

BOARD NOTES

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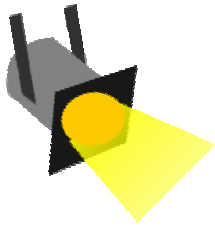
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Disciplinary Actions
July-December 2014

Greeting from Michael King, Chair

Board of Professional Responsibility of the Supreme Court of Tennessee

The goal of the Board is to protect the public through the enforcement of the Court's disciplinary rules and to assist the public, attorneys and the judiciary by providing information and resources about the disciplinary process, the Court's disciplinary rules and the judicial system in general. With that goal in mind, we hope that the information contained within this edition of *Board Notes* will be of assistance to all the groups we serve.



The 2015 Changes to Rule 21 and CLE

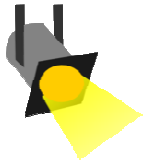
**By William G. Calhoun, Esq., Associate Director
Tennessee Commission on Continuing Legal Education**

Mandatory Continuing Legal Education began in 1987 for Tennessee attorneys. On December 16, 2014 the Tennessee Supreme Court filed their most recent order revising Supreme Court Rule 21 which governs CLE in Tennessee. This revision resulted from a petition filed by the Commission on Continuing Legal Education and Specialization (“the Commission”) to amend and update Rule 21. The result was the first major rewrite of Rule 21 in over twenty years. The Commission provided recommendations to the Court following a line by line analysis of Rule 21. Some changes were for clarification while others resulted from the logical evolution of Rule 21.

The recommended changes were published by the Court to allow for public comment on November 18, 2013 and remained open for comment until May 21, 2014. The overwhelming number of comments submitted involved the possible modification of the Age 65 exemption from CLE.

Starting with the 2015 compliance year (January 1, 2015 to December 31, 2015) the following changes have occurred in the Tennessee CLE requirement:

1. **PRACTICE OF LAW DEFINED** - The Commission adopted the definition of the practice of law found in Rule 9 § 10.3(e). Supreme Court Rule 9 § 10.3(e) defines the term “the practice of law” as any service rendered involving legal knowledge or legal advice, whether of representation, counsel, or advocacy, in or out of court, rendered in respect to the rights, duties, regulations, liabilities, or business relations of one requiring the services. It shall encompass all public and private positions in which the attorney may be called upon to examine the law or pass upon the legal effect of any act, document, or law. See Tenn. Sup. Ct. R. 21, § 2.02.
2. **THE AGE EXEMPTION** - Thirty years ago when the Age exemption was created, most attorneys over 65 were thinking seriously about retirement. Between health improvements and declines in the stock market, attorneys were no longer considering retirement after reaching 65 years of age. After considering the comments filed regarding the potential change, The Court modified the rule as follows: Attorneys born prior to 1950 are eligible to claim the age 65 exemption. The exemption is not automatically given when an attorney qualifies by age. It must be requested by sending a letter or email to the Commission on CLE stating the attorney’s BPR number, birth date and the desire to receive the exemption. The exemption is not discretionary. You either qualify or you don’t. Attorneys born during or after 1950 must wait until the compliance year following their 70th birthday to claim the Age exemption. If the attorney previously requested the Age exemption because they turned 65 prior to 2015, there is no need to request it again. The age exemption does not need to be claimed annually. See Tenn. Sup. Ct. R. 21, § 2.04(c).



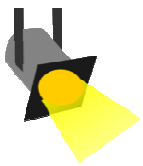
2015 Changes to Rule 21 and CLE

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3. **FULLTIME LAW SCHOOL PROFESSORS' EXEMPTION** – Fulltime law school professors who do not practice can claim an exemption from CLE. This change is consistent with the fee exemption given by the Board of Professional Responsibility for fulltime law school professors who do not practice law. This exemption must be claimed annually on the Annual Report Statement. See Tenn. Sup. Ct. R. 21, §2.04(e).
4. **EXCEPTIONAL RELIEF** – An attorney may petition the Commission for exceptional relief from the requirements of Rule 21. A request for exceptional relief must be specific. It must outline the justification for relief and the specific relief sought. Relief is granted upon a majority vote of the Commission. See Tenn. Sup. Ct. R. 21, § 2.05.
5. **CLE REQUIREMENT** – The fifteen hour CLE requirement first established in 1992 has been modified although the modification will be transparent to the majority of Tennessee attorneys. Attorneys must still complete three (3) hours of ethics and professionalism and twelve (12) hours of general CLE each year. Also unchanged is the requirement for a minimum of seven (7) hours which must be obtained through attendance at a live CLE program. Beginning with the 2015 compliance year, an attorney will also need a minimum of five (5) hours of live in classroom hours as part of the seven (7) hour live commitment. This change won't have an effect on most attorneys, but if they were fulfilling their live requirement by receiving CLE credit for published writing, pro bono or indigent defense this might affect them. See Tenn. Sup. Ct. R. 21, § 3.01.
6. **DISABILITY STATUS** – The CLE Commission will recognize a disability given by the BPR and will hold the attorney's CLE requirement in abeyance while on disability status. Before an attorney is allowed to return to practice after being on disability, they will need to make up the CLE they missed while disabled.

If the attorney is able to practice, but requires a modification of the CLE requirement while the attorney is disabled, they can file a request for exceptional relief identifying the relief sought. The Commission will tailor a program to meet the attorney's specific needs.

If the attorney is given relief, the period will be for no longer than the compliance year and must be renewed if additional relief is necessary. The attorney must provide an updated statement of disability and supporting documents annually if they are continuing to practice with a modified CLE requirement. See Tenn. Sup. Ct. R. 21, § 3.02.
7. **TEACHING CREDIT** – An attorney can receive general CLE credit for teaching a course on the law at a college, university or community college so long as the students receive credit toward an undergraduate or graduate degree. See Tenn. Sup. Ct. R. 21, § 4.03(b).



2015 Changes to Rule 21 and CLE

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8. **DUAL CREDIT FOR PRO BONO** – Beginning with the 2015 compliance year an attorney can earn a maximum of 3 dual credits (instead of ethics credit) for their pro bono work. One CLE hour is earned for each five (5) hours of pro bono work. The five (5) hour limit has been made permanent. See Tenn. Sup. Ct. R. 21, § 4.07(c).

Additionally, the Supreme Court is allowing organizations whose primary function may not be providing legal services to apply for approval to provide pro bono credit. This could apply to churches, family crisis centers, etc. Performing pro bono work for the local non-profit baseball or soccer league is still not going to get an attorney pro bono credit. See Tenn. Sup. Ct. R. 21, § 4.07(c).

9. **BAR REVIEW COURSES** - If an attorney completes an approved bar review course in preparation for taking the Tennessee or another state's bar exam, they can receive up one year of CLE credit. An attorney cannot receive credit in the same year for passing a bar exam and completing a bar review course. See Tenn. Sup. Ct. R. 21, § 4.07(e).

If you have additional questions, feel free to contact the Commission on Continuing Legal Education at 615-741-3096.

James A. Vick Retiring

After nineteen years of serving at the Board of Professional Responsibility, James A. (Tony) Vick has announced his pending retirement.

Tony joined the Board as Disciplinary Counsel in 1996. Previously, Mr. Vick prosecuted felony criminal cases in Louisville, Kentucky and practiced in the area of products liability with the Nashville firm of Maddin, Miller & McCune. In 2012, Mr. Vick served as Interim Chief Disciplinary Counsel, and then as Deputy Chief Disciplinary Counsel over Investigations and also as Ethics Counsel for the Board, responding to numerous attorney inquiries each week as well as drafting Formal Ethics Opinions and traveling the state presenting Continuing Legal Education programs to Tennessee attorneys.

The Board wishes to express their thanks to Tony for his assistance and many contributions to the legal community and the public these past nineteen years, and to extend sincere congratulations and best wishes for an enjoyable retirement.



James A. Vick

Board of Professional Responsibility Approves Lawyer Intermediary Organizations

Lawyers need clients, so when they receive an unsolicited email from a third-party referral service offering to send paying clients our way, that sounds like good news. Lawyers must be cautious, however, as accepting client referrals from an intermediary organization implicates the Rules of Professional Conduct.

All lawyer intermediary organizations doing business in Tennessee are required to register with the Board of Professional Responsibility pursuant to Tennessee Supreme Court Rule 44. The Rule provides the following broad definition of an intermediary organization:

An intermediary organization is a lawyer advertising cooperative, lawyer referral service, prepaid legal service provider, or similar organization the business or activities of which include the referral of its customers, members, or beneficiaries to lawyers for the performance of fee-generating legal services or the payment for or provisions of legal services to the organization's customers, members, or beneficiaries in matters for which the organization does not bear ultimate responsibility.

Given the breadth of the definition, a lawyer who is contacted by a third-party organization offering to connect the lawyer with potential clients may safely assume that the organization falls within Rule 44.

To comply with the Rule, intermediary organizations must submit a registration statement containing information about the organization, including, among other things, the articles of incorporation, bylaws, the identity of the organization's officers and shareholders, the identity of lawyers providing legal services, and audited financial statements. Once the organization is registered with the Board, it must submit annual registration statements updating its information.

Rule of Professional Conduct 7.6(b) is of special interest to lawyers interested in receiving client referrals. The Rule states,

A lawyer shall not seek or accept a referral of a client, or compensation for representing a client, from an intermediary organization . . . if the lawyer knows or reasonably should know that . . . the organization . . . has not registered with the Board of Professional Responsibility and complied with all requirements imposed by the Board[.]

