

**IN DISCIPLINARY DISTRICT II
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

**IN RE: WENDELL KYLE HALL, DOCKET NO. 2020-3094-2-JM
 BPR #017749, Respondent,
 An Attorney Licensed to
 Practice Law in Tennessee
 (Knox County)**

JUDGMENT OF THE HEARING PANEL

This cause came for trial before the Hearing Panel of the Board of Professional Responsibility of the Supreme Court of Tennessee on October 29, 2020 in the conference room of Knox Defense, 607 Market Street, Suite 1100, Knoxville, Tennessee 37902. This cause was heard by John W. Butler (Chair), Heidi A. Barcus, and Joshua D. Hedrick pursuant to Rule 9, Rules of the Tennessee Supreme Court. Disciplinary Counsel Jerry Morgan was present for the Board and Mr. Hall was present representing himself. After considering the entire file in this matter, the testimony of Mr. Hall, exhibits, and arguments presented to this Panel, and after thorough deliberations, the Panel makes the following Findings of Fact, Conclusions of Law, and renders its Judgment in this cause.

I. BACKGROUND

Respondent Wendell Kyle Hall is licensed to practice law in Tennessee with Board of Professional Responsibility No. 017749. On April 12, 2019, Mr. Hall was administratively suspended for failure to pay his professional privilege tax. That suspension remains in effect. On October 29, 2019, as the result of a separate disciplinary matter, the Supreme Court suspended Mr. Hall for two years, with 60 days active and the remainder on probation. Mr. Hall has not applied for reinstatement and remains on active suspension.

The subject Petition for Discipline was filed against Mr. Hall on May 8, 2020, which includes five separate complaints filed against Mr. Hall regarding his representation of four separate clients. Mr. Hall failed to respond to the Petition, and on October 5, 2020, this Hearing Panel entered an Order for Default Judgment. As a result of the Order for Default Judgment, all allegations in the Petition have been deemed admitted pursuant to Tenn. Sup. Ct. R. 9 §15.2(b) and are recited below.

II. FINDINGS OF FACT

File No. 58691-2-KB – Complainant – Joyce Stinnett

1. On October 4 and November 18, 2019, the Board of Professional Responsibility received a complaint from Joyce Stinnett alleging ethical misconduct by Mr. Hall. (Exhibit 5).
2. On November 21, 2019, the Board sent a copy of the complaint to Mr. Hall and requested a response within ten (10) days. (Exhibit 6).
3. On December 9, 2019, the Board sent another letter to Mr. Hall and requested a response within seven (7) days. (Exhibit 7).
4. Mr. Hall did not respond to the complaint or the letters from the Board.
5. In May of 2011, Joyce Stinnett retained Mr. Hall to represent her in a personal injury matter.
6. During the representation, Mr. Hall sent several letters to Ms. Stinnett that her case was ready to be settled, but no settlement occurred.
7. Ms. Stinnett went to Mr. Hall's office numerous times to discuss her case, but Mr. Hall was not present.
8. Ms. Stinnett left numerous messages with Mr. Hall that were not returned.
9. Ms. Stinnett demanded the return of her file in order to hire new counsel, and Mr. Hall failed to return the file.

10. Mr. Hall did very little work on the matter, failed to respond to numerous requests for information, failed to advise his client of the status of the matter, failed to provide the client with settlement funds, and otherwise abandoned the case.

11. In the fall of 2015, the Circuit Court of Greene County advised the parties that it was prepared to dismiss the case for lack of prosecution absent movement on the matter.

12. On October 13, 2015, Mr. Hall filed a request that the claim not be dismissed, and the Court agreed not to dismiss it.

13. Mr. Hall did not file any further documents in the matter.

14. Mr. Hall did not inform Ms. Stinnett of his administrative suspension in April 2019 or his disciplinary suspension in October of 2019.

15. Mr. Hall did not inform Ms. Stinnett that he was no longer handling her matter and did not file a motion to withdraw.

16. By failing to handle Ms. Stinnett's personal injury matter appropriately, Mr. Hall violated RPC 1.1 (Competence).

17. By failing to exercise reasonable diligence in handling Ms. Stinnett's personal injury matter, Mr. Hall violated RPC 1.3 (Diligence).

