

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

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BOARD OF PROFESSIONAL
RESPONSIBILITY

**IN RE: SAMUEL J. HARRIS,
BPR #17392, Respondent,
an Attorney Licensed to
Practice Law in Tennessee
(Putnam County)**

DOCKET NO. 2014-2363-4-AW

JUDGMENT AND MEMORANDUM OPINION OF THE HEARING PANEL

This matter came to be heard on the 15th day of June, 2015, for final hearing on the Board's Petition for Discipline before A. Ensley Hagan, Jr., Panel Chair; Douglas David Aaron, Panel Member; and Thomas Michael O'Mara, Panel Member. A. Russell Willis, Disciplinary Counsel, appeared for the Board. The record reflects Mr. Harris was given adequate notice of the hearing; however, he did not appear at or participate in the final hearing.

STATEMENT OF THE CASE

This is a disciplinary proceeding against the Respondent, Samuel J. Harris, an attorney licensed to practice law in Tennessee in 1995.

1. A Petition for Discipline, Docket No. 2014-2363-4-AW, was filed on September 5, 2014, and served upon Mr. Harris by personal service. A supplemental Petition for Discipline was filed on January 2, 2015, and served upon Mr. Harris.

2. Mr. Harris did not file an answer or otherwise respond to the Petition for Discipline or Supplemental Petition for Discipline.

3. On April 9, 2015, Disciplinary Counsel filed a Motion for Default Judgment and That Charges in Petition for Discipline be Deemed Admitted. Mr. Harris did not file a response to the motion.

4. The Hearing Panel was appointed on April 22, 2015, and entered an Order for Default Judgment on May 21, 2015.

5. The Final Hearing was held on June 15, 2015, in Lebanon, Tennessee.

STATEMENT OF THE FACTS

6. The Petition for Discipline and Supplemental Petition for Discipline are based upon the separate complaints of John and Lula Graham, Mack Robely Broussard, Jr., Terrill Adkins, Russell Warren and Martina Gabriel and allege violations of Tennessee Rules of Professional Conduct (RPC) 1.1 (competence); 1.3 (diligence); 1.4 (communication); 1.15 (safekeeping of property and funds); 1.16 (declining or terminating representation); 3.2 (expediting litigation); 5.5 (unauthorized practice of law); 8.1 (bar admissions and disciplinary matters) and 8.4(a), (c) and (d) (misconduct).

7. Pursuant to the granting of the default judgment and the evidence presented at the final hearing, the following facts are established:

8. The Respondent, Samuel J. Harris, is an attorney admitted by the Supreme Court of Tennessee to practice law in the State of Tennessee in 1995. Mr. Harris' most recent address as registered with the Board of Professional Responsibility is 320 East Broad Street, Suite 200, Cookeville, Putnam County, Tennessee, being in Disciplinary District IV. The Respondent's Board of Professional Responsibility number is 17392.

9. Mr. Harris has been in the active practice of law until temporarily suspended by the Tennessee Supreme Court by Order dated May 2, 2014. See Final Hearing, Exhibit 3.

10. The professional misconduct alleged consists of five (5) separate complaints, the first of which is governed by Tenn. Sup. Ct. R. 9 (2006) and the remaining four (4) are governed by Tenn. Sup. Ct. R. 9 (2014).

File No. 36719c-4-KB – Complaint of John and Lula Graham

11. On November 13, 2013, complainants, John and Lula Graham, sent a complaint to the Board of Professional Responsibility regarding the alleged disciplinary misconduct of Mr. Harris.

12. On November 26, 2013, the Board sent a copy of the complaint to Mr. Harris and requested a response within ten (10) days.

13. The Board did not receive a full and complete response to the disciplinary complaint and petitioned the Supreme Court of Tennessee on April 23, 2014, for an Order temporarily suspending Mr. Harris' license to practice law for failure to respond to the Board concerning a complaint of misconduct.

14. On May 2, 2014, the Supreme Court of Tennessee entered an Order of Temporary Suspension. See Final Hearing, Exhibit 3.

15. On or about June 28, 2013, Mr. Harris agreed to represent Lula Graham in a personal injury action against Wal-Mart after Ms. Graham's prior counsel withdrew from the case.

