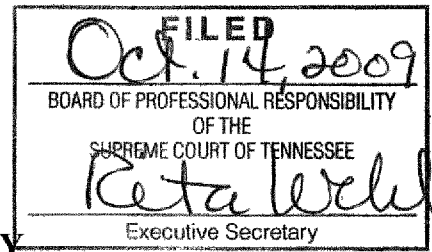


**IN DISCIPLINARY DISTRICT V  
OF THE  
BOARD OF PROFESSIONAL RESPONSIBILITY  
OF THE  
SUPREME COURT OF TENNESSEE**



**IN RE: DAVID HENRY HORNIK,  
BPR #001264, Respondent  
An Attorney Licensed and  
Admitted to the Practice of  
Law in Tennessee  
(Davidson County)**

**DOCKET NO. 2008-1760-5-SG**

---

**HEARING PANEL JUDGMENT**

---

This cause came to be heard by the Hearing Panel on September 24, 2009, at 1:00 p.m. pursuant to Notice of Hearing filed July 16, 2009. Present for the September 24, 2009, hearing were Clifford Wilson, Hearing Panel Chair; Larry Gene Hayes, Hearing Panel member; Mary Jo Price, Hearing Panel member and Sandy Garrett, Disciplinary Counsel. The Respondent was not present for the September 24, 2009, hearing.

Based upon the Board's Petition for Discipline filed July 9, 2008; the Board's Motion for Default regarding the Petition for Discipline filed September 4, 2008; the Board's Supplemental Petition for Discipline filed November 4, 2008; and the Board's Motion for Default regarding the Supplemental Petition for Discipline and Order filed February 25, 2009, granting the Board's Motion for Default,

It is therefore **ORDERED, ADJUDGED** and **DECREED** by this Hearing Panel that:

1. The Respondent is suspended for a definite period of one (1) year and six (6) months to be served retroactive to the Respondent's temporary suspension on April 10, 2008; and

2. The Respondent is suspended indefinitely until the Respondent complies with Section 18 of Rule 9, Rules of the Supreme Court; and

3. The Respondent is referred to Tennessee Lawyer's Assistance Program (TLAP) pursuant to Section 28 of Rule 9, Rules of the Supreme Court.

This \_\_\_\_ day of \_\_\_\_\_, 2009.

FOR THE HEARING PANEL:

  
\_\_\_\_\_  
CLIFFORD WILSON, CHAIR

  
\_\_\_\_\_  
LARRY GENE HAYES, MEMBER

  
\_\_\_\_\_  
MARY JO PRICE, MEMBER