18. By failing to respond to Ms. Stinnett's numerous requests for information, Mr. Hall violated RPC 1.4 (Communication).

19. By failing to advise Ms. Stinnett that he was no longer handling her matter, by failing to return her file to her so that she could retain new counsel, and by failing to take reasonable steps to protect her interests, Mr. Hall violated RPC 1.16 (Declining or Terminating Representation).

20. By failing to expedite Ms. Stinnett's personal injury matter, Mr. Hall violated RPC 3.2 (Expediting Litigation).

21. By failing to respond to the Board regarding Ms. Stinnett's complaint, Mr. Hall violated RPC 8.1(b) (Bar Admission and Disciplinary Matters).

22. By failing to notify Ms. Stinnett of his suspension, Mr. Hall violated RPC 8.4(g) (Misconduct).

File No. 61040-2-KB - Informant- Jennifer Craig, Esq., and Complainant - Richelle Simcox

23. On June 3, 2019, the Board received a complaint from Informant, Jennifer Craig, Esq., alleging ethical misconduct by Mr. Hall. (Exhibit 8).

24. By letter dated June 4, 2019, the Board forwarded a copy of the complaint to Mr. Hall. (Exhibit 9).

25. By letter dated June 19, 2019, Mr. Hall responded to the Craig complaint. (Exhibit 10).

26. On August 10, 2019, the Board received a complaint from Richelle Simcox alleging ethical misconduct by Mr. Hall. (Exhibit 11).

27. On September 23, 2019, the Board sent a copy of the Simcox complaint to Mr. Hall and requested a response within ten (10) days. (Exhibit 12).

28. On October 11, 2019, the Board sent another letter to Mr. Hall and requested a response to the Simcox complaint within seven (7) days. (Exhibit 13).

29. Mr. Hall did not respond to the Simcox complaint or the letters from the Board.

30. Mr. Hall represented Ms. Simcox and her husband as a result of injuries sustained by her in an automobile accident.

31. Mr. Hall originally filed a personal injury matter in the Circuit Court for Knox County on April 25, 2016.

32. Because Mr. Hall was unable to effectuate service, he nonsuited the matter on December 9, 2016.

33. On December 8, 2017, Mr. Hall refiled the matter in the Circuit Court for Knox County.
34. In spite of refileing the action, Mr. Hall was unable to effectuate service on all of the defendants.
35. Ms. Craig, representing Allstate, sent medical records and requests for medical information to Mr. Hall on at least three (3) occasions without getting any responses.
36. In addition, Ms. Craig, and others on her behalf, left numerous voicemails with Mr. Hall which were not returned.
37. Ms. Craig notified the Board that Mr. Hall had apparently abandoned the case.
38. Ms. Simcox, Mr. Hall's client, further complained to the Board that Mr. Hall had abandoned her case.
39. Mr. Hall did not advise either his client or opposing counsel that he had been administratively suspended.
40. Mr. Hall did not advise Ms. Simcox that he was no longer handling her matter and did not file a motion to withdraw.
41. By failing to handle Ms. Simcox's personal injury matter appropriately, Mr. Hall violated RPC 1.1 (Competence).
42. By failing to exercise reasonable diligence in handling Ms. Simcox's personal injury matter, Mr. Hall violated RPC 1.3 (Diligence).
43. By failing to respond to Ms. Craig's and Ms. Simcox's numerous voicemails and requests for medical records, Mr. Hall violated RPC 1.4 (Communication).
44. By failing to advise Ms. Simcox that he was no longer handling her matter, by failing to withdraw when he had abandoned her case, and by failing to take reasonable steps to protect her interests, Mr. Hall violated RPC 1.16 (Declining or Terminating Representation).

45. By failing to expedite Ms. Simcox's personal injury matter, Mr. Hall violated RPC 3.2 (Expediting Litigation).

46. By failing to respond to the Board regarding Ms. Simcox's complaint, Mr. Hall violated RPC 8.1(b) (Bar Admission and Disciplinary Matters).

47. By failing to notify Ms. Simcox or Ms. Craig of his suspension, Mr. Hall violated RPC 8.4(g) (Misconduct).

File No. 61598-2-KB - Complainant - Mary Nell Varner

48. On July 28, 2019, the Board received a complaint from Complainant, Mary Nell Varner, alleging ethical misconduct by Mr. Hall. (Exhibit 14).

