

**IN THE CHANCERY COURT FOR THE TWENTIETH JUDICIAL DISTRICT
DAVIDSON COUNTY, TENNESSEE**

CANDES VONNIEST PREWITT,)	
)	
Petitioner,)	
)	
VS.)	No. 21-0321-1
)	
BOARD OF PROFESSIONAL RESPONSIBILITY OF THE SUPREME COURT OF TENNESSEE,)	
)	
Respondent.)	

FINAL ORDER

This matter came before the Court on Wednesday, September 1, 2021 for trial in Rutherford County, Tennessee, on Petitioner's Verified Petition for Writ of Certiorari. After a review of the Petition, a review of the transcript of the BPR hearing, the arguments of Counsel, and all applicable legal authority, the Court DENIES the Petitioner's Verified Petition for Writ of Certiorari. The Court makes the following findings of fact and conclusions of law:

Findings of Fact

1. A hearing was held before a designated Hearing Panel on July 15, 2020 on the Petition for Discipline, which was filed on November 19, 2019. (Verified Petition)
2. At the hearing, the facts showed the Petitioner was involved in an on-again-off-again sexual relationship with Demetrius Tucker between December 2012 and March 2018, when the Petitioner discovered she was pregnant with Mr. Tucker's child. (Transcript 22, ll. 9-24; 27, ll. 12-22) (Trial Exhibits 10 and 11)

3. On July 14, 2014 Mr. Tucker was shot multiple times and was seriously injured while working as a private security guard at a night club. (Tr. 108, ll. 15-22; 117, ll. 1-6)
4. On July 16, 2015 the Petitioner agreed to represent Mr. Tucker and filed a civil lawsuit for negligence against his employer and the landlord of the premises, with a contingent fee agreement to retain one third of Mr. Tucker's recovery. (Tr. 19, ll. 22-25; 20, ll. 1-16)
5. In 2018, the court granted a defense motion excluding two expert witnesses¹ for failure to comply with Tennessee Rules of Civil Procedure 26.02(4)(A). (Trial Exhibit 4)
6. The employer and landlord defendants filed a motion for summary judgment in Mr. Tucker's case and Ms. Prewitt did not file a response on behalf of Mr. Tucker. (Tr. 48, ll. 10-17)
7. On May 23, 2018 the Petitioner filed a motion to withdraw and to continue the pending motion for summary judgment hearing, but did not disclose her relationship with Mr. Tucker or their pending pregnancy. (Trial Exhibit 3)
8. On June 22, 2018 the court granted the Petitioner's motion to withdraw and allowed Mr. Tucker thirty days to retain new counsel. (Trial Exhibit 5)
9. Mr. Tucker met with an attorney, Caesar Cirigliano, about potential representation and Mr. Cirigliano requested his case file and asked whether the Petitioner would assert a claim for work she had performed on the case. (Tr. 44, ll. 4-14)
10. Mr. Cirigliano contacted the Petitioner who informed him she had placed an attorney's lien on Mr. Tucker's case in the amount of \$121,750.00. (Tr. 45, ll. 18-20)

¹ In the Board of Professional Responsibility's Petition for Discipline (filed November 15, 2019; Page 3, No. 17) they stated the Court "granted a Motion from the Defendants in Mr. Tucker's case to exclude expert witnesses as Ms. Prewitt failed to properly disclose information..." At the hearing on September 1, 2021, Counsel for Ms. Prewitt argued one of the expert witnesses was actually relevant to a co-plaintiff, not Mr. Tucker. There was no proof offered as to this issue.

