

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
06/08/2023
Clerk of the
Appellate Courts

In Re: ROBERT HARRIS GOLDER, BPR #034911
An Attorney Licensed to Practice Law in Tennessee
(Shelby County)

No. M2023-000735-SC-BAR-BP
BOPR No. 2021-3209-7-JM

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Respondent, Robert Harris Golder on November 9, 2021; upon the Board's Motion for Default Judgment and That Charges in the Petition for Discipline Be Deemed Admitted filed on March 31, 2022; upon entry of an Order Granting Default Judgment and Holding That Charges in the Petition for Discipline are Deemed Admitted filed on April 8, 2022; upon service of the Order Granting Default Judgment and Holding That Charges in the Petition for Discipline are Deemed Admitted upon Mr. Golder by the Executive Secretary of the Board on April 8, 2022; upon a Supplemental Petition for Discipline filed against Mr. Golder on April 8, 2022; upon the Board's Motion for Default Judgment and That Charges in the Supplemental Petition Be Deemed Admitted filed on May 10, 2022; upon entry of an Order Granting Default Judgment and Holding That Charges in the Petition for Discipline are Deemed Admitted filed on June 2, 2022; upon service of the Order Granting Default Judgment and Holding That Charges in the Petition for Discipline are Deemed Admitted upon Mr. Golder by the Executive Secretary of the Board on June 2, 2022; upon the Motion for Admission *Pro Hac Vice* of attorney Leonard Golder with local counsel Brett Stein filed June 17, 2022; upon the Order Granting Admission *Pro Hac Vice* to attorney Golder filed on June 24, 2022; upon a hearing on November 21, 2022; upon the Findings of Fact and Conclusions of Law and Judgment of the Hearing Panel entered on January 13, 2023; upon service of the Findings of Fact and Conclusions of Law and Judgment upon Mr. Golder's counsel by the Executive Secretary of the Board on January 13, 2023; upon the Board of Professional Responsibility's Application for Assessment of Costs filed on January 19, 2023; upon Findings and Judgment for Assessment of Costs filed on February 24, 2023; upon service of the Findings and Judgment for Assessment of Costs upon Mr. Golder's counsel by the Executive Secretary of the Board on February 24, 2023; upon the 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 Order of the Hearing Panel and adopts the Hearing Panel's Findings of Fact and Conclusions of Law and Judgment as the Court's Order.

On February 21, 2023, Mr. Golder was administratively suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 26 (No. ADM2023 – 00002). To date, Mr. Golder has not requested, nor been granted, reinstatement.

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

(1) Mr. Golder is suspended for two (2) years with three (3) months served as an active suspension and the remainder on probation, pursuant to Tenn. Sup. Ct. R. 9, § 12.2, the grant of which is conditioned upon:

- (a) Mr. Golder incurring no new complaints of misconduct that relate to conduct occurring during the period of suspension and probation that result in a recommendation by the Board that discipline be imposed.
- (b) Mr. Golder making restitution to Kimberly Spencer of \$2,500.00 at the minimum rate of \$125.00 per month and reimbursing the Lawyers' Fund for Client Protection for the full amount of any payments that may be made for Ms. Spencer's pending claim resulting from Mr. Golder's misconduct; and
- (c) Mr. Golder engaging a practice monitor who has experience in the field of practice that Mr. Golder decides to enter, who will meet at least bi-monthly with Mr. Golder, and who will submit monthly reports to the Board describing Mr. Golder's progress in meeting deadlines and consulting with clients.

(2) Prior to seeking reinstatement, Mr. Golder must have met all CLE requirements and have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this order until the date of reinstatement.

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

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

immediately upon entry.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3 (d), Mr. Golder shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,235.00, which includes the \$100.00 filing fee the Board of Professional Responsibility paid to the Clerk of this Court to initiate this proceeding and shall also pay to the Clerk of this Court the costs incurred herein, if any, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(6) 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