49. By letter dated August 6, 2019, the Board forwarded a copy of the complaint to Mr. Hall. (Exhibit 15).

50. By letter dated August 19, 2019, Mr. Hall responded to the Varner complaint. (Exhibit 16).

51. By letter dated August 26, 2019, Ms. Varner responded to Mr. Hall's August 19, 2019 letter. (Exhibit 17).

52. Mr. Hall represented Ms. Varner and her sister in a probate matter involving their deceased mother.

53. On November 28, 2017, Ms. Varner paid Mr. Hall \$2,500.00 to handle the estate.

54. Mr. Hall did not have Ms. Varner sign an employment agreement.

55. On December 1, 2017, Ms. Varner executed the necessary documents for the estate matter to be filed.

56. Despite Ms. Varner executing the documents on December 1, 2017, Mr. Hall did not file the probate matter until February 23, 2018.

57. On March 26, 2018, a claim was filed against the estate and was sent directly to Ms. Varner.

58. Ms. Varner sent a number of communications to Mr. Hall regarding the claim, but did not get any response until November 15, 2018, almost eight (8) months later.

59. On November 15, 2018, Mr. Hall advised Ms. Varner that he was closing his law office and joining a firm in Clinton, Tennessee. However, he did not provide the name of the law firm, the address in Clinton, Tennessee, or any phone number for the firm.

60. On January 30, 2019, after the estate had been opened for almost a year, Mr. Hall advised Ms. Varner that he would mail final papers to her for execution in order to close out the estate.

61. Ms. Varner sent numerous communications to Mr. Hall after January 30, 2019, asking for the final papers, but received no response.

62. Mr. Hall finally mailed the final paperwork to Ms. Varner on April 2, 2019.

63. After receiving the final paperwork, Ms. Varner and Mr. Hall exchanged a series of text messages involving the preparation of deeds and finalizing the estate.

64. The last message Ms. Varner received from Mr. Hall was April 15, 2019.

65. Mr. Hall did not tell Ms. Varner that he was administratively suspended on April 12, 2019.

66. Through her own independent research, Ms. Varner discovered that Mr. Hall had been suspended.

67. Ms. Varner then completed the necessary paperwork and filings on her own, and ultimately closed the estate without Mr. Hall's assistance.

68. By failing to handle Ms. Varner's estate matter appropriately, Mr. Hall violated RPC 1.1 (Competence).

69. By failing to exercise reasonable diligence in handling Ms. Varner's estate matter, Mr. Hall violated RPC 1.3 (Diligence).

70. By failing to respond to Ms. Varner's numerous requests for information, Mr. Hall violated RPC 1.4 (Communication).

71. By failing to advise Ms. Varner that he was no longer handling her matter, Mr. Hall violated RPC 1.16 (Declining or Terminating Representation).

72. By failing to expedite Ms. Varner's estate matter, Mr. Hall violated RPC 3.2 (Expediting Litigation).

73. By failing to notify Ms. Varner of his suspension, Mr. Hall violated RPC 8.4(g) (Misconduct).

File No. 61611-2-KB - Complainant-Bessie Cox

74. On July 30, 2019, the Board received a complaint from Complainant, Bessie Cox, alleging ethical misconduct by Mr. Hall. (Exhibit 18).

75. By letter dated July 30, 2019, the Board forwarded a copy of the complaint to Mr. Hall. (Exhibit 19).

76. By letter dated August 11, 2019, Mr. Hall responded to the Cox complaint. (Exhibit 20).

77. By letter received September 10, 2019, Ms. Cox responded to Mr. Hall's August 11, 2019 letter. (Exhibit 21).

78. By letter dated October 7, 2019, Mr. Hall responded to the September 10, 2019 letter. (Exhibit 22).

79. Mr. Hall represented Ms. Cox in a divorce that concluded prior to 2017.

80. On June 16, 2017, Ms. Cox requested Mr. Hall's assistance in setting aside a deed which she alleged was executed under duress and through misrepresentation by her ex-husband.