11. After some discussion, the Petitioner agreed to release the lien upon the condition she receive half of Mr. Tucker's recovery, and Mr. Tucker was then able to retain Mr. Cirigliano to represent him. (Trial Exhibit 12)
12. Upon being hired in July 2018, Mr. Cirigliano discovered multiple issues in Mr. Tucker's case, including: the pending motion for summary judgment had not been responded to and was set August 2018, the two expert witnesses had been excluded due to Petitioner's failure to comply with discovery, the Petitioner kept Mr. Tucker's case file until the release of the lien, and it appeared the Petitioner did not consider a claim for worker's compensation instead of negligence. (Tr. 48, ll. 10-17; 51, ll. 20-25; 52, l. 1; 51, ll. 12-16; 54, ll. 1-24; 69, ll. 17-25)
13. The court granted the defendants' motion for summary judgment on January 17, 2019 and Mr. Tucker's case was dismissed. (Trial Exhibit 7; Tr. 57, ll.8-10)
14. The Board of Professional Responsibility filed a Petition for Discipline against the Petitioner on November 15, 2019. (Verified Petition for Writ of Certiorari, April 8, 2021)
15. On August 14, 2020 the Hearing Panel found the Petitioner violated the following Rules of Professional Conduct: 1.1 Competence, 1.3 Diligence, 1.7 Conflict of Interest, 1.16 Declining or Terminating Representation, and 8.4 Violation of Rules. (Verified Petition; Exhibit A to Verified Petition)
16. The Hearing Panel imposed a sanction of a 30-day active suspension and conditions of reinstatement that Petitioner complete 10 additional hours of ethics education and engage a practice monitor for 6 months. (Verified Petition)

17. The Board of Professional Responsibility submitted an Application for Assessment of Costs on August 25, 2020, which was objected to by the Petitioner on September 8, 2020 based on an alleged conflict of interest by a Panel member. (Verified Petition)
18. The Board filed a Response to Petitioner's objection on September 18, 2020 and the Panel entered an order allowing the Petitioner fourteen days to "substantiate" the alleged conflict of interest and allowing the Board fourteen days to respond to the Petitioner's response. (Administrative Record 25, pp. 259-260; 26, pp. 261)
19. The Petitioner did not file a response to the Panel's order and the Board's Application for Assessment of Costs was approved in the amount requested by an Order entered October 20, 2020. (A.R. 27, pp. 262)
20. The Hearing Panel entered its Findings of Judgment for Assessment of Costs in the amount of \$1,333.26 on October 20, 2020. (Verified Petition; Exhibit B to Verified Petition)
21. On December 8, 2020, the Board filed a Motion to Alter or Amend the August 14 Order imposing discipline, which was denied on March 16, 2021. (Verified Petition)
22. While the Board's Motion to Alter or Amend was pending the Petitioner filed a Petition to Review in Chancery Court, which was dismissed for lack of jurisdiction on March 2, 2021 because the Motion to Alter or Amend had not been adjudicated. (Verified Petition)
23. On April 8, 2021 the Petitioner filed her Verified Petition for Writ of Certiorari and the case was transferred to Chancery Case No. 21-0321-I by an Agreed Order filed May 10, 2021, signed by Senior Judge Don R. Ash. (Verified Petition; Agreed Order to Transfer Records to New Case)

Conclusions of Law

The standard of review in this case can be found at Tennessee Supreme Court Rule 9, §33.1, which states in pertinent part:

- (b) The review shall be on the transcript of the evidence before the hearing panel and its findings and judgment. If allegations of irregularities in the procedure before the hearing panel are made, the trial court is authorized to take such additional proof as may be necessary to resolve such allegations. The trial court may, in its discretion, permit discovery on appeals limited only to allegations of irregularities in the proceeding. The court may affirm the decision of the hearing panel or remand the case for further proceedings. The court may reverse or modify the decision if the rights of the party filing the Petition for Review have been prejudiced because the hearing panel's findings, inferences, conclusions or decisions are: (1) in violation of constitutional or statutory provisions; (2) in excess of the hearing panel's jurisdiction; (3) made upon unlawful procedure; (4) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or (5) unsupported by evidence which is both substantial and material in the light of the entire record. In determining the substantiality of evidence, the court shall take into account whatever in the record fairly detracts from its weight, but the court shall not substitute its judgment for that of the hearing panel as to the weight of the evidence on questions of fact.

TN R S CT Rule 9, § 33.

