



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

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RELEASE OF INFORMATION

RE: IVAN OMAR LOPEZ, #026441

CONTACT: EILEEN BURKHALTER SMITH

BOARD OF PROFESSIONAL RESPONSIBILITY

615-361-7500

July 12, 2021

DAVIDSON COUNTY LAWYER CENSURED

On July 12, 2021, Ivan Omar Lopez, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

In the representation of two clients, Mr. Lopez withheld funds for anticipated medical bills. The medical provider went out of business temporarily. Mr. Lopez maintained the funds in trust. Several months after the settlement of the client's case, the medical provider sought payment for the medical bills in amounts in excess of the funds Mr. Lopez had retained.

In October 2020, Mr. Lopez decided to remit payment to the medical provider in full, to timely resolve any potential dispute. Mr. Lopez intended to remove the funds he held in trust, and also pay an additional \$1,850 from his own funds to issue full payment to the provider. On October 2, 2020, Mr. Lopez incorrectly removed the full amount of funds from his trust account, \$1,850 of which should have been paid from his operating account. Mr. Lopez did not discover the error until April 2021. Mr. Lopez then made a second error in depositing too much into trust to remedy the error, resulting in commingling of \$3,149 of his funds with his client funds for two weeks.

Mr. Lopez's conduct was negligent, not intentional, and did not result in harm to his clients or to the medical provider at issue, but there was potential harm to other clients whose funds were removed for six months.

By the aforementioned acts, Ivan Omar Lopez has violated Rule of Professional Conduct Rule 1.15 (safekeeping funds) and is hereby Publicly Censured with the condition that he attend the Board's next Trust Account Workshop in September 2021.

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

Lopez 65672-5 rel.doc

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

IN RE: Ivan Omar Lopez, #026441
Respondent, an attorney licensed
to practice law in Tennessee
(Davidson County)

FILE NO. 65672-5-ES

PUBLIC CENSURE

The above complaint was filed against Ivan Omar Lopez, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Tenn. Sup. Ct. R. 9, the Board of Professional Responsibility considered this matter at its meeting on June 11, 2021

In the representation of two clients, Mr. Lopez withheld funds for anticipated medical bills. Mr. Lopez was unable to pay the particular medical bills because the medical provider went out of business temporarily. Mr. Lopez maintained the funds in trust. Several months after the settlement of the client's case, the medical provider sought payment for the medical bills in amounts in excess of the funds Mr. Lopez had retained. The medical provider refused to reduce the medical bills.

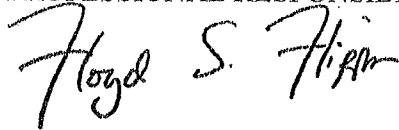
In October 2020, Mr. Lopez decided to remit payment to the medical provider in full, to timely resolve any potential dispute. Mr. Lopez intended to remove the funds he held in trust, and also pay an additional \$1,850 from his own funds to issue full payment to the provider. On October 2, 2020, Mr. Lopez incorrectly removed the full amount of funds from his trust account, \$1,850 of which should have been paid from his operating account. This resulted in the temporary removal of client funds in violation of Rule 1.15 (safekeeping funds). Mr. Lopez did not discover the error until April 2021. Mr. Lopez then made a second error in depositing too much into trust to remedy

the error, resulting in commingling of \$3,149 of his funds with his client funds for two weeks. Mr. Lopez then corrected this error. This is a second violation of Rule 1.15.

Mr. Lopez's conduct was negligent, not intentional, and did not result in harm to his clients or to the medical provider at issue, but there was potential harm to other clients whose funds were removed for six months.

By the aforementioned acts, Ivan Omar Lopez has violated Rule of Professional Conduct Rule 1.15 (safekeeping funds) and is hereby Publicly Censured with the condition that he attend the Board's next Trust Account Workshop in September 2021.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



Floyd Flippin, Chair

7.12.21

Date