



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

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RELEASE OF INFORMATION
RE: RELEASE OF INFORMATION
RE: SCOTT DAVID JOHANNESSEN, BPR #026767
CONTACT: JERRY MORGAN
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

October 2, 2019

DAVIDSON COUNTY LAWYER CENSURED

On October 1, 2019, Scott David Johannessen, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Johannessen assisted a client in preparing an appellate brief to be filed in the United States Court of Appeals for the Sixth Circuit. Thereafter, in a substantially related matter, Mr. Johannessen filed pleadings on behalf of a separate client which had interests materially adverse to those of his former client.

By these acts, Scott David Johannessen has violated Rule of Professional Conduct 1.9(a) (Duties to Former Clients) and 8.4(a) (Misconduct) and is hereby Publicly Censured for these violations.

A Public Censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Johannessen 2844-5 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

10/01/2019

Clerk of the
Appellate Courts

IN RE: SCOTT DAVID JOHANNESSEN, BPR #026767
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

No. M2019-01695-SC-BAR-BP
BOPR No. 2018-2844-5-WM

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Scott David Johannessen on March 22, 2018; upon the Answer to the Petition for Discipline filed by Mr. Johannessen on June 12, 2018; upon the Findings of Fact, Conclusions of Law and Judgment entered by the Hearing Panel and served on Mr. Johannessen by the Executive Secretary of the Board on February 26, 2019; upon the Findings and Judgment for Assessment of Costs entered by the Hearing Panel and served on Mr. Johannessen by the Executive Secretary of the Board on March 15, 2019; upon the Petition for Review filed by Mr. Johannessen on April 26, 2019; upon the Notice of Dismissal of the appeal filed by Mr. Johannessen on August 23, 2019; and upon the entire record in this cause.

From all of which the Court approves and adopts the Hearing Panel's Findings of Fact, Conclusions of Law and Judgment as the Court's Order.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

(1) Pursuant to Tenn. Sup. Ct. R. 9, §12.4, Scott David Johannessen is hereby publicly censured.

(2) Pursuant to Tenn. Sup. Ct. R. 9, §31.3, Mr. Johannessen shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$480.00 and shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution may issue if necessary.

(3) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM