



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

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RELEASE OF INFORMATION
RE: THOMAS HARDING POTTER, BPR# 16503
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BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

February 4, 2011

FENTRESS COUNTY LAWYER CENSURED

On February 4, 2011, Thomas Harding Potter, an attorney licensed to practice law in Tennessee, received a Public Censure from the Board of Professional Responsibility of the Tennessee Supreme Court.

During the deposition of Mr. Potter's witness, Mr. Potter believed he saw the opposing side's expert witness making hand gestures and moving his head. Mr. Potter became angry and was threatening to the opposing expert witness.

By the aforementioned acts, Thomas Harding Potter has violated Rules of Professional Conduct 3.5 (disrupting proceedings) and 4.4 (respect for third persons) 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.

Potter 32725-4 rel.doc.

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IN DISCIPLINARY DISTRICT IV
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE

BOARD OF PROFESSIONAL
RESPONSIBILITY

EW
EXEC. SECY

IN RE: THOMAS HARDING POTTER, BPR NO. 16503
Respondent, an attorney licensed
to practice law in Tennessee
(Rutherford County)

FILE NO. 32725-4-KS

PUBLIC CENSURE

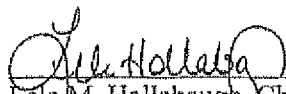
The above complaint was filed against Thomas Harding Potter, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered these matters at its meeting on December 10, 2010.

During the deposition of his expert witness, the Respondent believed he saw the opposing side's expert witness making hand signals. Respondent stated, "For the record, [opposing expert witness] is making hand gestures and nodding his head in agreement. Mr. [opposing expert witness], sit silent." The opposing expert witness responded, "I didn't say a word, Mr. Potter." The Respondent stated, "You don't have to. You give enough gestures in court during testimony." The opposing expert witness replied, "You are a liar saying I did." The Respondent then stood and said, "If you were half a man I would slap your face, and make you regret it." Opposing counsel responded, "okay guys, sit down." Respondent then stated, "Listen, your man is a cheat. He's sitting there signaling, and that's not to be permitted." It appeared to the court reporter that the Respondent was ready to strike the opposing expert witness.

By the aforementioned facts, Thomas Harding Potter has violated Rules of Professional

Conduct 3.5 (disrupting proceedings) and 4.4 (respect for third persons) and is hereby Publicly Censured for these violations.

FOR THE BOARD OF
PROFESSIONAL RESPONSIBILITY



Lela M. Hollabaugh, Chair

2-3-2011

Date