



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

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**RELEASE OF INFORMATION**  
**RE: GERARD THOMAS NEBEL, BPR# 5206**  
**CONTACT: KRISANN HODGES**  
**BOARD OF PROFESSIONAL RESPONSIBILITY**  
**615-361-7500**

March 2, 2010

**NASHVILLE LAWYER SUSPENDED**

On February 22, 2010, Gerard Thomas Nebel, of Nashville, Tennessee, was suspended by Order of the Tennessee Supreme Court for a period of six (6) months and for an indefinite period thereafter until full payment of restitution. Mr. Nebel must also pay the Board's costs and expenses. The suspension is effective ten (10) days from the entry of the Order.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Nebel pursuant to Tennessee Supreme Court Rule 9. A Hearing Panel found that Mr. Nebel failed to pay an expert witness after being provided \$3,000.00 by his client expressly for that purpose. Further, the Panel found that while representing Benefit Consulting Alliance, LLC, Mr. Nebel solicited a personal loan from the owner of the company in the amount of \$13,000.00 which he failed to repay. Mr. Nebel failed to comply with the terms of the promissory note he signed. The Hearing Panel determined that each complainant was entitled to full restitution.

Mr. Nebel's actions violate the following Rule(s) of Professional Conduct: 1.15, Safekeeping of Property, and 8.4(a)(c)(d), Misconduct.

Mr. Nebel must comply with Tennessee Supreme Court Rule 9, Sections 18 and 19, regarding the obligations and responsibilities of suspended attorneys

Nebel 1777-5 rel.doc

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IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**IN RE: GERARD THOMAS NEBEL, BPR #5206**  
An Attorney Licensed to Practice Law in Tennessee  
(Davidson County)

**FILED**  
FEB 22 2010  
Clerk of the Courts

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NO. M2010-00401-SE-BPO-BP  
BOPR No. 2008-1777-5-KH

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed on September 17, 2008 by the Board of Professional Responsibility ("Board"); upon Answer by Respondent filed on October 17, 2008; upon a Supplemental Petition for Discipline filed on March 17, 2009; upon a hearing held on October 28, 2009; upon Judgment of the Hearing Panel entered on November 30, 2009; and upon the entire record in this cause.

From all of which it appears to the Court that the judgment of the Hearing Panel imposing a suspension for a fixed period of six (6) months and an indefinite period thereafter until Respondent makes full restitution is appropriate.

It is therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court that:

1. Respondent, Gerard Thomas Nebel, be and is hereby suspended from the practice of law for a fixed period of six (6) months and for an indefinite period thereafter until the Respondent demonstrates to the Board that he has made full restitution as follows:

- a) \$3,000.00 to Alfonso Sosa Cordero
- b) \$14,000.00 to Wayne Emery

2. The suspension shall become effective ten (10) days after the filing of this Order.

3. Respondent shall comply in all aspects with Supreme Court Rule 9, Sections 18 and 19 regarding the obligations and responsibilities of suspended attorneys and the procedure for reinstatement.

4. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,156.33, and in addition, shall pay to the Clerk of this Court the costs incurred herein, for all of which execution may issue if necessary.

5. The Board shall cause notice of this suspension to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

Cornelia A. Clark  
CORNELIA A. CLARK  
JUSTICE

, Michael W. Catalano, Clerk, hereby certify that  
this is a true and exact copy of the original

filed in the cause.

This 22 day of Feb, 2010

CLERK OF COURT

By: Michael W. Catalano D.C.