“In its broadest sense, the standard[s in (4) and (5)] require the court to determine whether the administrative agency has made a clear error in judgment. An arbitrary [or capricious] decision is one that is not based on any course of reasoning or exercise of judgment, or one that disregards the facts or circumstances of the case without some basis that would lead a reasonable person to reach the same conclusion.” *Hughes v. Bd. of Prof'l Responsibility*, 259 S.W.3d 631, 641 (Tenn. 2008) (quoting *City of Memphis v. Civil Serv. Comm'n of Memphis*, 216 S.W.3d 311, 316 (Tenn. 2007)) (emphasis in original). Our Supreme Court “has recognized that a decision not support by substantial and material evidence qualifies as arbitrary and capricious.” *Bd. of Prof'l Responsibility v. Allison*, 284 S.W.3d 316, 322 (Tenn. 2009). “In applying the

substantial and material evidence test, [the court] must determine whether ‘the decision is supported by ‘such relevant evidence as a rational mind might accept to support a rational conclusion.’ . . . The evidence will be sufficient if it furnishes a reasonably sound factual basis for the decision being reviewed.’” *Id.* (citations omitted). “The ‘substantial and material evidence’ standard has also been described as requiring ‘something less than a preponderance of the evidence . . . but more than a scintilla or glimmer.’” *Id.* (citations omitted).

Ruling

In her Verified Petition, Petitioner lists four claims, which include: 1) Petitioner committed no disciplinary violations; 2) The discipline imposed was excessive; 3) Conflict of Interest by a Panel Member; and 4) Litigation Costs. As to Claim No. 1, the Court finds the following Tennessee Rules of Professional Conduct apply:

Rule 1.1: Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness, and preparation reasonably necessary for the representation.

TN R S CT Rule 8, RPC 1.1

Counsel for the Petitioner argues there was no proof at the Panel’s hearing of what the standard of care the Petitioner should have exercised, in order to have been determined competent or not. He also argues it should not be attorney misconduct to simply lose a motion (i.e. motion to exclude expert witnesses).

The Hearing Panel based their decision regarding competency on two grounds: 1) Petitioner's failure to advise her client to file a workers compensation claim, and 2) her failure to comply with the rules of discovery by disclosing information to adverse counsel concerning expert witnesses. Considering the basic facts of Mr. Tucker's case, this Court finds there certainly should have been some discussion between the Petitioner and Mr. Tucker about filing for workers compensation versus a negligence claim. The Court finds Mr. Cirigliano's testimony appeared to have aided the Hearing Panel substantially regarding the Petitioner's competency. Regarding the Petitioner's failure to comply with discovery, the Court is disappointed such a common Rule of Civil Procedure would be overlooked; however, it certainly appears to have negatively affected Mr. Tucker's case. As a result of these concerns, the Court finds the ruling of the Hearing Panel was not arbitrary or capricious. The Hearing Panel's judgment is affirmed and the Petitioner's claim with regard to competency is dismissed.

Rule 1.3: Diligence

A lawyer shall act with reasonable diligence and promptness in representing a client.

TN R S CT Rule 8, RPC 1.3

Regarding diligence, the Hearing Panel based their decision on the same grounds as in the competency discussion (above) and the Petitioner's failure to act with promptness to withdraw from her representation of Mr. Tucker when it became apparent her personal relationship with her client rendered her incapable of representing him appropriately. The Court finds the history of Mr. Tucker and the Petitioner became disturbing the moment the Petitioner agreed to represent him after they had had a sexual relationship. What is more concerning to the

Court is the fact the Petitioner did not act to withdraw until a motion for summary judgment was pending against her client and, coincidentally, the Petitioner discovered she was pregnant with her client's child. The Petitioner put Mr. Tucker in a poor position concerning her diligence by filing the negligence lawsuit just before the statute of limitations was set to expire, never discussing workers compensation with Mr. Tucker, failing to comply with discovery resulting in the striking of two expert witnesses, failing to turn over case documents to new counsel, and failing to respond to summary judgment.

This Court finds the Hearing Panel did not act in an arbitrary or capricious manner concerning their ruling on diligence. The Hearing Panel's decision regarding diligence is affirmed and the Petitioner's claim regarding the same is dismissed.

Rule 1.7: Conflict of Interest

(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

(1) the representation of one client will be directly adverse to another client; or

(2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:

(1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client; or

(4) each affected client gives informed consent, confirmed in writing.