Board of Professional Responsibility Approves Lawyer Intermediary Organizations (*continued*)

Comment [2] to Rule 7.6 states, “It is the responsibility of each lawyer who would participate in the activities of an intermediary organization to act reasonably to ascertain that the organization meets the standards set forth in paragraph (b). Thus, a lawyer who accepts a client referral from an intermediary organization that has not registered with the Board is subject to discipline.

Currently, thirteen intermediary organizations have registered with the Board, which include:

1. ARAG Group of Des Moines, Iowa;
2. CLC of Tennessee of Granite Bay, California;
3. Hyatt Legal Plans of Cleveland, Ohio, the annual registration statement of which was submitted and approved last month;
4. Legal Club of America of Sunrise, Florida;
5. Legal Services Plan (Signature Agency) of Northbrook, Illinois;
6. National Center for Victims of Crime (d/b/a National Crime Victim Bar Association) of Washington, DC;
7. National Organization of Social Security Claimants’ Representatives of Englewood Cliffs, New Jersey;
8. Pan American Center of Shelbyville, Tennessee;
9. Pre-Paid Legal Casualty, of Ada, Oklahoma;
10. Tennessee State Employees Association of Nashville, Tennessee;
11. Tennessee Volunteer Lawyers for the Arts of Nashville, TN;
12. U.S. Legal Services of Jacksonville, Florida;
13. Workplace Options of Raleigh, North Carolina.

Organizations exempt from the registration requirements of Rule 44, include liability insurance companies, court appointments, and lawyer referral services operated by the Tennessee, Nashville, Memphis, Chattanooga, and Knoxville Bar Associations or the Tennessee Trial Lawyers Association. More information about Rule 44 lawyer intermediary organizations is available on the Board’s website, www.tbpr.org.

Supreme Court Appoints New Board Members

The Tennessee Supreme Court has appointed Dana Dye, John Kitch, and Kenneth Blackburn as new members of the Board of Professional Responsibility of the Supreme Court of Tennessee in 2015. Board members do not receive compensation for their service.

Dana Dye is a partner in the firm of Dye & Vander Horst in Centerville, Tennessee. She is a graduate of Wake Forest University and Duke University School of Law and became licensed to practice law in Tennessee in 1976. Dana previously served as a Hearing Committee Member with the Board of Professional Responsibility from 2012 through 2014.

John Kitch has practiced law in Tennessee since 1976, and is currently Of Counsel with Cornelius & Collins, LLP in Nashville. Mr. Kitch served as a Hearing Committee Member for the Board of Professional Responsibility from 1999 through 2005. He received a B.A. in Political Science from Purdue University, and his J.D. from Vanderbilt University. Prior to that, Mr. Kitch was on Active Duty with the United States Army for two years and was honorably discharged in 1972.

Kenneth Blackburn, retired Vice President of External Affairs with AT&T, is a graduate of Central State University in Wilberforce, Ohio, and has served on numerous boards and councils including the Board of Directors for the University of Tennessee Foundation, the Nashville Downtown Partnership Board of Directors, the University of Tennessee President's Council, Legal Aid Society Community Advisory Council, the Board of the Tennessee Residence Foundation, the Tennessee Performing Arts Center, the Tennessee Sports Hall of Fame, the Nashville Chamber of Commerce, and the Williamson County Chamber of Commerce.

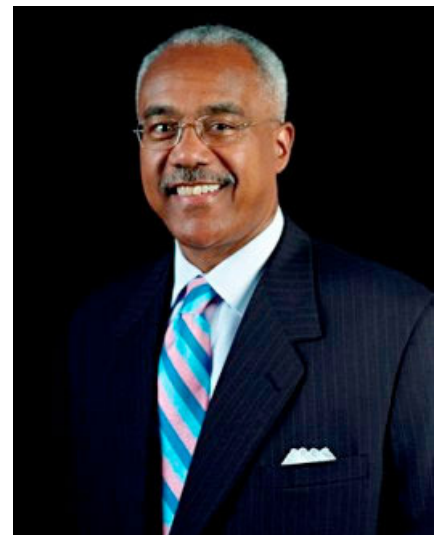
Mr. Blackburn, a graduate of Leadership Nashville, was a recipient of the 2003 Human Relations Award given by the National Conference for Community and Justice (NCCJ). He served as Chairman of the Community Celebration Task Force that organized the 1996 Olympic Torch Run event for Nashville, was past President of the Tennessee Lobbyist Association, and was on the Board of Directors for United Cerebral Palsy.



Dana Dye



John Kitch



Kenneth Blackburn



Recognition of Former Board Members Lela Hollabaugh, Francis Guess and J. Russell Parkes

The Board of Professional Responsibility wishes to publicly recognize and thank former Board members Lela Hollabaugh, Francis S. Guess, and J. Russell Parkes for their hard work and conscientious involvement during their tenures as members of the Board. The Supreme Court appointed Ms. Hollabaugh to the Board on January 1, 2009, where she served until December 31, 2014; and served as Chair from 2011 through 2013. Ms. Hollabaugh was a Hearing Committee Member for the Board from March, 2003 through December, 2008. Mr. Guess served as a lay member for the Board from January 1, 2012 through December 31, 2014.

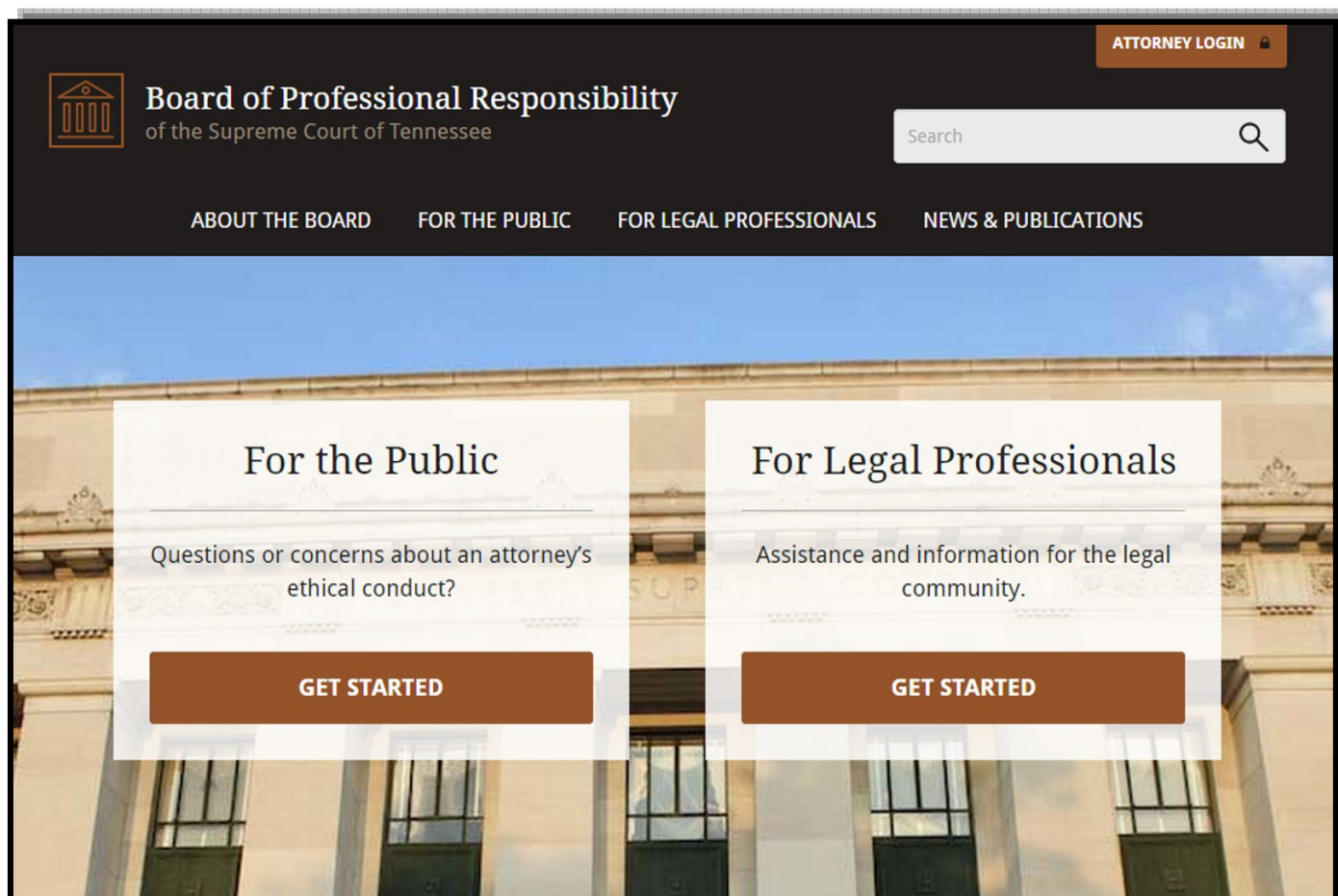
The Board also thanks former Board member J. Russell Parkes, and congratulates him for his appointment as Judge of the 22nd Judicial District Circuit Court. Judge Parkes served as a Board member from 2011 through 2013, and as Chair in 2014. Prior to that, Judge Parkes served as a Hearing Committee Member for the Board from 2008 through the end of 2010.



The Supreme Court Revises Tennessee Supreme Court Rule 9, Section 10.1

By Order filed December 3, 2014, the Tennessee Supreme Court amended Rule 9, Section 10.1 to provide that an attorney's cellular telephone number, home telephone number, and personal non-government issued email address is confidential and not a public record. If, however, an attorney fails to provide to the Board of Professional Responsibility an office telephone number or office email address, or an attorney listed the cellular telephone number or home telephone number, or personal non-government issued email address as the attorney's office telephone number, or office email address respectively, then the attorney's nonpublic information of the same category shall no longer be subject to the protection afforded under this Rule.

