



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

10 CADILLAC DRIVE, SUITE 220
BRENTWOOD, TENNESSEE 37027
TELEPHONE: (615) 361-7500
(800) 486-5714
FA24: (615) 367-2480
E-MAIL: ethics@tbpr.org
Website: www.tbpr.org

RELEASE OF INFORMATION
RE: WILLIAM C. GOSNELL, BPR #4369
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

July 6, 2016

SHELBY COUNTY LAWYER SUSPENDED

Effective July 11, 2016, William C. Gosnell, of Memphis, Tennessee, is suspended from the practice of law for a period of two (2) years by Order of the Tennessee Supreme Court entered July 1, 2016. Mr. Gosnell must pay restitution in the amount of \$600.00 and the costs of the disciplinary matter to the Board and to the Court.

On February 13, 2013, the Board of Professional Responsibility filed a Petition for Discipline against Mr. Gosnell, and a Supplemental Petition for Discipline on September 24, 2013, based upon two (2) complaints of misconduct. In the first matter, Mr. Gosnell advised his client in a personal injury action she could accept full settlement from the opposing party's insurance company without releasing the opposing party. Thereafter, without informing opposing counsel, Mr. Gosnell altered the settlement document to remove the opposing party's name from the release and delayed returning the release to opposing counsel well after disbursing the settlement funds. Suit was filed against Mr. Gosnell and his client to enforce the settlement. In the second matter, Mr. Gosnell filed a Petition for Bankruptcy without his client's signature or consent, in violation of the Bankruptcy Court's rules. Although Mr. Gosnell took appropriate action to dismiss the petition, the filing of the petition was reported to credit agencies and prevented the client from completing the purchase of a house. Mr. Gosnell was sanctioned by the Bankruptcy Court and ordered to disgorge his attorney fee.

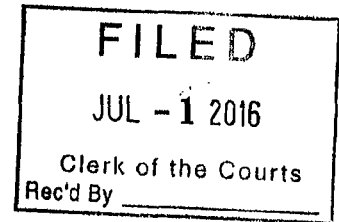
Mr. Gosnell's conduct violated Tennessee Rules of Professional Conduct 1.1 (competence); 1.4(a) and (b) (communication); 3.3(a) (candor toward the tribunal); 3.4(c) (fairness to opposing party and counsel); and 8.4(a), (c) and (d) (misconduct).

Mr. Gosnell must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 18 (2006) and 30 (2014), regarding the obligations and responsibilities of suspended attorneys and may not return to the active practice of law until an order of reinstatement has been entered by the Supreme Court.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: WILLIAM C. GOSNELL, BPR #4369
An Attorney Licensed to Practice Law in Tennessee
(Shelby County)

No. M2016-01323-SC-BAR-BP
BOPR No. 2013-2188-9-KB



ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against William C. Gosnell on February 13, 2013; upon Answer to Petition for Discipline filed on March 1, 2013; upon the Supplemental Petition of Discipline filed on September 24, 2013; upon Answer to the Supplemental Petition for Discipline filed on December 2, 2013; upon the Hearing Panel's Findings of Fact and Conclusions of Law dated February 20, 2014; upon the Petition for Certiorari and Supersedeas filed on April 16, 2014; upon the Order of the Circuit Court of Shelby County entered December 15, 2014, affirming the decision of Hearing Panel; upon Mr. Gosnell's Motion to Rehear Motion to Vacate Judgment on the Ground of Excusable Neglect, Mistake, Inadvertance [sic] or Surprise Rule 60.02 filed June 17, 2015; upon an Order Granting Rule 60.02 Motion to Vacate Judgment entered by the Circuit Court of Shelby County on August 28, 2015; upon the Order affirming the decision of the Hearing Panel entered by the Circuit Court of Shelby County on October 3, 2015; upon a Notice of Appeal filed by Mr. Gosnell on October 30, 2015; upon an Order to show cause entered by the Supreme Court on February 2, 2016; upon a Motion to Waive Filing of Previous Transcript filed by Mr. Gosnell on February 11, 2016; upon an Order allowing the appeal to proceed entered by the Supreme Court on March 23, 2016; upon a Motion to Dismiss and Memorandum of Law filed by the Board on May 16, 2016; upon an Order to show cause entered by the Supreme Court on May 17, 2016; upon the Show Cause of Appellant and Memorandum of Law in Opposition to Motion to Dismiss filed by Mr. Gosnell on May 26, 2016; upon the Order dismissing the appeal filed by the Supreme Court on May 31, 2016, and upon the entire record in this cause.¹

From all of which the Court approves the Order of the Circuit Court for Shelby County affirming the Judgment of the Hearing Panel and adopts the Judgment of the Hearing Panel as the Court's Order.

¹ This matter was initiated before the Board prior to January 1, 2014, and governed by Tenn. Sup. Ct. R. 9 (2006) except as otherwise noted.

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

(1) Pursuant to Tenn. Sup. Ct. R. 9, §§ 4.2 and 4.7 (2006), the law license of William C. Gosnell is suspended for two (2) years, and Mr. Gosnell shall pay restitution to Nicholas J. Owen, Jr., in the amount of \$600.00.

(2) Mr. Gosnell shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 18 (2006) and 30.4 (2014) regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(3) Prior to seeking reinstatement, Mr. Gosnell 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, § 24.3 (2006), Mr. Gosnell shall reimburse the Board of Professional Responsibility the costs and expenses of this proceeding in the amount of \$4,759.95 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, if necessary, may issue.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 18.5 (2006), this Order shall be effective ten (10) days after the date of entry.

(6) Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 18.10 (2006).

PER CURIAM