



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

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RELEASE OF INFORMATION
RE: MICHAEL E. LATIMORE, BPR# 20170
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

August 18, 2011

MEMPHIS LAWYER SUSPENDED

On August 15, 2011, Michael E. Latimore, of Memphis, Tennessee, was suspended by Order of the Tennessee Supreme Court for three (3) years. He was further ordered to pay restitution. Mr. Latimore is ordered to pay the Board's costs.

The Board of Professional Responsibility filed a Petition for Discipline and a Supplemental Petition for Discipline against Mr. Latimore pursuant to Rule 9 of the Rules of the Supreme Court of Tennessee. A Hearing Panel determined that Mr. Latimore failed to adequately communicate with his clients, failed to inform clients that he had been temporarily suspended, and failed to distribute settlement proceeds to third parties on behalf of his clients. Mr. Latimore did not maintain settlement proceeds in a trust account and he used the funds for personal benefit.

His actions violate the following Rule(s) of Professional Conduct: 1.3, Diligence; 1.4, Communication; 1.5, Fees; 1.15(c), Safekeeping Property; 1.16, Declining and Terminating Representation; 3.2, Expediting Litigation; 8.1(b), Bar Admission and Disciplinary Matters; and 8.4(a)(b) and (c), Misconduct.

Mr. Latimore must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 18 and 19, should he seek reinstatement of his Tennessee law license and he may not resume practice until reinstated by further order of this Court.

Latimore 1854-9 rel.doc

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: MICHAEL E. LATIMORE, BPR #20170
An Attorney Licensed to Practice Law in Tennessee
(Shelby County)

FILED

AUG 15 2011

Clerk of the Courts

NO. M2011-01739-SC-BPO-BP
BOPR No. 2009-1854-9-KH

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed November 17, 2009 by the Board of Professional Responsibility ("Board") against Michael E. Latimore ("Respondent"); upon Respondent's Answer to the Petition for Discipline filed on May 21, 2010; upon a Supplemental Petition for Discipline filed by the Board on October 8, 2010; upon a Motion to Withdraw and for Extension of Time to Answer the Supplemental Petition for Discipline filed by counsel for Respondent on October 20, 2010; upon permission granted by the Board Chair for an extension of thirty (30) days in which to file an answer; upon the Board's Motion for Default and That Allegations in the Supplemental Petition for Discipline Be Deemed Admitted filed on January 3, 2011; upon Order of Default entered by the Hearing Panel on January 21, 2011; upon a hearing held on March 31, 2011 at which Respondent did not appear; upon entry of the Hearing Panel's Findings of Fact, Conclusions of Law, and Judgment on April 20, 2011; upon service of the Judgment on Respondent sent by the Board on April 21, 2011; upon consideration and approval by the Board on June 10, 2011; upon expiration of the time for appeal with no appeal taken; and upon the entire record in this cause.

From all of which the Court approves the Judgment of the Hearing Panel and adopts the Judgment of the Hearing Panel as the Court's Order.

It is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. Respondent, Michael E. Latimore, be and is hereby suspended for three (3) years pursuant to Supreme Court Rule 9, Section 4.2.
2. Pursuant to Supreme Court Rule 9, Section 4.7, Respondent shall pay restitution to the following individuals. Payment of restitution shall be a condition precedent to reinstatement.

- a) Earlene Hall, \$500.00;
- b) Christopher Wilson, \$650.00;
- c) LawCash, \$2,323.27; and
- d) Thomas Davis, \$1,666.67.

3. The suspension shall become effective within ten (10) days of the filing of this Order.

4. Respondent shall comply in all aspects with Supreme Court Rule 9, Sections 18 and 19 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement. Respondent must meet all CLE requirements and all registration requirements prior to reinstatement.

5. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,982.00 and, in addition, 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.

6. The Board shall cause notice of this suspension to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark

CORNELIA A. CLARK
CHIEF JUSTICE

I, Michael W. Catalano, Clerk, hereby certify that
this is a true and correct copy of the original

Filed in the cause Order
This 15 day of Aug, 2011
By: [Signature]
CLERK OF COURT