New Website for the Board



The Board of Professional Responsibility is pleased to announce the launch of its new website in December, 2014. The website's home page is designed to be more user-friendly in directing visitors to their specific areas of interest with sections labeled "For the Public" and "For Legal Professionals." The current site also provides easier access to the online attorney search feature. "Latest News" stories are prominently featured on the home page, and the "Attorney Login" button for making registration payments and updating contact information is displayed and accessible at the top of every page on the site. Additionally, the advanced website now provides that complaints may be submitted online.

Other expanded features include "Frequently Asked Questions" pages for both consumers and legal professionals; additional resources and links; and detailed information describing the disciplinary process.

Disciplinary Actions

- (July 2014 – December 2014)
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DISBARMENTS

Hal Wilkes Wilkins (Davidson County)

On July 22, 2014, Hal Wilkes Wilkins, of Nashville, Tennessee, was disbarred from the practice of law by Order of the Tennessee Supreme Court. Mr. Wilkins was ordered to pay restitution to two (2) former clients, or to the Lawyer's Fund for Client Protection, if appropriate, in the amount of \$3,500.00. Finally, Mr. Wilkins must pay the Board's costs and expenses and the court costs.

A Petition for Discipline was filed on January 2, 2014, and involves two (2) complaints of misconduct. Mr. Wilkins was retained to represent a client on two charges in the Davidson County General Sessions Court and was paid a retainer to represent the client in both cases. After the first hearing, Mr. Wilkins failed to communicate with his client. The client had to retain another lawyer who was able to continue the representation.

In another case, Mr. Wilkins failed to respond to discovery and ceased communicating with his client. Mr. Wilkins never responded to Disciplinary Counsel regarding these complaints and did not respond to the Petition for Discipline.

Mr. Wilkins' actions violated RPC 1.3 (Diligence), 1.4 (communication), 1.5 (fees), 1.16(d) Declining or Terminating Representation, and 8.1(b) Bar Admission and Disciplinary Matters. Mr. Wilkins must comply with the requirements of Tennessee Supreme Court Rule 9, Section 18 (2006) and Tennessee Supreme Court Rule 9, Section 30.4 (2014), regarding the obligations and responsibilities of disbarred attorneys.

Carl Robert Ogle (Jefferson County)

On October 9, 2014, Carl Robert Ogle of Jefferson County, Tennessee was disbarred from the practice of law by the Tennessee Supreme Court.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Ogle pursuant to Rule 9, Rules of the Supreme Court. Mr. Ogle submitted a Conditional Guilty Plea acknowledging violation of Tennessee Supreme Court Rule 8, Rules of Professional Conduct 1.15 (d) (safekeeping property), 3.3 (a) (1) (candor toward tribunal) and 5.3 (a) and (b) (responsibility regarding non-lawyer assistants).

Mr. Ogle deposited a settlement check in the amount of \$161,037.84 into his trust account. He was representing the executrix of an estate and the settlement was for injuries incurred by the deceased before she passed away. Between November 2008 and January 2013, the settlement proceeds were misappropriated by a non-lawyer assistant. The estate was closed in August 2013, and Mr. Ogle represented to the court that the assets of the estate had been distributed to the beneficiaries, which was false.

DISBARMENTS (continued)

Michael Lee West (Hamilton County)

On November 14, 2014, Michael Lee West, of Hamilton County, Tennessee, was disbarred by the Tennessee Supreme Court, pursuant to Tennessee Supreme Court Rule 9 Section 4.2 and ordered to pay restitution to four (4) former clients. The order of disbarment is effective November 24, 2014.

On April 11, 2014, a Petition for Discipline was filed against Mr. West based upon three complaints of misconduct. Subsequent to the filing of the Petition for Discipline, the Board received three additional ethical complaints. In the first complaint, Mr. West misappropriated approximately \$45,000.00 in settlement proceeds he held in trust for his client and/or third-party medical providers. In the second complaint, Mr. West accepted a retainer fee to file a detainer action but delayed filing the detainer action for a year. After being terminated, Mr. West refused to refund the retainer fee or communicate with his client. In the third complaint, Mr. West deposited a non-refundable earned fee into his trust account and, thereafter, wrote a trust check payable to himself for the fee. The bank honored Mr. West's trust check; however, the client's check was subsequently returned for insufficient funds placing the trust account in a negative balance. Mr. West represented to the Board he would deposit funds into his trust account sufficient to reimburse the bank for its loss but did not honor his commitment. In the fourth and fifth complaints, Mr. West failed to provide legal services for which he was retained, failed to communicate with his clients to apprise them of the status of their respective case and failed to respond to requests for refunds by the clients. In the last complaint, Mr. West engaged in the unauthorized practice law in violation of the Order of Temporary Suspension entered by the Supreme Court on March 18, 2014.

Mr. West has admitted his conduct is in violation of Rules of Professional Conduct 1.3 (diligence); 1.4 (communication); 1.5 (fees); 1.15 (safekeeping property and funds); 1.16 (declining or terminating representation); 3.2 (expediting litigation) and 8.4(a), (c) and (d) (misconduct).

Stephen E. Sams (Knox County)

On November 26, 2014, Stephen E. Sams of Knoxville, Tennessee, was disbarred by Order of the Tennessee Supreme Court. The disbarment is effective beginning December 6, 2014.

On September 2, 2012, the Board of Professional Responsibility filed a Petition for Discipline against Mr. Sams. Mr. Sams submitted inflated, false and deceptive fee claims to the Administrative Office of the Courts. From January, 2009 until December 31, 2010, there are approximately 478 days on which Mr. Sams billed more than eight hours to the AOC. For the majority of those days, Mr. Sams billed ten to eleven hours per day. Mr. Sams was unable to produce any documents to verify any billing entry. Mr. Sams billed nearly twelve hours on a day when he attended an eight hour, out of state CLE. Mr. Sams billed the AOC when other lawyers covered for him in court, a practice prohibited by Tenn. Sup. Ct. R. 13. On January 16, 2014, the Board of Professional Responsibility filed a Supplemental Petition for Discipline against Mr. Sams alleging that he knowingly understated his income in his personal bankruptcy. A Hearing Panel determined that disbarment was the appropriate sanction. Mr. Sams did not respond to the supplemental petition and he did not appear for the final hearing.

DISBARMENTS (continued)

Mr. Sams violated the following Rules of Professional Conduct 1.5, Fees; 3.3(a)(1), Candor Toward the Tribunal; 3.4(c), Fairness to Opposing Party and Counsel; and 8.4(a), (c) and (d), Misconduct.

Mr. Sams must comply with Tennessee Supreme Court Rule 9, Section 18 (2006) and Section 30.4 (2014) regarding the obligations and responsibilities of disbarred attorneys and the procedures for reinstatement. He must pay the Board's costs and expenses prior to reinstatement to the practice of law.

Dale William Peterson (Cannon County)

On December 23, 2014, Dale William Peterson, of Woodbury, Tennessee, was disbarred by Order of the Tennessee Supreme Court. Pursuant to Tennessee Supreme Court Rule 9, Section 28.1, Mr. Peterson's disbarment is effective immediately. Mr. Peterson consented to disbarment because he could not successfully defend himself on charges filed against him with the Board of Professional Responsibility alleging that he committed theft of client funds in the amount of \$20,551.00.

Mr. Peterson must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30 regarding the obligations and responsibilities of disbarred attorneys and the procedures for reinstatement.

SUSPENSIONS

Jon David Rogers (Sumner County)

On July 3, 2014, Jon David Rogers, of Sumner County, Tennessee was suspended by the Tennessee Supreme Court for one (1) year and one (1) day all of which is to be served on probation subject to the conditions that he engage a practice monitor and pay restitution and costs.

A Petition for Discipline was filed on November 18, 2013, alleging that Mr. Rogers committed several errors in Bankruptcy Court including accepting clients who did not qualify for Bankruptcy protection, failing to advise clients to obtain credit counseling, paying filing fees in installments when the client had paid him the filing fee in full, as well as other errors that a competent Bankruptcy practitioner should not make. Mr. Rogers entered into a Conditional Guilty Plea admitting to the misconduct.

Mr. Rogers' conduct violated RPC 1.1 (competence); 1.3 (diligence); 1.4 (communication); 1.15 (fees); 1.16 (terminating representation); 3.2 (expediting litigation); 3.4 (fairness to opposing party and counsel), and; 8.4 (misconduct).

Andrew Lee Messick (Rutherford County)

On July 3, 2014, Andrew Lee Messick, of Murfreesboro, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for one (1) year and one (1) day. Mr. Messick must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement. Prior to reinstatement, Mr. Messick must contact the Tennessee Lawyer's Assistance Program and follow any recommendations.

SUSPENSIONS (continued)

The Board filed a Petition for Discipline against Mr. Messick on March 20, 2014. The petition contained one (1) complaint of misconduct related to criminal conduct. Mr. Messick was arrested and charged with a violation of T.C.A. 39-17-418 for attempting to trade a television for narcotic pain relievers. Mr. Messick's ethical misconduct violated Rules of Professional Conduct 8.4(a) and (b), Misconduct.

Mr. Messick must comply with the requirements of Tennessee Supreme Court Rule 9, Section 18 (2006) and Section 30 (2014), regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

Charles Randy Pettigrew (Madison County)

On July 3, 2014, Charles Randy Pettigrew, of Jackson, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for three (3) years, retroactive to May 16, 2013. Mr. Pettigrew must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement.

