



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

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RELEASE OF INFORMATION
RE: WENDELL J. O'REILLY, BPR #022217
CONTACT: ALAN D. JOHNSON
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

March 3, 2022

WILLIAMSON COUNTY LAWYER DISBARRED

Effective March 3, 2022, the Supreme Court of Tennessee permanently disbarred Wendell J. O'Reilly from the practice of law and ordered him to pay restitution to his clients.

The Board filed a Petition for Discipline containing two (2) complaints and a Supplemental Petition for Discipline containing one (1) complaint against Mr. O'Reilly. The disciplinary complaints were tried before a Hearing Panel who determined Mr. O'Reilly, while suspended from the practice of law, knowingly engaged in the unauthorized practice of law; failed to adequately communicate with his clients; knowingly misled courts, clients and third parties; knowingly charged excessive fees; failed to safeguard client funds; knowingly failed to comply with final court orders; engaged in conduct prejudicial to the administration of justice and failed to respond to the Board about a disciplinary matter.

The Panel found Mr. O'Reilly's actions and omissions violated Rules of Professional Conduct (RPC) 1.4(communication), 1.5(fees), 1.15(safekeeping of property), 3.3(candor toward the tribunal), 4.1(truthfulness in statements to others), 5.5(unauthorized practice of law). 8.1(disciplinary matters) and 8.4(a, c, d and g) (misconduct).

Mr. O'Reilly must comply with the requirements of Tennessee Supreme Court Rule 9, § 28 regarding the obligations and responsibilities of permanently disbarred attorneys.

O'Reilly 3028-6 rel.doc

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE



IN RE: WENDELL J. O'REILLY, BPR #022217
An Attorney Licensed to Practice Law in Tennessee
(Williamson County)

No. M2022-00198-SC-BAR-BP
BOPR No. 2019-3028-6-AJ

ORDER OF ENFORCEMENT

This matter is before the Court upon a Petition for Discipline filed against Wendell J. O'Reilly on August 2, 2019; upon Answer to Petition filed on October 29, 2019; upon a Supplemental Petition for Discipline filed on March 3, 2020; upon Motion for Default Judgment and that the Charges in the Supplemental Petition for Discipline be Deemed Admitted filed on July 15, 2020; upon an Order for Default Judgment on the Supplemental Petition for Discipline entered August 11, 2020; upon service of the Order for Default Judgment by the Executive Secretary of the Board on Mr. O'Reilly on August 11, 2020; upon Joint Stipulation of Facts filed on May 6, 2021; upon hearing on the Petition for Discipline conducted on May 7, 2021; upon the Findings of Fact and Recommendations of the Hearing Committee Panel filed on August 24, 2021; upon service of the Findings of Fact and Recommendations of the Hearing Committee Panel by the Executive Secretary of the Board on Mr. O'Reilly on August 24, 2021; upon the Board's Application for Assessment of Costs filed on August 27, 2021; upon the Hearing Panel issuing its Findings and Judgment for Assessment of Costs on October 6, 2021; upon expiration of the appeal period with no appeal taken; 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.

On October 17, 2019, Mr. O'Reilly was temporarily suspended by this Court pursuant to Tenn. Sup. Ct. R. 9, § 12.3 (Case No. M2019-01857-SC-BAR-BP) for failure to respond to the Board of Professional Responsibility concerning a complaint of misconduct. On August 22, 2018, Mr. O'Reilly was administratively suspended from the practice of law for failure to comply with the mandatory continuing legal education requirements. On August 23, 2018, Mr. O'Reilly was administratively suspended from the practice of law for failure to pay the professional privilege tax. To date, Mr. O'Reilly has not requested, nor been granted, reinstatement.

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

(1) Wendell J. O'Reilly is hereby permanently disbarred from the practice of law as provided in Tenn. Sup. Ct. R. 9, § 12.1.

(2) Mr. O'Reilly shall pay restitution to Jay Ellis in the amount of \$4,500.00, and to Keith Fry in the amount of \$6,600.00 pursuant to Tenn. Sup. Ct. R. § 12.7. In the event restitution is made by the Tennessee Lawyer's Fund for Client Protection (TLFCP), Mr. O'Reilly shall reimburse TLFCP in the same amount.

(3) Pursuant to Tenn. Sup. Ct. R. 9, § 31.3, Mr. O'Reilly shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$1,739.25. In addition, Mr. O'Reilly shall pay to the Board \$100.00 for the cost of filing this matter and pay to the Clerk of this Court the costs incurred herein. All such costs and expenses awarded herein shall be paid within ninety (90) days of the entry of this Order for which execution, if necessary, may issue.

(4) The Order of Temporary Suspension entered October 17, 2019, (Case No. M2019-01857-SC-BAR-BP), is hereby dissolved. The administrative suspensions cited above shall remain in effect until further order of this Court.

(5) Mr. O'Reilly shall comply in all aspects with Tenn. Sup. Ct. R. 9, § 28 regarding the obligations and responsibilities of disbarred attorneys. Further, the Order of Temporary Suspension entered on October 17, 2019, Case No. M2019-001857-SC-BAR-BP, is hereby dissolved.

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

(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