

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

JAN 12 2012

Clerk of the Courts

IN RE DANA L. NERO, BPR #025042
An Attorney Licensed to Practice Law in Tennessee
(Davidson County)

No. M2011-02113-SC-BPR-BP
BOPR No. 2011-2076-5-KH(4.3)

ORDER DISSOLVING TEMPORARY SUSPENSION

On October 10, 2011, the Court entered an Order of Temporary Suspension suspending Dana L. Nero pursuant to Tenn. Sup. Ct. R. 9, § 4.3, for substantial noncompliance with a monitoring agreement entered into with the Tennessee Lawyer's Assistance Program. On November 7, 2011, Ms. Nero filed a Petition for Dissolution of Temporary Order of Suspension. On November 23, 2011, the Court entered an Order requiring the Board to set a hearing and submit a report and recommendation to the Court.


On December 9, 2011, a hearing was conducted before a Hearing Panel. On December 21, 2011, the Hearing Panel entered its Report and Recommendation recommending that the temporary suspension be dissolved subject to certain conditions, including a practice monitor. A copy of the Report and Recommendation of the 4.3 Hearing Panel is attached hereto and incorporated herein by reference.

It is therefore, ordered, adjudged, and decreed that:

1. The temporary suspension imposed upon Dana L. Nero by Order of Temporary Suspension filed October 10, 2011, is hereby dissolved.
2. Within fifteen (15) days of this Order, Ms. Nero shall engage a practice monitor who shall serve for six (6) months. The practice monitor must be approved by Disciplinary Counsel for the Board. Further, the practice monitor shall have a background in criminal defense since that is Ms. Nero's main practice area. The practice monitor will submit monthly reports to Disciplinary Counsel for the entire six (6) month period.
3. Further, Ms. Nero must make the practice monitor aware of the existing TLAP monitoring agreement so that the monitor can provide assistance as needed. Ms. Nero shall keep the practice monitor informed of any noncompliance with the TLAP monitoring agreement.

4. Ms. Nero shall reimburse and pay to the Board of Professional Responsibility the costs and expenses of this proceeding in the amount of \$240.00 and, in addition, shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days, for all of which execution shall issue, if necessary.

FOR THE COURT:



WILLIAM C. KOCH, JR., JUSTICE