81. Mr. Hall did not have Ms. Cox sign an employment agreement.
82. While Mr. Hall proceeded to file a petition to quiet title and filed a response to a motion to dismiss, the last action by Mr. Hall was in April of 2018, at which point Mr. Hall purportedly prepared an affidavit for Ms. Cox to sign in support of a potential motion for summary judgment.
83. On May 3, 2018, Mr. Hall notified Ms. Cox that she had an outstanding balance and presented her with an invoice for services.
84. However, the invoice prepared by Mr. Hall contained an erroneous entry which was related to the previous divorce matter, and Mr. Hall proceeded to make the change to the invoice.
85. On May 17, 2018, Ms. Cox gave Mr. Hall a loan in the amount of \$9,500.00.
86. No written agreement was made regarding the \$9,500.00, and that amount was unrelated to any fees charged by Mr. Hall to Ms. Cox.
87. Mr. Hall did not advise Ms. Cox in writing to seek the advice of independent legal counsel.
88. Ms. Cox loaned Mr. Hall an additional amount of \$3,500.00 on or about June 23, 2018.
89. Once again, the loan of \$3,500.00 was not memorialized in writing, nor did Mr. Hall advise Ms. Cox in writing to seek the advice of independent legal counsel.
90. Ms. Cox thereafter provided a blank check to Mr. Hall dated July 25, 2018.
91. The blank check was later made out to "Amy Stewart" in the amount of \$5,000.00.
92. As with the two previous loans, Mr. Hall did not memorialize the \$5,000.00 loan in writing, nor did he advise Ms. Cox in writing to seek the advice of independent legal counsel.
93. After the loans were made, Ms. Cox made repeated attempts to communicate with Mr. Hall, but he consistently failed to return her communications.

94. Mr. Hall did not advise Ms. Cox that he was administratively suspended on April 12, 2019.

95. By failing to exercise reasonable diligence in handling Ms. Cox's quiet title matter, Mr. Hall violated RPC 1.3 (Diligence).

96. By failing to respond to Ms. Cox's numerous requests for information, Mr. Hall violated RPC 1.4 (Communication).

97. By entering into business transactions with Ms. Cox without memorializing the same in writing, and without advising her in writing to seek independent legal counsel, Mr. Hall violated RPC 1.8(a).

98. By failing to advise Ms. Cox that he was no longer handling her matter, Mr. Hall violated RPC 1.16 (Declining or Terminating Representation).

99. By failing to expedite Ms. Cox's quiet title matter, Mr. Hall violated RPC 3.2 (Expediting Litigation).

100. By failing to notify Ms. Cox of his suspension, Mr. Hall violated RPC 8.4(g) (Misconduct).

October 29, 2020 Hearing

At the October 29, 2020 hearing, Mr. Hall was unexpectedly present, having given neither Disciplinary Counsel nor the Hearing Panel prior notice that he would attend. Disciplinary Counsel separately and individually introduced into evidence, without objection, all of the exhibits attached to the Petition for Discipline filed May 8, 2020.

After the Board rested its case, the Panel afforded Mr. Hall ample opportunity, both on and off the record, to contest, explain, or offer testimony in mitigation of the proposed discipline of disbarment sought by the Board. Mr. Hall testified that he did not contest the facts alleged by the Board or that he

received notice of and failed to respond to some of the underlying complaints set forth in the Petition as referenced above. Mr. Hall did not contend he was suffering from any type of disability or impairment. Mr. Hall testified that following the hearing in the prior disciplinary matter in 2019, which resulted in a two-year suspension – 60 days active with remainder on probation - his mother passed away. He testified that in November 2019 he closed his office. Mr. Hall offered some additional facts and/or context to explain the underlying client complaints, but again did not dispute the charges against him. Also, of material and significant importance to the Panel, with respect to the Cox complaint, Mr. Hall admitted the none of three undocumented loans from his client totaling \$18,000 had been repaid as of the date of the hearing.

Mr. Hall offered a compelling and sympathetic argument in support of a judgment of sanctions and in opposition to a judgment of disbarment which was carefully considered by the Panel.

BURDEN OF PROOF

Tennessee Supreme Court Rule 9, Section 8.2 states the following:

In hearing on formal charges of misconduct, Disciplinary Counsel must prove the case by a preponderance of the evidence.