16. Ms. Graham agreed to pay Mr. Harris a retainer of \$2,500.00 and 20% of any monies recovered by the suit. Ms. Graham paid the retainer fee by check dated June 29, 2013.

17. Ms. Graham's case was scheduled for trial on September 3, 2013. Mr. Harris advised Ms. Graham that because there was no deposition of Ms. Graham's treating physician, they could not prove the damages.

18. Mr. Harris recommended Ms. Graham non-suit and refile her case, thereby allowing Mr. Harris sufficient time to depose the doctor. Based upon Mr. Harris' advice, Ms. Graham agreed to non-suit her case.

19. On August 8, 2013, Mr. Harris filed a notice of Voluntary Dismissal in Graham v. Wal-Mart Stores East, Inc., Cumberland County Circuit Court, Docket No. CV 005479. The Notice of Voluntary Dismissal reflects it was served on opposing counsel on July 18, 2013.

20. Mr. Harris also presented an order of voluntary dismissal to the Circuit Court of Cumberland County. The order was signed by Judge John Maddux on July 18, 2013, and filed with the Circuit Court Clerk on August 8, 2013.

21. Mr. Harris represented to Ms. Graham that Mr. Harris would take the doctor's deposition and re-file her complaint against Wal-Mart in September of 2013.

22. On August 21, 2013, Mr. Harris was summarily suspended by the Supreme Court of Tennessee for failing to comply with Continuing Legal Education requirements.

23. In September and October of 2013, Ms. Graham made numerous attempts to contact Mr. Harris to discuss the status of her case.

24. Mr. Harris did not reasonably communicate with Ms. Graham in September and October of 2013. For example, on October 28, 2013, Ms. Graham sent an email to Mr. Harris requesting an update on her case. Mr. Harris responded to Ms. Graham's email and represented he was ready to refile Ms. Graham's case but needed to schedule an appointment with her to discuss the matter. Mr. Harris agreed to call Ms. Graham on the evening of November 5, 2013, at 7:30 p.m., but failed to make the agreed telephone call. On November 7, 2013, Mr. Graham emailed Mr. Harris indicating that Ms. Graham wished to drop her case and requesting a refund of \$2,000 of the \$2,500 retainer fee previously paid by Ms. Graham to Mr. Harris. Mr. Harris did

not respond to Mr. Graham's email of November 7, 2013. On November 11, 2013, Mr. Graham again emailed Mr. Harris asking if the reason he had not refiled Ms. Graham's case with the court was because of the CLE Suspension and requested a partial refund of \$2,000 of the retainer fee. Mr. Harris did not respond to Mr. Graham's email of November 11, 2013.

25. Mr. Harris vacated his law office located at 320 East Broad Street, Suite 200, Cookeville, Tennessee, and abandoned the practice of law without notice to Ms. Graham.

File No. 36895c-4-KB – Complaint of Mack Robely Broussard, Jr.

26. On December 20, 2013, Complainant, Mack Robely Broussard, Jr., sent a request for assistance to the Consumer Assistance Program (CAP) for the Board of Professional Responsibility alleging disciplinary misconduct by Mr. Harris.

27. On December 23, 2013, CAP forwarded Mr. Broussard's complaint to Mr. Harris and requested he respond to Mr. Broussard within ten (10) days.

28. Having received no response from Mr. Harris, the Consumer Assistance Program of the Board of Professional Responsibility transferred the complaint to the Board's Investigations Division for further action.

29. When Mr. Harris failed to respond to Disciplinary Counsel, the Board filed a Petition for Temporary Suspension with the Supreme Court of Tennessee.

30. On May 2, 2014, the Supreme Court of Tennessee suspended Mr. Harris' license to practice law based on his failure to respond to the Board concerning complaints of misconduct. See Final Hearing, Exhibit 3.

31. Mr. Harris was appointed to represent Mr. Broussard in criminal court.

32. Mr. Harris represented Mr. Broussard at trial, and Mr. Broussard was convicted of First Degree Murder.

33. Mr. Harris timely filed an appeal of the conviction on June 22, 2011, and filed an Appellant Brief on November 28, 2011.

