



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

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RELEASE OF INFORMATION
RE: MICHAEL JOHN MCNULTY, BPR #025974
CONTACT: KRISANN HODGES
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

December 5, 2018

BRADLEY COUNTY LAWYER DISBARRED

Effective December 5, 2018, the Supreme Court of Tennessee disbarred Michael John McNulty from the practice of law and ordered him to pay restitution to one client in the amount of \$1,125.00. Mr. McNulty is required to pay the costs and expenses of the Board of Professional Responsibility and the court costs within ninety (90) days.

On January 29, 2018, a Petition for Discipline was filed against Michael John McNulty containing two (2) complaints of ethical misconduct. In the first complaint, Mr. McNulty received \$1,125.00 for legal services but provided minimal services and ultimately abandoned the representation of the client. As a result of Mr. McNulty's abandonment, the client was compelled to hire new counsel. In the second complaint, Mr. McNulty falsified an email communication related to a client's matter. Mr. McNulty sent an email to a medical provider which purported to be sent from an attorney who no longer worked at Mr. McNulty's firm. Mr. McNulty did not answer the Petition for Discipline or appear at the final hearing.

Mr. McNulty's ethical misconduct violates Rules of Professional Conduct 1.3, Diligence; 1.4, Communications; 1.5(a), Fees; 1.16(d), Declining and Terminating Representation; 4.1(a), Truthfulness in Statements to Others; 8.1(b), Bar Admission and Disciplinary Matters; and 8.4(a) and (c), Misconduct.

Mr. McNulty was disbarred in a prior disciplinary matter on February 15, 2018. That disbarment remains in effect. Mr. McNulty must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 30, regarding the obligations and responsibilities of disbarred attorneys.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

12/05/2018

Clerk of the
Appellate Courts

IN RE: MICHAEL JOHN MCNULTY, BPR #025974

An Attorney Licensed to Practice Law in Tennessee
(Bradley County)

No. M2018-02177-SC-BAR-BP
BOPR No. 2018-2821-3-KH

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed by the Board of Professional Responsibility ("Board") against Michael John McNulty on January 29, 2018; upon a Motion for Default and that Charges in the Petition Be Admitted filed by the Board on July 13, 2018; upon entry of an Order of Default on August 2, 2018; upon a final hearing held before the hearing panel on August 17, 2018; upon entry of Findings of Fact, Conclusions of Law, and Judgment on August 17, 2018; upon service of the Findings of Fact, Conclusions of Law, and Judgment by the Executive Secretary for the Board on August 17, 2018; upon Application for Assessment of Costs filed by the Board on August 22, 2018; upon entry of Findings and Assessment of Costs on September 6, 2018; upon service of the Findings and Assessment of Costs by the Executive Secretary for the Board on September 6, 2018; upon consideration and approval by the Board on September 14, 2018; upon the 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 and adopts the hearing panel's Findings of Facts, Conclusions of Law, and Judgment as the Court's Order.

On February 15, 2018, Mr. McNulty was disbarred by this Court in Case No. M2018-00250-SC-BAR-BP. To date, Mr. McNulty has not requested, nor been granted, reinstatement.

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

- (1) Michael John McNulty is disbarred from the practice of law pursuant to Tenn. Sup. Ct. R. 9 §12.1.
- (2) Pursuant to Tenn. Sup. Ct. R. 9 §12.7, and as a condition precedent to any application for reinstatement, Mr. McNulty shall make restitution to Wade Thomas in the

amount of \$1,125.00 and shall furnish to the Board of Professional Responsibility proof of restitution. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. McNulty shall reimburse TLFCP in the same amount.

(3) Prior to seeking reinstatement, Mr. McNulty must meet all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this disbarment until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(4) Mr. McNulty shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4(d), regarding the obligations and responsibilities of disbarred attorneys.

(5) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective upon entry.

(6) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3(d), Mr. McNulty shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$583.14 and 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.

(7) The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

PER CURIAM