Mr. Hall did not respond to the Petition for Discipline or the subsequent Motion for Default Judgment.

CONCLUSIONS OF LAW

By previous order of this Panel the charges were therefore deemed admitted by default judgment. Mr. Hall did not seek to overturn the Order for Default Judgment. At the hearing, despite the Default Judgment, Mr. Hall was given the opportunity to dispute but did not dispute any of the underlying facts or alleged violations of the Rules of Professional Conduct charged in the Petition for Discipline. After careful independent review, analysis, and consideration, the Panel hereby adopts

verbatim the Conclusions of Law proposed in the Board of Professional Responsibility's Proposed Findings of Fact and Conclusions of Law filed November 4, 2020, at Paragraphs 116 – 127 as follows:

Pursuant to Tenn. Sup. Ct. R. 9, § 8.1, attorneys admitted to practice law in Tennessee are subject to the disciplinary jurisdiction of the Supreme Court, the Board of Professional Responsibility, the hearing panel, and the Circuit and Chancery Courts.

Pursuant to Tenn. Sup. Ct. R. 9, § 1, the license to practice law in this state is a privilege and it is the duty of every recipient of that privilege to act, at all times, both professionally and personally, in conformity with the standards imposed upon members of the bar as conditions for the privilege to practice law. Pursuant to Tenn. Sup. Ct. R. 9, § 11.1, acts or omissions by an attorney which violate the Rules of Professional Conduct of the State of Tennessee shall constitute misconduct and be grounds for discipline.

The Respondent has failed to conduct himself in conformity with said standards and is guilty of acts and omissions in violation of the authority cited *infra*.

Based on the evidence presented and based on the admissions of the Respondent due to his failure to respond to the Petition for Discipline, the Hearing Panel finds that the Board has proven by a preponderance of evidence that Respondent has violated RPC 1.1 by failing to provide competence representation to his clients.

Based on the evidence presented and based on the admissions of the Respondent due to his failure to respond to the Petition for Discipline, the Hearing Panel finds that the Board has proven by a preponderance of evidence that Respondent has violated RPC 1.3 by failing to act with reasonable diligence and promptness in representing his clients, in that he failed to take action in his clients' cases and failed to respond to requests for information.

Based on the evidence presented and based on the admissions of the Respondent due to his failure to respond to the Petition for Discipline, the Hearing Panel finds that the Board has proven by a preponderance of evidence that Respondent has violated RPC 1.4 by failing to communicate with numerous clients, failing to inform them of the status of their cases, and failing to inform them of his suspension.

Based on the evidence presented and based on the admissions of the Respondent due to his failure to respond to the Petition for Discipline, the Hearing Panel finds that the Board has proven by a preponderance of evidence that Respondent has violated RPC 1.8 by requesting and receiving a loan from a client without memorializing the loan in writing and without advising the client in writing to seek independent legal counsel.

Based on the evidence presented and based on the admissions of the Respondent due to his failure to respond to the Petition for Discipline, the Hearing Panel finds that the Board has proven by a preponderance of evidence that Respondent has violated RPC 1.16(d) by failing to notify his clients that he had withdrawn from representing them or to take steps to protect the clients' interests.

Based on the evidence presented and based on the admissions of the Respondent due to his failure to respond to the Petition for Discipline, the Hearing Panel finds that the Board has proven by a preponderance of evidence that Respondent has violated RPC 3.2 by failing to expedite litigation.

Based on the evidence presented and based on the admissions of the Respondent due to his failure to respond to the Petition for Discipline, the Hearing Panel finds that the Board has proven by a preponderance of evidence that Respondent has violated RPC 8.1 by knowingly failing to respond to Board requests for responses to complaints.

Based on the evidence presented and based on the admissions of the Respondent due to his failure to respond to the Petition for Discipline, the Hearing Panel finds that the Board has proven by a

preponderance of evidence that Respondent has violated RPC 8.4(a) by committing the violations outlined above.

Based on the evidence presented and based on the admissions of the Respondent due to his failure to respond to the Petition for Discipline, the Hearing Panel finds that the Board has proven by a preponderance of evidence that Respondent has violated RPC 8.4(g) by knowingly failing to comply with the Order of Enforcement in that he failed to notify his clients of the suspension pursuant to Tenn. Sup. Ct. R. 9 § 28.2, failed to return client files pursuant to § 28.5, failed to refund unearned fees pursuant to § 28.6, and failed to file an affidavit with the Board pursuant to § 28.9.