TN R S CT Rule 8, RPC 1.7

Counsel for the Petitioner argued at the hearing there is no Rule of Professional Conduct stating an attorney cannot date a client; instead, he suggests there is no direct conflict but only a potential for conflict, a potential for concern. The Petitioner also argues there was no conflict at the beginning of her representation of Mr. Tucker, and she withdrew once a conflict became apparent.

Concerning conflict of interest, the Hearing Panel based their decision on the Petitioner's inability to represent Mr. Tucker objectively due to the turmoil and friction associated with conflicts arising out of their personal relationship. Specifically, the Panel relied on the following grounds: 1) Petitioner's failure to disclose the existence of the conflict created by their personal relationship, 2) her failure to explain informed consent to Mr. Tucker or provide him with a writing advising him of the potential conflict and allowing her to represent him upon his agreement to waive the conflict, 3) her failure to advise Mr. Tucker of the risk their personal relationship could interfere with her ability to provide him with diligent and competent representation, 4) her decision to put her personal interest ahead of Mr. Tucker's interest by advising him to pursue a civil action when a workers compensation claim would have provided him with a surer path for recovery, and 5) her assertion of an attorney's lien for services rendered, which was not in the fee agreement, after the representation had ended.

Had the Petitioner obtained a written informed consent from Mr. Tucker and disclosed the risk(s) associated with this type of representation, this would be a different case altogether. However, no informed consent was obtained and it does not appear the Petitioner informed Mr.

Tucker of any potential risks associated with their situation. The Court is more concerned with the Petitioner's actions to put her own interest ahead of her client's when she pursued a negligence claim instead of workers compensation so she would receive a higher fee and he would receive less of an award for his \$500,000 worth of medical bills in the case. The fact she asserted a high, never-discussed attorney's lien after her representation ended is additionally troubling to the Court. The Petitioner clearly acted outside the bounds of a proper attorney-client relationship and the Court finds misconduct such as this is damaging to the profession of law.

The Court finds the ruling of the Hearing Panel concerning conflict of interest was not arbitrary or capricious. The decision of the Hearing Panel is affirmed and the Petitioner's claim with regard to conflict of interest is dismissed.

Rule 1.16: Declining or Terminating Representation

(a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

(1) the representation will result in a violation of the Rules of Professional Conduct or other law.

TN R S CT Rule 8, RPC 1.16

Counsel for the Petitioner argued at the hearing Ms. Prewitt had good cause to withdraw from she and Mr. Tucker's attorney-client relationship once she became aware the relationship was "going south." He also argued Ms. Prewitt was not obligated to disclose there was a pending motion for summary judgment to Mr. Tucker's new counsel any sooner than she did because Mr. Cirigliano had not yet been retained.

Concerning declining or terminating representation, the Hearing Panel based their opinion on the Petitioner's: 1) waiting too long to withdraw from representation without causing adverse effects on the interests of the client, 2) minimal and ineffective steps taken to protect her client's interests, 3) delay in seeking to withdraw, combined with the de facto lien placed on the case, acted to deter future representation, and 4) her failure to convey to future counsel the upcoming motion for summary judgment had a material adverse effect upon the interest of her client. The Panel also concluded the Petitioner's behavior denied Mr. Tucker adequate time to employ other counsel to take the case.

The Court finds the Petitioner would likely not be in this position if she had declined representation of Mr. Tucker due to their personal relationship from the beginning, or obtained written informed consent before agreeing to represent him. Her decision to go forward in representing him without disclosing the risks or obtaining informed consent certainly resulted in Mr. Tucker experiencing much difficulty in obtaining new representation and, ultimately, an adverse effect in the case being dismissal by summary judgment. The Court finds the decision of the Hearing Panel regarding declining or terminating representation was not arbitrary or capricious. The decision of the Hearing Panel is affirmed and the Petitioner's claims as to this issue are dismissed.

Rule 8.4: Misconduct

It is professional misconduct for a lawyer to:

(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another.

