



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

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RELEASE OF INFORMATION
RE: SAMUEL JOHN MULDAVIN, 013498
CONTACT: STEVEN J. CHRISTOPHER
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

March 26, 2025

SHELBY COUNTY, TENNESSEE LAWYER CENSURED

On March 26, 2025, Samuel John Muldavin, 013498, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

Mr. Muldavin agreed to represent two clients in defense of a detainer action filed in General Sessions Court. Prior to Mr. Muldavin's involvement, the clients surrendered possession. The clients were served through notice posted on the door of their former residence. No further service was attempted. Mr. Muldavin agreed to the representation through referral from a third-party. Mr. Muldavin never communicated with one of the clients at any time during the representation, and did not communicate with the second client until the morning of trial. Mr. Muldavin had no prior experience handling residential landlord tenant matters and did not complete any research of applicable law during the representation or otherwise take any action to prepare for trial. Mr. Muldavin also agreed to the scheduling of trial for calculation of money damages, fees, and costs, despite the inadequacy of service of process.

On the day of trial, one of the two clients appeared. Mr. Muldavin proposed that the client not object to entry of a judgment and authorize Mr. Muldavin to appeal whatever judgment was entered to Circuit Court, despite the fact that the amount of the landlord's damages claim was not yet known. The client agreed. Despite not having communicated with the second client, Mr. Muldavin advised the tribunal that he was appearing on behalf of both clients and that neither client objected to entry of a money judgment. Mr. Muldavin and the client left the courthouse after Mr. Muldavin's announcement. The landlord's counsel proceeded to introduce her proof and obtain a money judgment. Mr. Muldavin timely appealed the judgment to Circuit Court. The client discharged Mr. Muldavin shortly after and obtained successor counsel. A judgment was subsequently entered in Circuit Court affirming the amount of the money judgment.

By these acts, Mr. Muldavin has violated Rules of Professional Conduct 1.1 (*competence*), 1.2(a)(*allocation of authority between client and lawyer*), 1.3 (*diligence*), 1.4 (*communication*), 1.5(b)(*scope of representation*), and 3.3(a)(1)(*misrepresentation to a tribunal*), and is hereby Publicly Censured for these violations.

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

Muldavin 100788-2024-9 rel.doc