34. On December 17, 2012, the Court of Criminal Appeals affirmed the judgment of the trial court.

35. After the decision of the Court of Criminal Appeals was rendered, Mr. Broussard made repeated attempts to communicate with Mr. Harris about appealing to the Supreme Court.

36. Mr. Harris did not respond to Mr. Broussard's letters.

37. Mr. Harris timely filed an Application for Permission to Appeal to the Supreme Court on behalf of Mr. Broussard on February 14, 2013, but did not inform Mr. Broussard of the filing.

38. The Application for Permission to Appeal was denied by the Supreme Court on May 9, 2013.

39. Mr. Harris did not notify Mr. Broussard of the denial of the Application by the Supreme Court.

File No. 36998-4-KB – Report of Informant Attorney Terrill Adkins

40. On March 17, 2014, Attorney Terrill Adkins, sent a letter to the Board concerning the actions and inactions of Samuel Joseph Harris. A true and correct copy of Mr. Adkins' letter dated is attached hereto as Exhibit 23.

41. Mr. Harris forward a copy of Mr. Adkins' letter to Mr. Harris on March 17, 2014.

42. Mr. Harris has not responded to the Board regarding the disciplinary complaint.

43. On May 2, 2014, the Supreme Court of Tennessee suspended Mr. Harris' license to practice law based on his failure to respond to the Board concerning complaints of misconduct. See Final Hearing, Exhibit 3.

44. On August 21, 2013, Mr. Harris' law license was summarily suspended by the Supreme Court of Tennessee for failure to comply with Continuing Legal Education requirements.

45. On September 10, 2013, Mr. Harris filed a personal injury complaint in the Circuit Court of Putnam County on behalf of Juanita Mackie and Steven Mackie.

46. At the time Mr. Harris filed the personal injury complaint, Mr. Harris was suspended from the practice of law.

47. Defendants in the personal injury action retained Terrill Adkins to represent their interest.

48. On January 20, 2014, Mr. Adkins mailed an Answer, Interrogatories and Requests for Production of Documents to Mr. Harris.

49. Mr. Harris failed to respond to the discovery requests on behalf of his clients.

50. Mr. Adkins filed a motion to compel discovery and notified Mr. Harris that the matter was set for hearing on March 14, 2014.

51. The letter addressed to Mr. Harris was returned to Mr. Adkins marked as undeliverable with no forwarding address provided.

52. Mr. Adkins attempted to reach Mr. Harris by telephone, but Mr. Harris' phone was disconnected.

53. On March 14, 2014, Mr. Adkins appeared for argument on the motion to compel and informed the Court of his inability to contact Mr. Harris.

54. The Court instructed Mr. Adkins to prepare a Show Cause Order and serve the same upon Mr. Harris and his clients.

55. Mr. Adkins was able to contact the plaintiffs but never located Mr. Harris.

File No. 36988c-4-KB – Complaint of Russell Warren

56. On February 12, 2014, the Board's Consumer Assistance Program (CAP) received a Request for Assistance from Russell Warren.

57. Mr. Harris did not respond to CAP and the complaint was transferred to the Board's Investigations Division for further action.

58. On March 25, 2014, Disciplinary Counsel for the Board sent a complete copy of Mr. Warren's Request for Assistance to Mr. Harris asking for a response within ten (10) days.

59. On March 31, 2014, the Board's letter addressed to Mr. Harris was returned by the U. S. Postal Service marked "moved, left no address, unable to forward, return to sender."

60. Mr. Harris has not responded to the Board regarding the disciplinary complaint.

61. In the investigation of Mr. Warren's complaint to this agency, Disciplinary Counsel subpoenaed Mr. Harris' banking records on April 9, 2014.

62. A review of Mr. Harris' personal bank account reflects that he commingled client funds with his personal funds. For example, on March 6, 2012, Mr. Harris deposited a \$600.00 check from R. J. Warren. On June 5, 2012, Mr. Harris paid \$350.00 to the United States District Court Clerk for the filing fee to file Mr. Russell Warren's complaint. On June 29, 2012, Mr. Harris deposited a \$350.00 check from Mr. Russell J. Warren.