The Board filed a Petition for Discipline on June 26, 2013 and a Supplemental Petition for Discipline on October 7, 2013. The petitions contained three (3) complaints of misconduct related to Mr. Pettigrew's failure to supervise a non-lawyer assistant to whom he had given significant authority over his trust account. Mr. Pettigrew exercised very little supervision of his assistant's use of the trust account. The assistant engaged in a pattern of inappropriately transferring significant sums of money between the trust and operating accounts. The assistant misappropriated approximately \$74,000 from a trust account. Thereafter, the assistant engaged in kiting checks between Mr. Pettigrew's trust accounts for months in an effort to conceal the misappropriations. As a result of the misappropriations, the sellers in a real estate transaction did not receive the purchase money. In addition, funds belonging to two other clients were missing from the trust account. The losses have all been made whole by Mr. Pettigrew's malpractice insurer.

Mr. Pettigrew's ethical misconduct violated Rules of Professional Conduct 5.3(b), Responsibilities Regarding Nonlawyer Assistants and 8.4(a), Misconduct. Mr. Pettigrew must comply with the requirements of Tennessee Supreme Court Rule 9, Section 18 (2006) and Section 30 (2014), regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

Joseph Scott Bean, Jr. (Franklin County)

On July 3, 2014, the Tennessee Supreme Court suspended Joseph Scott Bean, Jr., from the practice of law until further orders of the Court pursuant to Tennessee Supreme Court Rule 9, Section 22.3. Mr. Bean was suspended based upon his guilty plea to a serious crime; i.e., theft in an amount over \$10,000.00.

The Supreme Court ordered the Board to institute a formal proceeding to determine the extent of final discipline to be imposed as a result of Mr. Bean's guilty plea.

SUSPENSIONS (continued)

Matthew Bastian (Maury County)

On July 9, 2014, Matthew Bastian, of Columbia, Tennessee, was suspended by Order of the Tennessee Supreme Court for eleven (11) months and twenty-nine (29) days. He was further ordered to pay restitution to James Miller in the amount of \$3,000.00 and to contact the Tennessee Lawyers Assistance Program (“TLAP”) for evaluation. If TLAP determines that a monitoring agreement is appropriate, Mr. Bastian shall comply with the terms and conditions of the TLAP monitoring agreement. Mr. Bastian must also pay the Board’s costs.

The Board of Professional Responsibility filed two (2) Petitions for Discipline against Mr. Bastian alleging that he improperly used his trust account for personal transactions, failed to timely respond to discovery requests, failed to appear at a hearing, and failed to timely respond to pleadings resulting in default and dismissal of his client’s case. Mr. Bastian entered into a conditional guilty plea admitting to violations of Rules of Professional Conduct 1.1, Competence; 1.3, Diligence; 1.4, Communication; 1.15(a) and (b), Safekeeping Property; 3.2, Expediting Litigation; 1.16(a)(2), (c) and (d), Declining and Terminating Representation; and 8.4(a), (c), and (d), Misconduct.

Patricia Donice Butler (Roane County)

On July 28, 2014, Patricia Donice Butler, of Roane County, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for nine (9) months, ninety (90) days of which is to be active and the remainder to be served on probation subject to conditions requiring her to complete an additional twelve (12) hours of Continuing Legal Education, engage a practice monitor during the period of probation, confer with the Tennessee Lawyers Assistance Program (TLAP), and comply with any and all recommendations of TLAP.

A Petition for Discipline was filed on May 3, 2012, and a Supplemental Petition for Discipline was filed on July 12, 2013. The Petitions contained six (6) complaints alleging that Ms. Butler committed ethical misconduct in her representation of clients in 2008-2012. Ms. Butler failed to act with competence and diligence, and failed to adequately communicate with her clients and expedite litigation. In one case she was not candid with the court concerning the failure to timely answer written discovery and in another case she signed an agreed order after being terminated by her client. She also failed to secure a signed order granting temporary emergency custody for one client, and failed to appear at a hearing where summary judgment was granted against another client.

Ms. Butler’s actions violated the following Rules of Professional Conduct: 1.1, Competence; 1.2 (a), Scope of Representation; 1.3, Diligence; 1.4, Communication; 1.16 (a) and (d), Declining and Terminating Representation; 3.2, Expediting Litigation; 3.3, Candor Toward the Tribunal; and 8.4(a), (c) and (d), Misconduct.

SUSPENSIONS (continued)

Adam Wilding Parrish (Wilson County)

On July 30, 2014, Adam Wilding Parrish of Lebanon, Tennessee, was suspended from the practice of law for one (1) year with said suspension to be served on probation by Order of the Tennessee Supreme Court. Mr. Parrish must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement.

A Petition for Discipline was filed on December 18, 2013, based upon two complaints of alleged misconduct by Mr. Parrish. In the first matter, Mr. Parrish was retained to appeal a criminal conviction but failed to file the appropriate documents to perfect the appeal. In the second complaint, Mr. Parrish was retained to represent the wife in a divorce. Mr. Parrish prepared the appropriate paperwork to file the divorce; however, prior to filing the divorce, Mr. Parrish received information from the husband that the parties had reconciled. Mr. Parrish did not confirm the reconciliation with his client or inform her that the divorce complaint was not filed. The wife inquired of Mr. Parrish's office staff concerning the progress of the divorce, and the staff led her to believe the divorce was proceeding. Approximately one (1) year later, the wife discovered the divorce complaint had not been filed. In mitigation, Mr. Parrish obtained a divorce for the client after being informed the parties never reconciled.

Mr. Parrish entered a conditional guilty plea admitting his misconduct. Mr. Parrish's actions violated Tennessee Rules of Professional Conduct 1.1 (competence); 1.3 (diligence); 1.4 (communication) and 3.2 (expediting litigation).

Charlotte Prather Milton (Shelby County)

On August 1, 2014, Charlotte Prather Milton, of Memphis, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for one (1) year, effective August 11, 2014. Ms. Milton must pay restitution to her clients in the amount of \$663.50. Ms. Milton must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement.

The Board filed a Petition for Discipline on September 25, 2013. The petition contained one (1) complaint of misconduct. Ms. Milton was retained to file an adoption on behalf of the custodians of two minor children. After being paid a retainer, Ms. Milton failed to perform any work. She failed to communicate with her clients. When notified of her termination, she failed to refund the fee she had been paid and failed to return the documents provided to her by her clients. She failed to respond to the complaint filed against her, failed to respond to the petition for discipline and failed to appear at the hearing.

Ms. Milton's ethical misconduct violated Rules of Professional Conduct 1.3, Diligence; 1.4, Communication; 1.16(d), Declining or Terminating Representation; 8.1(b), Bar Admission and Disciplinary Matters; and 8.4(a), Misconduct. Ms. Milton 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 the procedure for reinstatement.

SUSPENSIONS (continued)

David Garrett Mullins, Jr. (Wise County, Virginia)

On August 12, 2014, the Tennessee Supreme Court suspended David Garrett Mullins, Jr. from the practice of law for one year which shall run concurrently with his prior disbarment. Further, the Court ordered that he pay restitution as a condition of reinstatement.

A Petition for Discipline was filed on October 25, 2013. The Petition was based upon one (1) complaint alleging that Mr. Mullins accepted a fee for representation in a criminal matter and thereafter he failed to adequately communicate with his client. The complaint further alleged that he improperly advised his client to reject a plea offer. After the trial, his client was found guilty. The client retained another lawyer to seek post-conviction relief and the court allowed the client to accept the previously rejected plea on the grounds of ineffective assistance of counsel. Mr. Mullins did not respond to the Petition for Discipline.

R. Sadler Bailey (Shelby County)

On August 18, 2014, R. Sadler Bailey, of Memphis, Tennessee, was suspended for sixty (60) days by Order of the Tennessee Supreme Court.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Bailey alleging that he committed ethical misconduct by engaging in disruptive behavior during trial proceedings. After a full hearing, a Hearing Panel determined that Mr. Bailey engaged in an intentional pattern of abusive and disruptive comments directed at the trial court. Further, he failed to comply with the trial court's instructions regarding objections during opening argument. Mr. Bailey continued to criticize and demean the trial court to such a degree that the trial court ultimately granted a mistrial based upon his contentious conduct towards the court. The Hearing Panel determined that Mr. Bailey's conduct was unacceptable trial advocacy causing actual injury to the legal system and the profession. The Hearing Panel recommended that Mr. Bailey should be suspended for sixty (60) days for violations of Rules of Professional Conduct 3.4(c), Fairness to Opposing Party and Counsel; 3.5(e), Impartiality and Decorum of the Tribunal; and 8.4(a) and (d), Misconduct.

Mr. Bailey appealed the Hearing Panel's recommendation to the Chancery Court of Shelby County. The Chancery Court affirmed the finding that Mr. Bailey had violated the Rules of Professional Conduct; however, the Chancery Court reduced the disciplinary sanction to a public censure. The Board appealed the Chancery Court's decision to the Tennessee Supreme Court. The Tennessee Supreme Court also affirmed the finding that Mr. Bailey violated the Rules of Professional Conduct; however, the Court determined that the Chancery Court erred by reducing the sanction. The Court determined that the Hearing Panel's decision to impose a sixty (60) day suspension was not arbitrary and capricious, and that it was fully supported by the evidence.

Mr. Bailey must comply with Tennessee Supreme Court Rule 9, Sections 18 (2006) and 30.4 (2014), regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement. Further, he is ordered to pay the expenses and costs of this matter.

