

FILED
May 3, 2004
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE
Mary Woodruff
Executive Secretary

IN DISCIPLINARY DISTRICT VII
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: J. B. GLASSMAN, BPR #4174,
Respondent, An Attorney
Licensed to Practice
Law in Tennessee
(Madison County)

FILE NO. 26862-7-sg

PUBLIC CENSURE

The Complainant retained the Respondent on approximately April 30, 2002 to handle the Complainant's personal injury case. On approximately May 19, 2003, the Respondent filed the following lien in the Complainant's case:

1. \$4,000.00 for money borrowed and advanced to the plaintiff for personal expenses plus interest.
2. \$4,625.00 for 25% interest at \$18,500.00 which was offered in settlement, and refused by the plaintiff, for a total of \$8,625.00 plus interest for the loan."

In the Respondent's initial response to this complaint dated January 21, 2003, the Respondent stated "Mr. Don Engelking [the Complainant] solicited my services and wanted me to advance him money on his lawsuit. I told him that I would not do that but was sympathetic because he had just lost his wife and told me that he was heavily in debt. Against my better judgment I acquired a loan for him at a local bank and had them put my automobile up for collateral. I explained to him that there would be deposition cost and possibly other expenses relating to the lawsuit and that I couldn't finance his lawsuit but did acquire the loan for him."

The Respondent's January 21, 2003 letter to the Board is inconsistent with the Respondent's filed lien.

Lastly, the Respondent sent a copy of the Complainant's July 30, 2002 letter to the Respondent to the adjuster but failed to seek or obtain the Complainant's permission prior to doing so. The Respondent's actions and inactions regarding the Complainant's case violate DR 1-102(A)(1)(5)(6); DR 4-101(B); DR 5-103(B); DR 5-104; DR 5-101 and DR 2-106(A)(B).

The Board of Professional Responsibility **publicly censures** the Respondent.

Charles E. Carpenter

Charles E. Carpenter, Chairman
Board of Professional Responsibility
of the Supreme Court of Tennessee

DATE: *April 26, 2004*