63. On April 16, 2014, Disciplinary Counsel for the Board requested that Mr. Harris explain why he was using his personal account to pay filing fees for clients during 2012 and 2013 when he had certified to the Board that he held no client funds required to be deposited in an IOLTA Trust Account and was exempt from IOLTA requirements.

64. Mr. Harris did not respond to Disciplinary Counsel's April 16, 2014 request for an explanation.

65. In March, 2012, Mr. Harris agreed to represent Mr. Warren in an action against the United States for negligence in failing to adequately treat Mr. Warren while Mr. Warren was incarcerated in federal prison.

66. Mr. Warren paid Mr. Harris \$3,000 advance costs and agreed to a 25% contingent fee arrangement against any settlement or recovery Mr. Harris obtained on Mr. Warren's behalf.

67. On June 7, 2012, Mr. Harris, on behalf of his client, filed a Complaint in the United States District Court, Middle District of Tennessee, Northeastern Division, Case No. 2:12CV48.

68. At the direction of Mr. Harris, the Clerk of the Court issued a Summons in Warren v. United States of America.

69. Mr. Harris did not serve a copy of the Summons and Complaint upon the United States Attorney General as required by Federal Rule of Civil Procedure ("Rule") 4(i)(1)(B).

70. Mr. Harris did not serve a copy of the Summons and Complaint upon the Board of Prisons as required by Rule 4(i)(1)(B).

71. On January 4, 2013, the United States District Court entered an Order requiring proof of service on the United States Attorney General as required by Rule 4(i)(1)(B).

72. On March 26, 2013, the U. S. Attorney filed a motion for dismissal of Warren v. United States of America for failure to complete service pursuant to Rule 4(i)(1)(B).

73. Mr. Harris, on behalf of his client, never responded to the Motion to Dismiss.

74. On June 4, 2013, the U. S. District Court dismissed the action without prejudice.

75. On June 14, 2013, Mr. Harris, on behalf of his client, filed a Motion to Reconsider.

76. The Motion to Reconsider was denied by Order entered July 12, 2013.

77. Sometime after the case was dismissed and the Motion to Reconsider denied, Mr. Warren attempted to contact Mr. Harris but Mr. Harris' phone was disconnected and his office was closed.

78. Mr. Harris abandoned the practice of law and failed to properly and timely notify Mr. Warren.

File No. 37339-4-KB – Complaint of Martina Gabriel

79. On July 29, 2014, complainant, Martina Gabriel sent a complaint to the Board of Professional Responsibility regarding the alleged disciplinary misconduct of Mr. Harris.

80. Despite multiple requests from the Board, Mr. Harris did not respond to the disciplinary complaint.

81. On or about December 10, 2013, Martina Gabriel retained Mr. Harris to defend her in a landlord-tenant dispute and paid Mr. Harris a retainer fee of \$500.00 and a filing fee of \$100.00 to file a counter-complaint.

82. Ms. Gabriel paid the \$600.00 retainer fee and filing fee by check dated December 10, 2013.

83. Ms. Gabriel's case was scheduled for trial on December 12, 2013.

84. On December 11, 2013, Mr. Harris advised Ms. Gabriel he had a conflict and the trial had been reset for December 19, 2013.

85. On December 19, 2013, Mr. Harris advised Ms. Gabriel he was ill and the trial would need to be reset, but did not provide her with a specific date.

86. Thereafter, Ms. Gabriel attempted to contact Mr. Harris to determine the new trial date, however, Mr. Harris did not return Ms. Gabriel's calls.

87. As a result of Mr. Harris' failure to reasonably communicate with his client, Ms. Gabriel contacted the Clerk of the General Session Court and discovered her case had not been reset for trial.

88. On April 9, 2014, Ms. Gabriel received a letter from opposing counsel informing her the case had been reset for trial on May 8, 2014.

89. Ms. Gabriel finally reached Mr. Harris who informed her he had moved to Nashville but would finish her case.

90. Ms. Gabriel received no further communications from Mr. Harris.

91. As a result of the failure of Mr. Harris to communicate, Ms. Gabriel retained new counsel to represent her in the landlord-tenant action.

92. As a result of the failure of Mr. Harris to communicate, Ms. Gabriel's case was continued again to allow new counsel time to prepare for trial.