SUSPENSIONS (continued)

William Caldwell Hancock (Davidson County)

On September 3, 2014, William Caldwell Hancock, of Nashville, Tennessee, was suspended from the practice of law for thirty (30) days by the Tennessee Supreme Court.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Hancock alleging, in part, that he committed ethical misconduct by engaging in an ex parte communication with a bankruptcy judge. Mr. Hancock represented a commercial client in a bankruptcy action. After spending several months in litigation, Mr. Hancock withdrew from the case and sought over \$300,000 in attorneys' fees. The bankruptcy court refused to award the fees finding, among other things, that Mr. Hancock's behavior during the case had been unprofessional, abusive, and disruptive. Mr. Hancock appealed the decision denying his fees. The federal court affirmed the bankruptcy court's determination that Mr. Hancock was not entitled to fees. Several days later, Mr. Hancock sent an email to the bankruptcy judge that said, in part, "... if you have a decent bone in your body you will get down off your high horse and act like a man instead of a bully and clown"

A Hearing Panel found that Mr. Hancock had violated several Rules of Professional Conduct. The Panel concluded that Mr. Hancock should be suspended from the practice of law for 30 days. Both the Board and Mr. Hancock appealed the decision to the Chancery Court for Davidson County, which found three additional rule violations and upheld the 30-day suspension.

Mr. Hancock filed an appeal to the Tennessee Supreme Court. The Court determined that Mr. Hancock was in violation of Rule of Professional Conduct ("RPC") 3.5(b), which prohibits ex parte communications with a judge and RPC 3.5(e), which prohibits conduct intended to disrupt a tribunal. The Court concluded that these violations, in conjunction with aggravating and mitigating circumstances, justified a thirty (30) day suspension from the practice of law. The Court reversed the finding that Mr. Hancock violated RPC 8.2(a)(1), which prohibits a lawyer from making a statement he knows to be false or that is made with reckless disregard as to its truth or falsity. The Court also reversed the lower court's determination that three additional RPCs had been violated.

Justice Cornelia A. Clark concurred with the Court's decision, but wrote a separate opinion concluding that the record contained substantial and material evidence that Mr. Hancock's e-mail had been sent to third parties, which justified the sanction. Chief Justice Gary R. Wade dissented in part, concluding in a separate opinion that Mr. Hancock's misbehavior, although offensive, did not disrupt a tribunal. Chief Justice Wade opined that a public censure would be appropriate, rather than a suspension.

Mr. Hancock must comply with Tenn. Supreme Court Rule 9, Sections 18 (2006) and 30.4 (2014), regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

Kent Lowery Booher (Roane County)

On October 7, 2014, the Tennessee Supreme Court suspended the law license of Kent Lowery Booher, pursuant to Section 22 of Tennessee Supreme Court Rule 9. The Court suspended Mr. Booher's law license based upon his entry of a guilty plea to a serious crime, i.e., two (2) counts of statutory rape in violation of T.C.A. 39-13-506, a Class E Felony.

SUSPENSIONS (continued)

The Supreme Court further ordered the Board of Professional Responsibility to institute a formal proceeding to determine the extent of final discipline to be imposed as a result of the conviction. This suspension shall remain in effect until it is dissolved or amended by order of the Supreme Court of Tennessee.

Kenneth Scott Williamson (Davidson County)

On October 20, 2014, Kenneth Scott Williamson, of Nashville, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for two (2) years retroactive to September 6, 2013. Mr. Williamson must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement.

Mr. Williamson shared fees with a non-lawyer, facilitated the unauthorized practice of law by a non-lawyer, failed to properly terminate his relationship with clients and failed to communicate with clients in a reasonable manner. Mr. Williamson entered into a Conditional Guilty Plea admitting to the misconduct.

Mr. Williamson's actions violated RPC 1.4 (communication), 1.16 (declining and terminating representation), 5.3 (responsibilities regarding non-lawyer assistants), 5.4 (professional independence of a lawyer), 5.5 (unauthorized practice of law) and 8.4(a) (misconduct).

April Rebecca Mims, (Henderson County)

On October 28, 2014, April Rebecca Mims, of Lexington, Tennessee, was suspended by Order of the Tennessee Supreme Court for a fixed period of six (6) months, and an indefinite period following the six (6) months until completion of specific conditions. Ms. Mims must sign a new monitoring agreement with the Tennessee Lawyers Assistance Program and be fully compliant for no fewer than six (6) consecutive months. She must also participate in the 2014 Ethics and Professionalism course offered by the Board of Professional Responsibility. Failure to meet these conditions by December 31, 2015, will result in revocation of her conditional admission to the practice of law. Ms. Mims must also pay the Board's costs.

Ms. Mims was conditionally admitted to the practice of law on December 7, 2012. Pursuant to the conditional admission Order, Ms. Mims was required to remain compliant with a Tennessee Lawyers Assistance Program (TLAP) monitoring agreement. The Board filed a Petition for Discipline based on allegations that Ms. Mims was in substantial noncompliance with the monitoring agreement. Ms. Mims entered into a Conditional Guilty Plea admitting to the violations of Rules of Professional Conduct 8.4(a), (d), and (g), Misconduct.

Michael Gregory Williams, (Hamilton County)

On October 30, 2014, Michael Gregory Williams, of Hamilton County, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for four (4) years. The suspension will begin on November 9, 2014.

SUSPENSIONS (continued)

A Petition for Discipline was filed on October 30, 2013, alleging that Mr. Williams had misappropriated funds from an estate for which he had been appointed Administrator and had failed to file an inventory that had been ordered by the court. Mr. Williams never responded to Disciplinary Counsel regarding the complaint and did not respond to the Petition for Discipline. A Hearing Panel found that Mr. Williams violated RPC 1.15 (safekeeping property); 8.1 (bar and disciplinary matters), and; 8.4 (misconduct).

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

John Edward Herbison (Montgomery County)

On November 20, 2014, John Edward Herbison, of Clarksville, Tennessee, was suspended from the practice of law for a period of eighteen (18) months. Pursuant to Tennessee Supreme Court Rule 9, Section 8.5 (2006), Mr. Herbison shall serve the first sixty (60) days on active suspension and the remaining sixteen (16) months on probation subject to conditions. Mr. Herbison must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement. The effective date of the order of suspension is November 30, 2014.

On February 11, 2013, a Petition for Discipline was filed against John Edward Herbison. The Petition incorporated three (3) complaints of misconduct. In the first matter, Mr. Herbison failed to communicate with his client and was sanctioned by the Board in March, 2011. Mr. Herbison continued representation of the client but, thereafter, neglected his professional duties and failed to appropriately communicate with his client until at least January 31, 2012. In the second matter, Mr. Herbison failed to file a notice of appeal with the Court of Criminal Appeals and delayed seeking relief from the Court of Criminal Appeals. Mr. Herbison's untimely request for relief was denied by the Court of Criminal Appeals, and the client was unable to seek appellate review of his post-conviction petition. In the third matter, Mr. Herbison failed to reasonably communicate with his client regarding the scope of services to be performed for the client. Mr. Herbison failed to clearly convey to the client that his legal representation had concluded. After receiving Mr. Herbison's legal analysis related to seeking executive clemency, the client attempted to contact Mr. Herbison to correct certain factual errors in the document. The client was unable to contact Mr. Herbison.

Mr. Herbison admitted violating Tennessee Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 1.5 (fees), 1.16 (declining or terminating representation), 3.2 (expediting litigation), and 8.4 (misconduct).

Charles Michael Clifford (Blount County)

On November 25, 2014, Charles Michael Clifford of Blount County, Tennessee was suspended from the practice of law by Order of the Tennessee Supreme Court for one (1) year, consisting of thirty (30) days of active suspension and the remainder to be served on probation subject to the conditions that he consult with the Tennessee Lawyer Assistance Program within thirty (30) days of the effective date of the Order, and engage a practice monitor during the period of probation. The effective date of the Court's Order is December 5, 2014.

SUSPENSIONS (continued)

A Petition for Discipline was filed on April 2, 2014 containing two complaints. In the first complaint, Mr. Clifford failed to pursue his clients' objectives and misled them as to the status of the case. In the second complaint, Mr. Clifford failed to comply with a Scheduling Order and failed to take appropriate steps to protect his client when he withdrew from the case.

Mr. Clifford entered into a conditional Guilty Plea admitting to the misconduct. Mr. Clifford's actions violated Rules of Professional Conduct 1.1 (competence); 1.2(a) (scope of representation); 1.3 (diligence); 1.4 (communication); 1.16 (declining and terminating representation); and, 8.4 (misconduct).

Joseph Brent Nolan (Knox County)

On November 26, 2014, Joseph Brent Nolan, of Knoxville, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for two (2) years or indefinitely until restitution is completed. The effective date of the Order is December 6, 2014. Mr. Nolan must pay restitution to three (3) clients in the total amount of \$69,599.54. If restitution is completed during the first year of the suspension, the second year may be served on probation. If restitution is completed during the second year of the suspension, the remainder of the second year may be served on probation. Mr. Nolan must pay the Board's costs and expenses and the court costs within ninety days of the entry of the Order of Enforcement.

The Board filed a Petition for Discipline on June 18, 2012, a Supplemental Petition for Discipline on January 8, 2013, and a Second Supplemental Petition for Discipline on July 16, 2013. The petitions contained eight (8) complaints of misconduct. Mr. Nolan delegated sole responsibility for management of his trust account to his mother, a non-lawyer employee. She misappropriated client funds from his trust account without his knowledge in order to pay the expenses of his law practice and other businesses owned by him. As a result, a number of clients were significantly delayed in receiving the proceeds of their settlements and some never received all the funds to which they were entitled. Payments owed to third parties were delayed or not made at all. Mr. Nolan failed to communicate adequately with these clients and failed to provide them with timely, accurate settlement statements. Mr. Nolan failed to adequately supervise his non-lawyer employee and failed to maintain client funds in his trust account. He non-suited one case without consulting with his clients. Mr. Nolan eventually left his private practice and became in-house counsel for a corporation. Mr. Nolan failed to advise one client that he had done so, failed to communicate with that client and failed to properly withdraw from his case. While employed as in-house counsel, Mr. Nolan improperly borrowed money from his employer/client.

