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BOARD OF PROFESSIONAL RESPONSIBILITY

IN DISCIPLINARY DISTRICT X
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

IN RE: NATHANIEL H. KOENIG, BPR NO. 10252

FILE NO. 33521-5-KB

Respondent, an attorney licensed to practice law in Tennessee (Davidson County)

PUBLIC CENSURE

The above complaint was filed against Nathaniel H. Koenig, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered this matter at its meeting on June 10, 2011.

Respondent represented Complainant in a personal injury case. Respondent and Complainant failed to appear for a January 13, 2010 court date, and the case was dismissed for failure to prosecute. Opposing counsel informed Respondent of the dismissal, but the Respondent did not advise his client that the case had been dismissed.

Instead, several months after the dismissal, Respondent told Complainant that he was still waiting on a response from opposing counsel about a settlement offer. However, sometime shortly thereafter, Respondent informed her that the case had actually been dismissed for failure to appear. Respondent assured Complainant he would re-file the case immediately, but he did not do so for six months. The case was again dismissed.

By the aforementioned acts, Nathaniel H. Koenig has violated Rules of Professional Conduct 1.3 (diligence), 1.4 (communication), and 3.2 (failure to expedite litigation) and is hereby Publicly Censured for these violations.

FOR THE BOARD OF PROFESSIONAL RESPONSIBILITY

Lela Holiabaugh, Chair

Duty 18, 2011