TN R S CT Rule 8, RPC 8.4

The issue of professional misconduct was decided based on the previous violations, being Rules 1.1, 1.3, 1.7, and 1.16. Because the Petitioner clearly violated several Rules of Professional Conduct (as outlined above), this Court finds the Hearing Panel's conclusion regarding misconduct was not arbitrary or capricious, and should be affirmed. The Petitioner's claims with regard to this Rule are dismissed.

Claims 2-4 of Verified Petition for Writ of Certiorari

Discipline Imposed Upon Petitioner

Petitioner contends her discipline imposed was excessive, arbitrary and capricious. The sanctions imposed by the Hearing Panel included a thirty-day active suspension with a condition of reinstatement that Petitioner complete 10 additional hours of ethics education plus engage a practice monitor for six months.

At this Court's hearing, Counsel for the Board argued the discipline imposed upon the Petitioner in this case was much more gentle in comparison to other cases and was pursuant to the ABA Standards. The Board also provided there is proof allowed at the hearing before the Panel of extenuating or mitigating circumstances to be considered for sanctioning purposes.

The ABA Standards are guidelines to be used in determining the appropriate level of discipline for lawyer misconduct. *Hanzelik v. Bd. of Prof'l Responsibility*, 380 S.W.3d 669, 681 (Tenn. 2012). ABA Standards 4.32 and 4.42 provide as follows:

4.32 Suspension is generally appropriate when a lawyer knows of a conflict of interest and does not fully disclose to a client the possible effect of that conflict and causes injury or potential injury to a client.

4.42 Suspension is generally appropriate when:

- (a) a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client; or
- (b) a lawyer engaged in a pattern of neglect causes injury or potential injury to a client.

In *Mabry v. Bd. of Prof' Responsibility*, 458 S.W.3d 900, 902 (Tenn. 2014), the Supreme Court upheld a forty-five day suspension imposed upon an attorney who failed to act diligently or with reasonable promptness in violation of RPC 1.3 (diligence) and 8.4 (misconduct). The Petitioner in this case violated the additional Rules of 1.1 (competence), 1.7 (conflict of interest), and 1.16 (declining or terminating representation). The sanction requiring ten additional hours of ethics education is appropriate as the Petitioner has engaged in misconduct which calls her ethical character into question, particularly when putting her own interests before her client's. The practice monitor should not be an issue for the Petitioner as long as she conducts her practice in an ethical manner with no further violations. This Court finds the Hearing Panel did not act in an arbitrary or capricious manner concerning the discipline imposed on the Petitioner.

Conflict of Interest by a Panel Member

The Petitioner alleges a conflict of interest existed regarding her hearing by the Panel due to a member of the Panel's law firm being involved in Petitioner's separate lawsuit against Saint Thomas Midtown Hospital for damages stemming from the alleged release of private information to a third party. The Panel member in question is a partner at the law firm which represents the Defendant, Saint Thomas Health, in Petitioner's case for damages. Petitioner's case against Saint Thomas was dismissed two weeks before her hearing before the Panel.

One issue discussed at the hearing before this Court is the issue of whether a panel member is required to disclose a potential conflict of interest, like a judge does. The Board argued at the hearing a panel member is not a judge, but an attorney who acts as a judge in a

limited role as a pane member, and they are not subject to the Rules of Judicial Conduct. The Petitioner argues the opposite, contending a panel member is a judge for the purposes of disclosing a potential conflict of interest to prevent this issue from occurring. The Court finds a panel member is subject to the rules relevant to the Board of Professional Responsibility, not the Rules of Judicial Conduct.

The Petitioner's case against Saint Thomas is wholly separate and distinct from this disciplinary action and, in any event, this issue was apparently not brought to attention of the Hearing Panel at the time of Petitioner's hearing. At this Court's hearing, Petitioner testified she recognized the name "Cornelius" as a familiar name or law firm when the Motion for Enlargement of Time was filed on behalf of St. Thomas Hospital in her separate lawsuit (Exhibit 3 to the hearing). However, she did not "put it together" the law firm was the same as Mr. Robison's until later.