Mr. Nolan's ethical misconduct violates Rules of Professional Conduct 1.2, Scope of Representation; 1.4, Communication; 1.5, Fees; 1.8, Conflict of Interest; 1.15, Safekeeping Property and Funds; 1.16, Declining or Terminating Representation; and 8.4, Misconduct.

SUSPENSIONS (continued)

Thomas Fleming Mabry (Knox County)

On December 30, 2014, the Tennessee Supreme Court suspended Thomas Fleming Mabry, of Knoxville, from the practice of law for forty-five (45) days. Pursuant to Tennessee Supreme Court Rule 9, Section 18 (2006), the suspension will be effective beginning January 9, 2015.

The Board of Professional Responsibility filed a petition for discipline against Mr. Mabry containing three (3) complaints of disciplinary misconduct. A Hearing Panel determined that Mr. Mabry committed ethical misconduct in relation to one of the complaints by failing to exercise appropriate diligence in the representation of a client. Mr. Mabry failed to respond to a notice of sanctions and to a motion to dismiss filed by an opposing party. The opposing party sought dismissal because Mr. Mabry had already dismissed one (1) of two (2) defendants in a civil conspiracy case, but failed to simultaneously dismiss the other alleged co-conspirator when the claim became moot. The Hearing Panel's decision was affirmed by Knox County Chancery Court and the Tennessee Supreme Court.

Mr. Mabry's actions violate the following Rules of Professional Conduct: 1.3, Diligence, and 8.4(a), Misconduct.

TEMPORARY SUSPENSIONS

Charles Powell Jackson, III (Williamson County)

On July 3, 2014, the Supreme Court of Tennessee temporarily suspended Charles Powell Jackson, III, from the practice of law upon finding that Mr. Jackson has failed to respond to the Board regarding two complaints of misconduct. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to the Board regarding a complaint of misconduct.

Effective July 3, 2014, Mr. Jackson is precluded from accepting any new cases, and he must cease representing existing clients by August 2, 2014. After August 2, 2014, Mr. Jackson shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Mr. Jackson must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license. Mr. Jackson is required to deliver to all clients any papers or property to which they are entitled. This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Jackson may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

Elbert Jefferson, Jr. (Shelby County)

On July 14, 2014, the Supreme Court of Tennessee temporarily suspended Elbert Jefferson, Jr., from the practice of law upon finding that Mr. Jefferson has failed to respond to the Board regarding a complaint of

TEMPORARY SUSPENSIONS (continued)

misconduct. Section 4.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to the Board regarding a complaint of misconduct.

Effective July 14, 2014, Mr. Jefferson is precluded from accepting any new cases and he must cease representing existing clients by August 13, 2014. After August 13, 2014, Mr. Jefferson shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Mr. Jefferson must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license. Section 18 of Supreme Court Rule 9 requires Mr. Jefferson to deliver to all clients any papers or property to which they are entitled. This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Jefferson may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

(This temporary suspension was dissolved on August 28, 2014, and Mr. Jefferson was reinstated to the practice of law.)

Cynthia Lee Costner-Sexton (Blount County)

On July 21, 2014, the Supreme Court of Tennessee temporarily suspended Cynthia Lee Costner-Sexton from the practice of law upon finding that Ms. Costner-Sexton failed to respond to the Board regarding a complaint of misconduct. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to the Board regarding a complaint of misconduct.

Effective July 21, 2014, Ms. Costner-Sexton is precluded from accepting any new cases, and she must cease representing existing clients August 20, 2014. After August 20, 2014, Ms. Costner-Sexton shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Ms. Costner-Sexton must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license. Ms. Costner-Sexton is required to deliver to all clients any papers or property to which they are entitled. This suspension remains in effect until dissolution or modification by the Supreme Court. Ms. Costner-Sexton may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

Edmund Victor Smith (Christian County Kentucky)

On July 25, 2014, the Supreme Court of Tennessee temporarily suspended Edmund Victor Smith from the practice of law upon finding that Mr. Smith has failed to respond to the Board regarding a complaint of misconduct. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to the Board regarding a complaint of misconduct.

TEMPORARY SUSPENSIONS (continued)

Effective July 25, 2014, Mr. Smith is precluded from accepting any new cases and he must cease representing existing clients by August 24, 2014. After August 24, 2014, Mr. Smith shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Mr. Smith must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license. Section 18 of Supreme Court Rule 9 requires Mr. Smith to deliver to all clients any papers or property to which they are entitled. This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Smith may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

John Stephen Anderson (Hawkins County)

On August 13, 2014, the Supreme Court of Tennessee temporarily suspended the law license of John Stephen Anderson of Rogersville upon finding that Mr. Anderson had failed to respond to the Board of Professional Responsibility concerning a complaint of misconduct. Section 12.3 of Tennessee Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in matters where an attorney fails to respond to the Board.

Mr. Anderson is precluded from accepting any new cases, and he must cease representing existing clients by September 12, 2014. After September 12, 2014, Mr. Anderson shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Mr. Anderson must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license in accordance with Tennessee Supreme Court Rule 9, Section 28. This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Anderson may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

(This temporary suspension was dissolved on October 30, 2014, and Mr. Anderson was reinstated to the practice of law.)

Sharon Elizabeth England (Williamson County)

On August 13, 2014, the Supreme Court of Tennessee temporarily suspended Sharon Elizabeth England from the practice of law upon finding that Ms. England has failed to respond to the Board regarding a complaint of misconduct. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to the Board regarding a complaint of misconduct.

Effective August 13, 2014, Ms. England is precluded from accepting any new cases, and she must cease representing existing clients by September 12, 2014. After September 12, 2014, Ms. England shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

TEMPORARY SUSPENSIONS (continued)

Ms. England must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending her law license. Ms. England is required to deliver to all clients any papers or property to which they are entitled. This suspension remains in effect until dissolution or modification by the Supreme Court. Ms. England may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

John Arnold Fitzgerald (Rhea County)

On September 10, 2014, the Supreme Court of Tennessee temporarily suspended John Arnold Fitzgerald from the practice of law upon finding that Mr. Fitzgerald misappropriated funds to his own use, and his continued practice of law poses a threat of substantial harm to the public. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in matters where an attorney's continued practice of law poses a threat of substantial harm to the public.

Effective September 10, 2014, Mr. Fitzgerald is precluded from accepting any new cases, and he must cease representing existing clients by October 10, 2014. After October 10, 2014, Mr. Fitzgerald shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted. Further, Mr. Fitzgerald must provide the location and account number for any trust accounts for which he has signatory authority or control and is enjoined from making any withdrawals from said trust accounts without advance approval of Disciplinary Counsel.

Mr. Fitzgerald must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license. Mr. Fitzgerald is required to deliver to all clients any papers or property to which they are entitled. This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Fitzgerald may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

David Gregory Hays (Shelby County)

On September 29, 2014, the Supreme Court of Tennessee entered an order temporarily suspending the law license of David Gregory Hays, of Memphis, upon finding that Mr. Hays failed to respond to the Board of Professional Responsibility concerning a complaint of misconduct. Section 12.3 of Tennessee Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in matters where an attorney fails to respond to the Board. The temporary suspension is effective on the date of entry.

Mr. Hays is precluded from accepting any new cases, and he must cease representing existing clients by October 29, 2014. After October 29, 2014, Mr. Hays shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Mr. Hays must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license in accordance with Tennessee Supreme Court Rule 9, Section 28. This suspension remains in effect until dissolution or modification by the

TEMPORARY SUSPENSIONS (continued)

Supreme Court. Mr. Hays may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

Ruth Ann Ambs (Knox County)

On October 3, 2014, the Supreme Court of Tennessee temporarily suspended Ruth Ann Ambs from the practice of law upon finding that Ms. Ambs failed to respond to the Board regarding a complaint of misconduct. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to the Board regarding a complaint of misconduct.

Effective October 3, 2014, Ms. Ambs is precluded from accepting any new cases, and she must cease representing existing clients by November 2, 2014. After November 2, 2014, Ms. Ambs shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Ms. Ambs must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending her law license. Ms. Ambs is required to deliver to all clients any papers or property to which they are entitled. This suspension remains in effect until dissolution or modification by the Supreme Court. Ms. Ambs may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

Venita Marie Martin (Shelby County)

On November 13, 2014, the Supreme Court of Tennessee temporarily suspended Venita Marie Martin from the practice of law upon finding that Ms. Martin has failed to respond to the Board regarding a complaint of misconduct. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to the Board regarding a complaint of misconduct.

Effective November 13, 2014, Ms. Martin is precluded from accepting any new cases, and she must cease representing existing clients by December 13, 2014. After December 13, 2014, Ms. Martin shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Ms. Martin must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending her law license. Ms. Martin is required to deliver to all clients any papers or property to which they are entitled.

This suspension remains in effect until dissolution or modification by the Supreme Court. Ms. Martin may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

(This temporary suspension was dissolved on January 27, 2015, and Ms. Martin was reinstated to the practice of law.)

TEMPORARY SUSPENSIONS (continued)

Gary N. Lovellette (Putnam County)

On November 26, 2014, the Supreme Court of Tennessee entered an order temporarily suspending the law license of Gary N. Lovellette, of Putnam County, upon finding that Mr. Lovellette failed to respond to the Board of Professional Responsibility concerning a complaint of misconduct. Section 4.3 of Tennessee Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in matters where an attorney fails to respond to the Board. The temporary suspension is effective on the date of entry.

