

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
12/27/2017
Clerk of the
Appellate Courts

IN RE: GEORGE AVERY MOTT, BPR #025039
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

No. M2017-02453-SC-BAR-BP
BOPR No. 2017-2706-5-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Attorney George Avery Mott on April 21, 2017; upon an Answer to Petition for Discipline filed by Mr. Mott on May 25, 2017; upon a Conditional Guilty Plea filed by Mr. Mott on November 20, 2017; upon an Order Recommending Approval of Conditional Guilty Plea entered on November 28, 2017; upon consideration and approval by the Board on December 8, 2017; and upon the entire record in this cause.

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

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

(1) Pursuant to Tenn. Sup. Ct. R. 9, § 12.2, George Avery Mott is suspended from the practice of law for one (1) year, consisting of thirty (30) days active suspension and the remainder on probation pursuant to Tenn. Sup. Ct. R. 9 §14, subject to the following conditions:

- (a) Mr. Mott shall engage a practice monitor at his own expense who shall meet with Mr. Mott on a monthly basis to review basic office procedures such as the scheduling and maintenance of case deadlines and the use of written communication and fee agreements.

(b) The practice monitor shall send monthly reports of these meetings to the Board.

(c) Mr. Mott shall select three (3) potential practice monitors and submit names to the Board for final approval within fifteen (15) days of the entry of the Order of Enforcement.

(2) Pursuant to Tenn. Sup. Ct. R. 9, § 12.7, Mr. Mott shall be required to make restitution to the following individuals no later than six (6) months from entry of the Supreme Court's Order of Enforcement. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection ("TLFCP"), Mr. Mott will be responsible for reimbursement to the TLFCP of the same amount:

- a) Jerry Compton - \$679.00
- b) Tejwanti & Clyde Cain - \$749.00
- c) George Lee, III - \$300.00
- d) Joyce Ann Smith - \$300.00
- e) Madonna Elmore - \$600.00

(3) During the period of active suspension and probation, Mr. Mott shall incur no new complaints of misconduct that relate to conduct occurring during the period of suspension and probation that results in the recommendation by the Board that discipline be imposed.

(4) In the event Mr. Mott fails to meet any condition of probation, the probation may be revoked pursuant to Tenn. Sup. Ct. R. 9, § 14.2, and upon a finding that revocation is warranted, Mr. Mott shall serve the previously deferred period of suspension.

(5) Mr. Mott shall comply in all aspects with Tenn. Sup. Ct. R. 9, §§ 28 and 30.4, regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

(6) Mr. Mott must meet all CLE requirements; have remitted all outstanding registration fees and outstanding professional privilege taxes, including those due from the date of this suspension until the date of reinstatement; and have remitted all court costs and Board costs in this matter.

(7) Pursuant to Tenn. Sup. Ct. R. 9, § 28.1, this Order shall be effective immediately.

(8) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Mr. Mott shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$337.89, 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.

(9) 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