In any event, the Board of Professional Responsibility contends this Court does not have the authority to consider this issue on appeal because it was not brought up before the Panel. The Petitioner states she did not bring this up before the Panel because she did not discover the alleged conflict until after the judgment was issued, at which time she raised the issue in her Response to the Board's Application for Assessment of Costs. The Hearing Panel permitted the Petitioner fourteen days to "substantiate" the alleged conflict of interest, but the Petitioner did not file any such document. Because of this failure to file when given the opportunity, the Board argues the Petitioner has waived the issue on appeal.

Tennessee Supreme Court Rule 9, section 1.3, presents the trial court with guidelines for reviewing a decision of a disciplinary hearing panel. The rule as amended July 1, 2006, now restricts the trial court's review to the transcript of the evidence before the hearing panel unless

“allegations of irregularities in the procedure before the panel are made.” Tenn. Sup.Ct. R. 9, § 1.3 (2007) (emphasis added); see also *Bd. of Prof'l Responsibility v. Love*, 256 S.W.3d 644, 651 (Tenn. 2008); *Bd. of Pro. Resp. v. Allison*, 284 S.W.3d 316, 321–22 (Tenn. 2009).

The Court allowed the Petitioner to put on an offer of proof at the hearing as to the alleged conflict of interest; however, considering the proof presented and the applicable legal authority, this Court finds the Petitioner waived argument as to this issue when she was presented with an opportunity to “substantiate” this claim and failed to provide the Panel with any such proof. Accordingly, Petitioner’s claim regarding an alleged conflict of interest of a Panel member is dismissed. An exhibit related to this issue was deemed not admissible, but was made an offer of proof (Offer of Proof No. 1).

Litigation Costs

Petitioner argues the Judgment for Assessment of Costs was made upon unlawful procedure and in violation of Petitioner’s constitutional rights due to the alleged conflict of interest by a Panel member (addressed above). Petitioner also argues it is unconscionable to allow the Board to recover litigation costs and fees upon prevailing but forbids a respondent attorney to recover for the same pursuant to Tennessee Supreme Court Rule 9, §31.3(a), (g). At this Court’s hearing, Counsel for the Petitioner focused on the idea it is unconscionable for a court to allow recovery of litigation costs for one party but disallow it for the other (i.e. Board of Professional Responsibility). Counsel for the Board argued in response, the litigation costs of the Panel members’ time is a significant reduction in normal litigation, at \$50.00 per hour.

As to the Petitioner's complaint concerning Rule 9 of the Supreme Court, this Court finds it is not the proper vehicle to change legislation. This Court will follow the Rules of the Supreme Court as legally applicable.

Regarding Petitioner's contention the Judgment for Assessment of Costs was made unlawfully due to the alleged conflict of interest, the Court finds the proof was allowed and considered at trial. However, as explained above, the Petitioner was afforded an opportunity to "substantiate" the conflict of interest claim before the Judgment for Assessment of Costs was made final and she apparently chose not to do so. The same logic follows Petitioner's argument surrounding the litigation of costs. Additionally, in the initial Response the Petitioner did file on September 8, 2020 she did not challenge the total amount of the costs or question the individual entries listed in Disciplinary Counsel's affidavit. Petitioner's only complaint involving costs is the potential effect of the Panel member's alleged conflict of interest and the constitutionality of awarding one party when the other statutorily cannot recover the same. For similar reasons the Court ruled the Petitioner waived the issue of the conflict of interest the Court also finds the Petitioner has waived the issue of litigation costs. The Court further finds the Hearing Panel's decision as to litigation costs was not arbitrary or capricious, or unconstitutional. Petitioner's claim as to this issue is dismissed and the Hearing Panel's decision is affirmed.

Conclusion

There has been no proof submitted to support the allegations the Hearing Panel acted in an arbitrary or capricious manner. Based on the Verified Petition, the arguments of the parties, and all applicable legal authority, the Court respectfully DENIES the Petitioner's Verified Petition for Writ of Certiorari. All claims contained in the Verified Petition are hereby

DISMISSED with prejudice. Any associated costs are taxed to the Petitioner for which execution may issue.

It is **SO ORDERED**. Entered and effective, this the 8 day of September, 2021.



Honorable Don R. Ash, Senior Judge

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Order has been served upon the following via email and U.S.P.S. mail on this the 8 day of September, 2021.

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