Effective November 26 2014, Mr. Lovellette is precluded from accepting any new cases and he must cease representing existing clients by December 26, 2014. After December 26, 2014, Mr. Lovellette shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Mr. Lovellette must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license. Section 18 of Supreme Court Rule 9 requires Mr. Lovellette to deliver to all clients any papers or property to which they are entitled. This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Lovellette may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

(This temporary suspension was dissolved on February 2, 2015, and Mr. Lovellette was reinstated to the practice of law.)

William Douglas Hooper (Sumner County)

On December 17, 2014, the Supreme Court of Tennessee temporarily suspended William Douglas Hooper from the practice of law upon finding that Mr. Hooper has failed to respond to the Board regarding a complaint of misconduct. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases of an attorney's failure to respond to the Board regarding a complaint of misconduct.

Effective December 17, 2014, Mr. Hooper is precluded from accepting any new cases, and he must cease representing existing clients by January 16, 2015. After January 16, 2015, Mr. Hooper shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Mr. Hooper must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license. Mr. Hooper is required to deliver to all clients any papers or property to which they are entitled. This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Hooper may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

PUBLIC CENSURES

Brandon Michael Booten (Rutherford County)

On July 9, 2014, Brandon Michael Booten, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

In one matter, Mr. Booten failed to communicate with his client for extended periods of time and was not diligent in his representation. In two other matters, Mr. Booten failed to communicate with his clients for extended periods of time, was not diligent in his representation, and failed to submit orders to the court until long after hearings were held in contravention of the local rules of court.

By these acts, Brandon Michael Booten, has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), 3.2 (expediting litigation), and 3.4(c) (disobeying obligations under rules of a tribunal) and is hereby Publicly Censured for these violations.

Kent Lowery Booher (Roane County)

On July 15, 2014, Kent Lowery Booher, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Booher failed to maintain reasonable communication with his client while representing him in the Court of Appeals. Most notably, Mr. Booher failed to inform his client that his appeal had been denied. The client did not learn of the adverse decision until two months after the court issued its opinion, precluding him from seeking permission to appeal to the Tennessee Supreme Court.

By these acts, Mr. Booher, has violated Rule of Professional Conduct 1.4 (communication) and is hereby Publicly Censured for this violation.

Renfro Blackburn Baird (Hawkins County)

On October 6, 2014, Renfro Blackburn Baird, of Hawkins County, Tennessee, was publicly censured by the Tennessee Supreme Court.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Baird pursuant to Rule 9, Rules of the Supreme Court. Mr. Baird submitted a Conditional Guilty Plea acknowledging violation of Tennessee Supreme Court Rule 8, Rules of Professional Conduct 1.3 (diligence) 1.4 (communication) 1.5 (fees) 1.15 (safekeeping property) 1.16 (declining and terminating representation) 3.2 (expediting litigation) and 8.4(a) (misconduct).

Mr. Baird was paid a retainer to pursue a post-conviction petition. He promised that if he was not successful, he would refund a portion of the fee. Mr. Baird performed minimal work and failed to maintain the fee in his trust account. He also failed to keep his client informed about the case and did not promptly refund any portion of the fee upon being terminated.

PUBLIC CENSURE (continued)

As a condition of his plea, Mr. Baird must refund the fee pursuant to the terms of a promissory note he signed in favor of his client. For these violations, the Tennessee Supreme Court publicly censured Renfro Blackburn Baird.

Crystal Michelle Goan (Greene County)

On October 17, 2014, Crystal Michelle Goan of Greenville, Tennessee was publicly censured by the Tennessee Supreme Court.

The Board of Professional Responsibility filed a Petition for Discipline against Ms. Goan pursuant to Rule 9, Rules of the Supreme Court. During her marriage, Ms. Goan improperly used methods of obtaining evidence and attempting to gain an advantage against her husband for their divorce proceeding. The parties ultimately settled the divorce.

Ms. Goan submitted a Conditional Guilty Plea acknowledging violation of Tennessee Supreme Court Rule 8, Rules of Professional Conduct and 8.4(a) and (c) (misconduct).

For these violations, the Tennessee Supreme Court publicly censured Crystal Michelle Goan. A public censure is a rebuke and warning to the attorney, but does not affect the attorney's ability to practice law.

Albert Fitzpatrick Officer, III (Putnam County)

On October 21, 2014, Albert Fitzpatrick Officer, III, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Officer kept his own funds in his trust account, which he used to pay personal expenses. Furthermore, the trust account was overdrawn on five occasions.

By these acts, Mr. Officer, has violated Rule of Professional Conduct 1.15 (safekeeping funds) and is hereby Publicly Censured for this violation.

Mark Anthony Kovach (Davidson County)

On October 21, 2014, Mark Anthony Kovach, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court. Mr. Kovach practiced law while his license to do so was suspended, and he engaged in provocative and aggressive behavior towards another lawyer during a court recess.

By these acts, Mr. Kovach violated Rules of Professional Conduct 5.5 (unauthorized practice of law), and 8.4(d) (conduct prejudicial to the administration of justice) and is hereby Publicly Censured for these violations.

PUBLIC CENSURE (continued)

Paul Neil Royal (Shelby County)

On October 24, 2014, Paul Neil Royal, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Royal agreed to file an eviction action for a client but failed to do so. The client reached an agreement with the tenant that the tenant would move out. The tenant, however, failed to move out. Over the next year, Mr. Royal made at least five affirmative misrepresentations to the client that the eviction action had been filed and was delayed due to various reasons. The client later hired new counsel who evicted the tenant. Mr. Royal reached a financial settlement with the former client.

By these acts, Mr. Royal has violated Rule of Professional Conduct 8.4(c) (conduct involving dishonesty or misrepresentation) and is hereby Publicly Censured for this violation.

Jennifer Sue Kiesewetter (Shelby County)

On October 24, 2014, Jennifer Sue Kiesewetter, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Ms. Kiesewetter was the sole proprietor of her law firm. Client funds which should have been placed in the law firm's trust account were deposited into the law firm's operating account prior to being earned. Additionally, Ms. Kiesewetter misrepresented the status of her law firm (which had recently ceased doing business) in documents related to a prior small business loan. No clients were harmed, Ms. Kiesewetter repaid the business loan, and Ms. Kiesewetter reported this conduct to the Board.

By these acts, Jennifer Sue Kiesewetter has violated Rules of Professional Conduct 1.15 (safekeeping property) and 8.4 (c) (misconduct), and is hereby Publicly Censured for these violations.

Fletcher Whaley Long (Montgomery County)

On October 29, 2014, Fletcher Whaley Long, of Clarksville, Tennessee, was publicly censured by Order of the Tennessee Supreme Court. He was further ordered to pay restitution to two (2) former clients and to pay the Board's costs in the disciplinary matter.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Long on June 13, 2013, which included two (2) complaints of ethical misconduct. In the first, Mr. Long was hired to handle a divorce and child custody matter. Mr. Long failed to properly communicate with or to advise his client about the objectives of the representation in a divorce matter. Due to the lack of appropriate communication between Mr. Long and his client, the client's divorce case was dismissed for lack of jurisdiction because Tennessee was not the proper forum to determine child custody and property issues. In the second complaint, a client hired Mr. Long to represent her in an appeal of a child custody matter from Juvenile Court. Mr. Long filed the appeal in the wrong court; however, the opposing party agreed to enter an Order for the purpose of filing a proper

PUBLIC CENSURE (continued)

appeal. Mr. Long failed to enter the agreed order in a timely manner because it was not entered until a year later.

Mr. Long's actions violate the following Rules of Professional Conduct: 1.1, Competence; 1.4(a) and (b), Communication; 1.5(a) Fees; 3.1, Meritorious Claims and Contentions; 8.4(a) and (d), Misconduct.

Perry Alan Craft (Davidson County)

On October 29, 2014, Perry Alan Craft, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Craft was a partner in a two-partner law firm. Mr. Craft had authority to write checks from the firm's trust account, but Mr. Craft was not involved in the daily operation of the trust account. Mr. Craft represented a client in a medical malpractice lawsuit who settled her claim against one of the defendants in June 2009. The client received a partial payment of the settlement funds in December 2009. After substantial further litigation by Mr. Craft's firm, the client hired a new attorney in July 2013, and the remaining settlement funds were transferred to the new attorney. The client's funds were not maintained in the firm trust account for the duration of the representation.

In the representation of another client, Mr. Craft's law firm received a settlement for the client in 2009. In February 2010, Mr. Craft negotiated a reduction of one of the client's medical bills. In August 2013, Mr. Craft was asked by his law partner to negotiate a further reduction in the same medical bill, which had not been paid. Mr. Craft also spoke with an expert witness who did not timely receive funds to which he was entitled on the matter. The funds were not paid to the third parties and were not maintained in the firm's trust account.

In another client matter, the firm received a client's settlement on February 15, 2011. A dispute arose with the client about the firm's fee. The dispute was resolved in October 2013. The funds owed to the client were not maintained in the firm's trust account for the duration of the dispute.

Mr. Craft did not remove or receive the funds from the trust account. By these acts, Perry Alan Craft has violated Rule of Professional Conduct 5.1 (responsibilities of partners) and is hereby Publicly Censured for this violation.