93. As a result of the failure of Mr. Harris to communicate, Ms. Gabriel incurred additional attorney fees and costs to hire new counsel to represent her in the landlord-tenant action.

94. Mr. Harris did not provide legal services to Ms. Gabriel for which he was retained.

95. Mr. Harris did not earn any attorney fee paid by Ms. Gabriel.

96. Mr. Harris did not file the counter-complaint as instructed and for which he was paid.

97. Mr. Harris did not provide diligent professional services to Ms. Gabriel.

98. Mr. Harris did not reasonably expedite Ms. Gabriel's legal action or keep her reasonably informed about the status of her case.

99. Mr. Harris vacated his law office located at 320 East Broad Street, Suite 200, Cookeville, Tennessee, and abandoned the practice of law without reasonable notice to Ms. Gabriel.

100. Mr. Harris did not terminate the representation as required by the Rules of Professional Conduct or otherwise disclose to Ms. Gabriel that his ability to adequately represent her was materially impaired by his mental or physical condition.

101. Mr. Harris did not refund the retainer and filing fee of \$600.00 received from Ms. Gabriel on December 10, 2013.

CONCLUSIONS OF LAW

102. Pursuant to Tenn. Sup. Ct. R. 9, § 1 (2006) and Tenn. Sup. Ct. R. 9, § 8 (2014), attorneys admitted to practice law in Tennessee are subject to the disciplinary jurisdiction of the Supreme Court, the Board of Professional Responsibility, the Hearing Committee, hereinafter established, and the Circuit and Chancery Courts.

103. Pursuant to Tenn. Sup. Ct. R. 9, § 3 (2006) and Tenn. Sup. Ct. R. 9, § 1 (2014), the license to practice law in this state is a privilege, and it is the duty of every recipient of that privilege to conduct himself or herself at all times in conformity with the standards imposed upon members of the bar as conditions for the privilege to practice law.

104. Pursuant to Tenn. Sup. Ct. R. 9, § 3 (2006) and Tenn. Sup. Ct. R. 9, § 11 (2014), acts or omissions by an attorney, individually or in concert with any other person, which violate the Rules of Professional Conduct of the Supreme Court of Tennessee shall constitute

misconduct and are grounds for discipline, whether or not the act or omission occurred in the course of an attorney-client relationship.

105. Based upon the facts established at the final hearing, the Hearing Panel concludes Mr. Harris knowingly failed to reasonably communicate with his clients regarding the status of their cases, failed to represent his clients in a diligent manner or expedite their litigation, failed to reasonably notify his clients he was abandoning his office and terminating his law practice, failed to provide his clients with alternative contact information after abandoning his law office and terminating his law practice and failed to return unearned fees and expenses to his clients.

106. Mr. Harris willfully deposited client funds into his personal account rather than his trust account and knowingly made material misrepresentations to the Board that he held no client funds required to be deposited a trust account.

107. Mr. Harris knowingly engaged in the unauthorized practice of law while he was suspended by the Tennessee Supreme Court for his failure to meet his continuing legal education requirements.

108. The Hearing Panel further concludes Mr. Harris did not provide any meaningful legal services to his clients and should be required to refund \$2,500.00 to Mr. and Mrs. Graham; \$3,000.00 to Mr. Warren and \$600.00 to Ms. Gabriel.

109. Finally, Mr. Harris knowingly failed to respond to the Board regarding the five (5) disciplinary complaints resulting in the temporary suspension of his Tennessee law license and the entry of the default judgment in this disciplinary action.

110. Mr. Harris failed to conduct himself in conformity with the standards required of ethical attorneys practicing law in Tennessee, and the Hearing Panel finds by a preponderance of the evidence Mr. Harris violated Tennessee Rules of Professional Conduct (RPC) 1.1

(competence); 1.3 (diligence); 1.4 (communication); 1.15 (safekeeping of property and funds); 1.16 (declining or terminating representation); 3.2 (expediting litigation); 5.5 (unauthorized practice of law); 8.1 (bar admissions and disciplinary matters) and 8.4(a), (c) and (d) (misconduct).

111. As a result of violating RPC 1.1, 1.3, 1.4, 1.15, 3.2, 5.5, 1.16 and 8.1, Mr. Harris has also violated RPC 8.4(a) (c) and (d).

