1, 2016; upon the Board's Motion for Default Judgment and that Charges in Petition for Discipline be Deemed Admitted (Docket No. 2016-2653-6-AW) filed May 3, 2017; upon the Board's Motion for Default Judgment and that Charges in Petition for Discipline be Deemed Admitted (Docket No. 2016-2629-6-AW-22.3) filed May 4, 2017; upon a Motion to Consolidate Pending Petitions for Discipline filed May 4, 2017; upon an Order Granting Motion to Consolidate entered May 16, 2017; upon an Order for Default Judgment entered May 16, 2017; upon the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel entered June 30, 2017; upon service of the Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel upon Ms. Gasaway by the Executive Secretary of the Board June 30, 2017; upon the Board's Application for Assessment of Costs filed July 6, 2017; upon the Hearing Panel's Findings and Judgment on Assessment of Costs entered July 24, 2017; upon service of the Hearing Panel's Findings and Judgment for Assessment of Costs upon Ms. Gasaway by the Executive Secretary of the Board July 24, 2017; upon consideration and approval by the Board on July 10, 2017; upon expiration of the appeal period with no appeal taken; and upon the entire record in this cause.

From all of which the Court accepts the recommendation of the Hearing Panel and adopts the Hearing Panel's Findings of Fact, Conclusions of Law and Judgment of the Hearing Panel and the Hearing Panel's Findings and Judgment for Assessment of Costs as the Court's Order.

On October 5, 2015, Ms. Gasaway was disbarred by this Court, pursuant to Tenn. Sup. Ct. R. 9, § 4.1 (2006) and 12.1 (2014) (Case No. M2015-01926-6-AW(22.3)), and said disbarment remains in effect.

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

(1) Carrie Leigh Gasaway is disbarred from the practice of law, pursuant to Tenn. Sup. Ct. R. 9, § 12.1.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7 (2014), and as a condition precedent to any reinstatement, Ms. Gasaway shall make restitution to the following individuals 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. Gasaway shall reimburse TLFCP in the same amount:

- (a) Brandon McGettigan - \$45,283.45
- (b) Bonnie Endres - \$2,116.00
- (c) Dr. James Davis - \$3,000.00
- (d) Jeffery Towles - \$7,500.00

(3) Prior to seeking reinstatement, Ms. Gasaway must have satisfied all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this suspension until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(4) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d) (2014), Ms. Gasaway shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$692.36 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.

(5) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11 (2014).

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

PER CURIAM