Clifford Knott McGown, Jr. (Humphreys County)

On November 1, 2014, Clifford Knott McGown, Jr., an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

During the representation of one client, Mr. McGown failed to file an Answer to a Third Party Complaint, failed to file a response to a motion for default judgment, failed to file a motion to set aside the default judgment, and failed to reasonably communicate with his client. During the representation of a second

PUBLIC CENSURE (continued)

client, Mr. McGown failed to file the appropriate pleading or to otherwise pursue his client's modification of custody case, and failed to respond to telephone calls.

By these acts, Clifford Knott McGown, Jr. has violated Rules of Professional Conduct 1.3 (diligence) and 1.4 (communication), and is hereby Publicly Censured for these violations.

DISABILITY INACTIVE STATUS

Mary Ellen Stevens (Obion County)

By Order of the Tennessee Supreme Court entered July 15, 2014, the law license of Mary Ellen Stevens was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Ms. Stevens cannot practice law while on disability inactive status. She may return to the practice of law after reinstatement by the Tennessee Supreme Court upon showing of clear and convincing evidence that the disability has been removed and she is fit to resume the practice of law.

Lyle Harold Moe (Blount County)

By Order of the Tennessee Supreme Court entered September 4, 2014, the law license of Lyle Harold Moe was transferred to disability inactive status pursuant to Section 21 of Tennessee Supreme Court Rule 9.

Mr. Moe cannot practice law while on disability inactive status. He may return to the practice of law after reinstatement by the Tennessee Supreme Court upon showing of clear and convincing evidence that the disability has been removed and he is fit to resume the practice of law.

Stacy D. Attkisson (Maury County)

By Order of the Tennessee Supreme Court entered September 10, 2014, the law license of Stacy D. Attkisson was transferred to disability inactive status pursuant to Section 27 of Tennessee Supreme Court Rule 9.

Ms. Attkisson cannot practice law while on disability inactive status. She may return to the practice of law after reinstatement by the Tennessee Supreme Court upon showing of clear and convincing evidence that the disability has been removed and she is fit to resume the practice of law.

Marshall Scott Smith (Madison County)

On October 7, 2014, the Tennessee Supreme Court entered an Order transferring the law license of Marshall Scott Smith to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

DISABILITY INACTIVE STATUS (continued)

The Court moved Mr. Smith's license to disability inactive status after Mr. Smith filed a notice with the Court alleging that he suffers from a disability that renders him incapable of practicing law and prevents him from defending himself against a disciplinary complaint pursuant to Tennessee Supreme Court Rule 9, Section 27.4 (2014). By the Court's October 7, 2014 Order, the matter of Mr. Smith's disability has been referred to a hearing panel of the Board of Professional Responsibility to determine Mr. Smith's capacity to continue to practice law and to respond to or defend against disciplinary matters pending before the Board.

Mr. Smith cannot practice law while on disability inactive status. He may return to the practice of law after reinstatement by the Tennessee Supreme Court upon showing of clear and convincing evidence that the disability has been removed and he is fit to resume the practice of law.

Jerry Lynn Vance (Davidson County)

By Order of the Tennessee Supreme Court entered October 28, 2014, the law license of Jerry Lynn Vance was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Mr. Vance cannot practice law while on disability inactive status. He may return to the practice of law after reinstatement by the Tennessee Supreme Court upon showing of clear and convincing evidence that the disability has been removed and he is fit to resume the practice of law.

Ronald W. Durby (Hamilton County)

By Order of the Tennessee Supreme Court entered December 5, 2014, the law license of Ronald W. Durby was transferred to disability inactive status pursuant to Section 27.3 of Tennessee Supreme Court Rule 9.

Mr. Durby cannot practice law while on disability inactive status. He may return to the practice of law after reinstatement by the Tennessee Supreme Court upon showing of clear and convincing evidence that the disability has been removed and he is fit to resume the practice of law.

REINSTATEMENTS

Edward T. Kindall (Davidson County)

On July 2, 2014, the Supreme Court of Tennessee reinstated Edward T. Kindall to the practice of law. Mr. Kindall had been suspended by the Supreme Court of Tennessee on December 26, 2013, for a period of one (1) year retroactive to May 13, 2013.

On May 14, 2014, Mr. Kindall filed a Petition for Reinstatement to the practice of law pursuant to Tennessee Supreme Court Rule 9, § 30.4(c) (2014). The Board found that the Petition was satisfactory and submitted an Order of Reinstatement to the Court.

REINSTATEMENTS (continued)

H. Owen Maddux (Hamilton County)

On July 18, 2014, the Supreme Court of Tennessee reinstated H. Owen Maddux to the practice of law. Mr. Maddux had been suspended by the Supreme Court of Tennessee on August 9, 2013, for a period of nine (9) months.

Mr. Maddux filed a Petition for Reinstatement to the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 30.4(c) (2014). The Board found that the Petition was satisfactory and submitted an Order of Reinstatement to the Court.

William T. Maxwell (Shelby County)

On July 25, 2014, the Supreme Court of Tennessee reinstated William T. Maxwell to the practice of law subject to conditions requiring him to engage a practice monitor for three (3) years and undergo an evaluation by Tennessee Lawyers Assistance Program (TLAP) and comply with any and all recommendations of TLAP.

Mr. Maxwell had been suspended by the Supreme Court of Tennessee on January 7, 2014, for a period of fifteen (15) months, retroactive to July 19, 2012. On January 15, 2014, Mr. Maxwell filed a Petition for Reinstatement to the practice of law and a hearing was held before the Hearing Panel on June 17, 2014.

A Hearing Panel found that Mr. Maxwell complied with the terms and conditions of his suspension, and further found that he had demonstrated the moral qualifications, competency and learning in the law required for the practice of law, and that his resumption of the practice of law will not be detrimental to the integrity or standing of the bar or administration of justice, or subversive to the public interest. Based upon the Hearing Panel's recommendation, the Supreme Court reinstated Mr. Maxwell's license to practice law with conditions.

Bruce H. Guthrie, II (Hamilton County)

On July 30, 2014, the Supreme Court of Tennessee reinstated Bruce H. Guthrie, II, to the practice of law. Mr. Guthrie had been suspended by the Supreme Court of Tennessee on July 30, 2009, for a period of twenty-six (26) months retroactive to May 18, 2007. Mr. Guthrie filed a Petition for Reinstatement to the practice of law pursuant to Tennessee Supreme Court Rule 9, Section 19 (2006).

A Hearing Panel found that Mr. Guthrie complied with the terms and conditions of his suspension, and further found that he had demonstrated the moral qualifications, competency and learning in the law required for the practice of law, and that his resumption of the practice of law will not be detrimental to the integrity or standing of the bar or administration of justice, or subversive to the public interest. Based upon the Hearing Panel's recommendation, the Supreme Court reinstated Mr. Guthrie's license to practice law. Mr. Guthrie must pay the costs of the reinstatement proceeding.

REINSTATEMENTS (continued)

John W. Castleman, Jr., (Wayne County)

John W. Castleman, Jr., has been reinstated to the practice of law by Order of the Tennessee Supreme Court entered August 4, 2014. Mr. Castleman was suspended from the practice of law by Order of the Supreme Court on July 5, 2011, for a period of one (1) year, retroactive to December 14, 2009.

A Hearing Panel found that Mr. Castleman complied with the terms and conditions of his suspension, and further found that he had demonstrated the moral qualifications, competency and learning in the law required for the practice of law, and that his resumption of the practice of law will not be detrimental to the integrity or standing of the bar or administration of justice, or subversive to the public interest. Based upon the Hearing Panel's recommendation, the Supreme Court reinstated Mr. Castleman's license to practice law with conditions. Mr. Castleman must continue a monitoring program for one year, including random drug screenings; continue his participation in a Buprenorphine program; continue counseling; participate in a twelve-step program; and engage a practice monitor for one year. Further, Mr. Castleman must pay the costs of the reinstatement proceeding.

John Alley (Hamilton County)

By Order of the Tennessee Supreme Court entered August 4, 2014, the law license of John Alley was reinstated pursuant to Tennessee Supreme Court Rule 9, Section 27.7. Mr. Alley's license had been placed on disability inactive status by Order entered June 19, 2014. Mr. Alley petitioned the Court to reinstate his law license on July 17, 2014.

James Michael Marshall (Maury County)

On September 4, 2014, the law license of James Michael Marshall of Spring Hill, Tennessee, was reinstated by Order of the Tennessee Supreme Court. Mr. Marshall had been suspended by the Court for a period of sixty (60) days after he entered a Conditional Guilty Plea admitting conduct in violation of Rules of Professional Conduct in the representation of two clients. Mr. Marshall petitioned the Court for reinstatement of his license pursuant to Tennessee Supreme Court Rule 9, Section 30.4(c).

Roger David Hyman (Knox County)

On November 3, 2014, the Supreme Court of Tennessee reinstated the law license of Roger David Hyman. Mr. Hyman's law license had been suspended by the Supreme Court of Tennessee on March 31, 2014, for a period of six (6) months. Mr. Hyman petitioned for reinstatement on September 30, 2014. Based upon the Board's notification that Mr. Hyman had satisfied all conditions set forth in the Order imposing discipline and that the petition was satisfactory to the Board, the Court reinstated Mr. Hyman's license to practice law. Mr. Hyman was ordered to pay costs of the reinstatement.

REINSTATEMENTS (continued)

R. Sadler Bailey (Shelby County)

On November 13, 2014, the Supreme Court of Tennessee reinstated R. Sadler Bailey to the practice of law. Mr. Bailey had been suspended by the Supreme Court of Tennessee on August 18, 2014, for a period of sixty (60) days. Mr. Bailey filed a Petition for Reinstatement on October 23, 2014 pursuant to Tennessee Supreme Court Rule 9, Section 30.4(c) (2014). The Board found that the Petition was satisfactory and submitted an Order of Reinstatement to the Court.