112. Pursuant to Tenn. Sup. Ct. R. 9, § 8.4, the appropriate discipline must be based upon application of the ABA Standards for Imposing Lawyer Sanctions, ("ABA Standards"). The Panel finds the following ABA Standards 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) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.

5.11 Disbarment is generally appropriate when:

- (a) a lawyer engages in serious criminal conduct a necessary element of which includes intentional interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft; or the sale, distribution or importation of controlled substances; or the intentional killing of another; or an attempt or conspiracy or solicitation of another to commit any of these offenses; or
- (b) a lawyer engages in any other intentional conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously adversely reflects on the lawyer's fitness to practice.

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 as a professional 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.

113. Pursuant to ABA Standard 9.1, the Hearing Panel may consider aggravating and mitigation circumstances in determining the appropriate disciplinary sanction to impose.

114. The Hearing Panel finds the following aggravating factors applicable in this matter:

- (a) prior disciplinary offenses;
- (b) a pattern of misconduct;
- (c) multiple offenses
- (d) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of disciplinary agency
- (e) substantial experience in the practice of law; and
- (f) indifference to making restitution.

115. Mr. Harris received a Private Informal Admonition on May 26, 2011, for failure to reasonably communicate with his client, and a Public Censure on July 28, 2006 for engaging in the unauthorized practice of law for a period of five (5) months while his license to practice was suspended by the Tennessee Supreme Court. See Final Hearing, Exhibit 3. The conduct before the Hearing Panel in the present matter is similar in nature to the misconduct reflected in the previous discipline received by Mr. Harris.

116. The Hearing Panel finds no mitigating factors applicable in this matter.

117. Disciplinary Counsel has submitted an itemized cost bill incurred in the investigation and prosecution of the disciplinary complaints. The Hearing Panel, having received

no objection to the cost bill within fifteen (15) days of its submission,¹ finds the cost bill in the amount of \$1,200.02 is reasonable and necessary, and the same is assessed against Mr. Harris.

JUDGMENT

Based on these findings of fact and conclusions of law, the presence of aggravating circumstances and the absence of mitigating circumstances, Samuel J. Harris is disbarred pursuant to Tenn. Sup. Ct. R. 9, §§ 4.1 (2006) and 12.1 (2014) and shall pay restitution in the amount of \$2,500.00 to Mr. and Mrs. John Graham; \$3,000.00 to Mr. Russell Warren and \$600.00 to Ms. Martina Gabriel.

The cost bill submitted by the Board pursuant to Tenn. Sup. Ct. R. 9, § 31.3 (2014), is approved as reasonable and necessary costs of the disciplinary proceedings and assessed against Samuel J. Harris in the amount of \$1,200.02.

In addition to all other requirements and obligations of disbarred attorneys set forth in Tenn. Sup. Ct. R. 9, payment of restitution and all costs assessed in this matter, payment of registration fees from the date of his temporary suspension to his reinstatement, payment of all professional privilege taxes due and owing, and compliance with all CLE requirements are conditions precedent to the reinstatement of Samuel J. Harris to the practice of law in Tennessee.

Costs in this matter are taxed to Samuel J. Harris for which execution, if necessary, may issue.

IT IS SO ORDERED

¹Tenn. Sup. Ct. R. 9, § 31.3 (2014) provides the respondent attorney fifteen (15) days to file an objection to the cost bill submitted by the Board. In the present action, the cost bill and affidavit of Disciplinary Counsel were submitted with the proposed Findings of Fact and Conclusions of law, and respondent filed no timely objection.

A. Ensley Hagan, f
A. Ensley Hagan, Panel Chair

Douglas David Aaron by permission A. Ensley Hagan, f
Douglas David Aaron, Panel Member

Thomas Michael O'Mara by permission A. Ensley Hagan, f
Thomas Michael O'Mara, Panel Member

NOTICE TO RESPONDENT

This judgment may be appealed pursuant to Tenn. Sup. Ct. R. 9, § 33 (2014) by filing a Petition for Review in the Circuit or Chancery court within sixty (60) days of the date of entry of the hearing panel's judgment.