APPLICATION OF ABA STANDARDS FOR IMPOSING LAWYER SANCTIONS

When disciplinary violations are established by a preponderance of the evidence, the appropriate discipline must be based upon application of the ABA Standards for Imposing Lawyer Sanctions, (“ABA Standards”) pursuant to Section 15.4, Rule 9 of the Rules of the Supreme Court.

Section 1.1 of the ABA Standards provides:

- 1.1 Purpose of lawyer discipline proceedings. The purpose of lawyer discipline proceedings is to protect the public and the administration of justice from lawyers who have not discharged, will not discharge, or are unlikely to properly discharge their professional duties to clients, the public, the legal system, and the legal profession.

The Hearing Panel finds that the following ABA Standards are applicable in this matter:

- 4.41 Disbarment is generally appropriate when:
 - (a) a lawyer abandons the practice and causes serious or potentially serious injury to a client; or
 - (b) a lawyer knowingly fails to perform services for a client and causes serious or potentially serious injury to a client; or
 - (c) (c) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.
- 6.21 Disbarment is generally appropriate when a lawyer knowingly violates a court order or rule with the intent to obtain a benefit for the lawyer or another and causes serious

injury or potentially serious injury to a party or causes serious or potentially serious interference with a legal proceeding.

7.1 Disbarment is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed to the profession with the intent to obtain a benefit for the lawyer or another and causes serious or potentially serious injury to a client, the public, or the legal system.

8.1 Disbarment is generally appropriate when a lawyer:

- (a) intentionally or knowingly violates the terms of a prior disciplinary order and such violation causes injury or potential injury to a client, the public, the legal system, or the profession;

After misconduct has been established, aggravating, and mitigating circumstances may be considered in deciding what sanctions to impose.

Sections 9.21 and 9.23 of the ABA Standards provide:

9.21 Definition. Aggravation or aggravating circumstances are any considerations or factors that may justify an increase in the degree of discipline to be imposed.

9.22 Factors which may be considered in aggravation.

Aggravating factors include:

- (a) prior disciplinary offenses;
- (b) dishonest or selfish motive;
- (c) a pattern of misconduct;
- (d) multiple offenses;
- (e) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency;
- (f) submission of false evidence, false statements, or other deceptive practices during the disciplinary process;
- (g) refusal to acknowledge wrongful nature of conduct;
- (h) vulnerability of victim;
- (i) substantial experience in the practice of law;
- (j) indifference to making restitution;

- (k) illegal conduct, including that involving the use of controlled substances.

9.3 Mitigation

9.31 Definition. Mitigation or mitigating circumstances are any considerations or factors that may justify a reduction in the degree of discipline to be imposed.

9.32 Factors which may be considered in mitigation:

Mitigating factors include:

- (a) absence of a prior disciplinary record;
- (b) absence of a dishonest or selfish motive;
- (c) personal or emotional problems;
- (d) timely good faith effort to make restitution or to rectify consequences of misconduct;
- (e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings;
- (f) inexperience in the practice of law;
- (g) character or reputation;
- (h) physical disability;
- (i) mental disability or chemical dependency including alcoholism or drug abuse when:
 1. there is medical evidence that the respondent is affected by a chemical dependency or mental disability;
 2. the chemical dependency or mental disability caused the misconduct;
 3. the respondent's recovery from the chemical dependency or mental disability is demonstrated by a meaningful and sustained period of successful rehabilitation; and
 4. the recovery arrested the misconduct and recurrence of that misconduct is unlikely.
- (j) delay in disciplinary proceedings;
- (k) imposition of other penalties or sanctions;
- (l) remorse;

(m) remoteness of prior offenses.

After carefully considering each of the charges and the ABA Standards, the Hearing Panel finds the following aggravating and mitigating factors are applicable.

AGGRAVATING FACTORS

Mr. Hall's prior disciplinary offense is an aggravating circumstance justifying an increase in discipline.

Mr. Hall's selfish or dishonest motive is an aggravating circumstance justifying an increase in discipline.

