



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

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**RELEASE OF INFORMATION**  
**RE: EDWARD KINDALL, BPR #5952**  
**CONTACT: ALAN D. JOHNSON**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

December 27, 2013

**DAVIDSON COUNTY LAWYER SUSPENDED**

On December 26, 2013, Edward Kindall, of Nashville, Tennessee, was suspended from the practice of law by Order of the Tennessee Supreme Court for one (1) year, retroactive to May 12, 2013, the date he was transferred from Disability Inactive Status to Active Status. He must consult with the Tennessee Lawyers Assistance Program, refund a partial fee to a client, and pay the Board of Professional Responsibility's costs and expenses within ninety days of the entry of the Order of Enforcement.

A Petition for Discipline was filed on November 17, 2009, alleging that Mr. Kindall failed to supervise a non-lawyer employee who was engaging in the unauthorized practice of law and misusing Mr. Kindall's trust accounts. Because Mr. Kindall was not appropriately supervising the non-lawyer employee, she was able to engage in transactions that created conflicts of interest and that abused her authority as a representative of Mr. Kindall. Upon learning of the non-lawyer employee's conduct Mr. Kindall paid restitution to the clients that were injured.

Mr. Kindall failed to establish internal policies and procedures designed to provide reasonable assurance that his non-lawyer assistant acted in a way compatible with the Rules of Professional Conduct, and failed to properly supervise the non-lawyer's activities. Mr. Kindall entered into a Conditional Guilty Plea admitting to the misconduct.

Mr. Kindall's actions violated Rules of Professional Conduct 1.8 (conflict of interest); 1.15 (safekeeping property); 5.3 (responsibilities regarding non-lawyer assistants); 5.5 (unauthorized practice of law), and 8.4 (misconduct).

Mr. Kindall must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 18 and 19, regarding the obligations and responsibilities of suspended attorneys.

Kindall 1855-5 rel.doc

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