



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

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RELEASE OF INFORMATION
RE: ANDREW HARRISON MALONEY, BPR #028722
CONTACT: JERRY MORGAN
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

September 19, 2019

DAVIDSON COUNTY LAWYER TEMPORARILY SUSPENDED

On September 18, 2019, the Supreme Court of Tennessee temporarily suspended Andrew Harrison Maloney from the practice of law upon finding that Mr. Maloney misappropriated funds and posed a threat of substantial harm to the public. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases where an attorney misappropriated funds or poses a threat of substantial harm to the public.

Mr. Maloney is immediately precluded from accepting any new cases, and he must cease representing existing clients October 18, 2019. After October 18, 2019, Mr. Maloney shall not use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted. Mr. Maloney is immediately precluded from accessing current trust accounts or opening any new trust accounts until further direction of the Court.

Mr. Maloney must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license. Mr. Maloney is required to deliver to all clients any papers or property to which they are entitled.

This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Maloney may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

Maloney 3030-5 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

09/18/2019

Clerk of the
Appellate Courts

IN RE: ANDREW HARRISON MALONEY, BPR #028722
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

No. M2019-01472-SC-BAR-BP
BOPR No. 2019-3030-5-JM-12.3

ORDER OF TEMPORARY SUSPENSION

This matter is before the Court on a Petition of the Board of Professional Responsibility of the Supreme Court of Tennessee, by and through Disciplinary Counsel, for the temporary suspension of Andrew Harrison Maloney from the practice of law, pursuant to Tenn. Sup. Ct. R. 9, § 12.3. The Petition has been authorized by the Chair of the Board of Professional Responsibility and is supported by the Affidavit of Jennifer Pierce, a former employee of Nashville Title Insurance Corporation, and Karen Marlin, an auditor of Old Republic National Title Insurance Company.

Based upon the Petition and the supporting Affidavits, the Court finds that Andrew Harrison Maloney, Respondent, has misappropriated funds and poses a threat of substantial harm to the public as detailed by the Affidavits of Jennifer Pierce and Karen Marlin.

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

1. Andrew Harrison Maloney is hereby temporarily suspended from the practice of law as provided in Tenn. Sup. Ct. R. 9, § 12.3.
2. Andrew Harrison Maloney shall comply with Tenn. Sup. Ct. R. 9 in all respects and particularly as provided in Tenn. Sup. Ct. R. 9, § 28, regarding the responsibilities of suspended attorneys.
3. Andrew Harrison Maloney is hereby enjoined from accessing the trust account located at Synovus Bank (Account Number: XX2995) until further Order of this Court and shall cooperate with Synovus Bank and the remaining signatories on Account Number XX2995 to close the account and open a new trust account where funds in Account Number XX2995 shall be transferred. This Order shall be served upon Synovus Bank as provided in Tenn. Sup. Ct. R. 9, § 12.3(b) as an injunction to prevent said bank

from making further payment from said account on any obligation except in accordance with the restrictions imposed by this Order. This order is not to be construed as restricting the remaining signatories on the account from issuing checks thereon in the ordinary course of business prior to the closing of Account Number XX2995 and transfer of funds to the new trust account or as requiring Synovus to freeze the account. Synovus Bank, its agents, officers, representatives, and assigns, shall not be liable to any account signatory in connection with Synovus Bank's compliance with this Order, including without limitation the disbursement of funds from Account Number XX2995 to a new trust account, or any delays in the disbursement of funds from Account Number XX2995 or any new trust account.

4. Andrew Harrison Maloney shall not open any new trust accounts at any financial institution pending further orders from this Court.

5. Andrew Harrison Maloney shall disclose in writing to Disciplinary Counsel the financial institutions and account numbers of all trust accounts maintained by him within ten (10) days from entry of this Order.

6. Any and all financial institutions maintaining a trust account as disclosed by Andrew Harrison Maloney shall be served with this Order as provided in Tenn. Sup. Ct. R. 9, § 12.3(b) as an injunction to prevent said bank from making further payment from said account on any obligation except in accordance with the restrictions imposed by this Order.

7. Andrew Harrison Maloney is hereby restricted from accessing any trust accounts that may be disclosed by him pursuant to this Order until further Order of this Court.

8. Any and all financial institutions, including but not limited to Synovus Bank, shall be permitted to disclose and share information relating to Andrew Harrison Maloney's trust accounts with Disciplinary Counsel of the Board of Professional Responsibility.

9. Disciplinary Counsel of the Board of Professional Responsibility shall have full and open access to all trust accounts maintained by Andrew Harrison Maloney.

10. Andrew Harrison Maloney is hereby restrained from making any payments from his trust account(s) or having any access to his trust account(s) whatsoever, without the express written approval from Disciplinary Counsel.

11. Andrew Harrison Maloney shall submit all requests in writing to Disciplinary Counsel for any access to his trust account(s).

12. Andrew Harrison Maloney may make application for dissolution or modification of this Order as provided in Tenn. Sup. Ct. R. 9, § 12.3.

13. The Board of Professional Responsibility shall cause notice of this suspension of Andrew Harrison Maloney to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM