



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

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RELEASE OF INFORMATION
RE: SEAN K. HORNBECK, BPR #23197
CONTACT: WILLIAM C. MOODY
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

February 16, 2018

DAVIDSON COUNTY LAWYER DISBARRED

On February 16, 2018, Sean K. Hornbeck, of Nashville, Tennessee, was disbarred from the practice of law by Judgment of the Tennessee Supreme Court effective February 26, 2018. Mr. Hornbeck must pay the Board's costs and expenses and the court costs. In addition, he must make restitution to three clients.

Mr. Hornbeck convinced an investor to entrust him with between \$5,000,000 and \$5,500,000 on the basis that Mr. Hornbeck would hold the money in his trust account, it would never be at risk and the investor would reap substantial dividends. Instead, Mr. Hornbeck released most of the money to unknown third parties and/or misappropriated it to his own use. In an effort to conceal his actions, Mr. Hornbeck submitted falsified bank records and false testimony in Chancery Court. Mr. Hornbeck also failed to diligently represent two clients and failed to adequately communicate with them. While Mr. Hornbeck was temporarily suspended, he engaged in the unauthorized practice of law while in the employ of an attorney. He engaged in a scheme to misappropriate funds from a client of that attorney. Mr. Hornbeck's ethical misconduct violated Tennessee Rules of Professional Conduct 1.3, Diligence; 1.4, Communication; 1.8(h), Conflict of Interest; 1.15(a), Safekeeping Property and Funds; 1.16(d), Declining and Terminating Representation; 3.2, Expediting Litigation; 5.5, Unauthorized Practice of Law; and 8.4(a), (b), (c), (d) and (g), Misconduct.

A hearing panel recommended Mr. Horneck be disbarred. He appealed to Chancery Court which affirmed the Hearing Panel decision. Mr. Hornbeck appealed to the Supreme Court which affirmed the decision of the Chancery Court. The Supreme Court found that the disbarment should be prospective and not be imposed retroactively to the date of Mr. Hornbeck's temporary suspension.

Mr. Hornbeck must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 18 (2006) and 30 (2014), regarding the obligations and responsibilities of disbarred attorneys.