Mr. Hall's pattern of misconduct is an aggravating circumstance justifying an increase in discipline.

Mr. Hall's multiple offenses is an aggravating circumstance justifying an increase in discipline.

Mr. Hall's obstruction of disciplinary proceedings by failing to respond to Disciplinary Counsel is an aggravating circumstance justifying an increase in discipline.

The vulnerability of Mr. Hall's clients is an aggravating circumstance justifying an increase in discipline.

Mr. Hall's substantial experience in the practice of law, having been licensed in Tennessee since 1996, is an aggravating circumstance justifying an increase in the degree of discipline to be imposed against him.

MITIGATING FACTORS

Mr. Hall's personal or emotional problems are a mitigating factor that would potentially justify a decrease in the degree of discipline to be imposed against him.

JUDGMENT

In light of the Findings of Fact and Conclusions of Law, the relevant ABA Standards and consideration of the aggravating factors set forth above, the Hearing Panel hereby finds that Mr. Hall should be disbarred pursuant to Tenn. Sup. Ct. R. 9, § 12.1.


The costs of this cause will be taxed to Mr. Hall following entry of this judgment pursuant to the procedures established in Tenn. Sup. Ct. R. 9, § 31.3 (a).

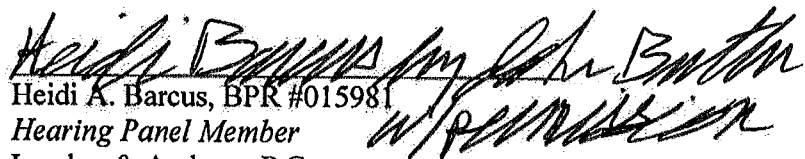
IT IS, THEREFORE, ORDERED by this disciplinary hearing committee impaneled by the Tennessee Supreme Court as follows:

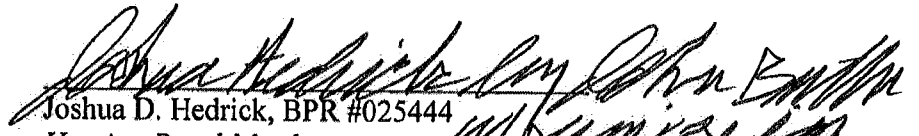
1. Wendell Kyle Hall shall be disbarred from the practice of law, pursuant to *Tennessee Rules of Supreme Court* § 12.1 and 15.4(a).

Notice: This Hearing Panel's findings and judgment may be appealed pursuant to Tenn. Sup. Ct. R. 9 § 33.

Entered this 4th day of January, 2021.


John W. Butler, BPR #014771
Hearing Panel Chair
Butler, Vines and Babb, P.L.L.C.
2701 Kingston Pike
Knoxville, TN 37919
(865) 244-3925


Heidi A. Barcus, BPR #015981
Hearing Panel Member
London & Amburn, P.C.
607 Market Street, Suite 900
Knoxville, TN 37902
(865) 637-0203 x216


Joshua D. Hedrick, BPR #025444
Hearing Panel Member
Knox Defense
607 Market Street, Ste 1100
Knoxville, TN 37902
(865) 524-8106

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been served upon:

A. Russell Willis, Esq.
Disciplinary Counsel - Litigation
Board of Professional Responsibility-Supreme Court of Tennessee
10 Cadillac Drive, Suite 220
Brentwood, TN 37027
(615) 695-0951

Wendell K. Hall
Hall Law Firm
Suite 15, Northside Square
7043 Maynardville Pike
Knoxville, TN 37918
(865) 922-4255

This 4th day of January 2021.


JOHN W. BUTLER

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been sent to Respondent, Wendell Kyle Hall, 1508 Crescent Oaks Land, Lenoir City, TN 37772-4199, via U.S. First Class Mail, and hand-delivered to Russell Willis, Disciplinary Counsel, on this the 4th day of January 2021.

A handwritten signature in cursive script, appearing to read "Rita Webb", written over a horizontal line.

Rita Webb
Executive Secretary

NOTICE

This judgment may be appealed by filing a Petition for Review in the appropriate Circuit or Chancery Court in accordance with Tenn. Sup. Ct. R. 9, § 33.