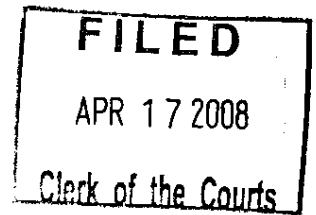


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: JOHN EARL RAINWATER, BPR NO. 621
An Attorney Licensed to Practice Law in Tennessee
(Knox County)



BOPR No. 2004(P)-1477-2(K)-TC

No. M2008-00782-SC-BPO-BP

ORDER OF ENFORCEMENT

This matter is before the Court upon the Petition for Discipline, the Supplemental Petition for Discipline, and the Second Supplemental Petition for Discipline against the Respondent, John Earl Rainwater, the Conditional Plea of Guilty, pursuant to Section 16.1 of Tennessee Supreme Court Rule 9, submitted by the Respondent with the approval and recommendation of disciplinary counsel, a copy of which is attached as Exhibit A, the Hearing Panel's Order of Recommendation, recommending the Conditional Plea of Guilty, a copy of which is attached as Exhibit B, and the Board of Professional Responsibility's approval of that Conditional Plea of Guilty at their meeting on June 15, 2007.

From all of which the Court accepts the Hearing Panel's recommendation of and the Board's approval of the Conditional Plea of Guilty, and adopts and incorporates by reference the terms of the Conditional Plea of Guilty, Exhibit A hereto, as the Court's Order.

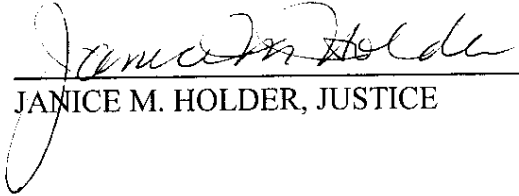
IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT
that:

1. Respondent, John Earl Rainwater, is suspended from the practice of law for a period of one year, retroactive to September 1, 2007, pursuant to Rule 9, Section 4.2, of the Rules of the Supreme Court; and

2. Pursuant to Rule 9, Section 24.3, of the Rules of the Supreme Court, the Respondent, John Earl Rainwater, shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$2,257.25, plus any additional costs assessed by the Clerk of this Court in this cause, for all of which execution shall issue if necessary; and

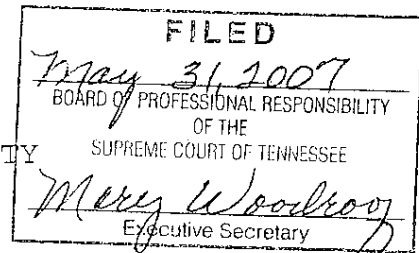
3. That the Board of Professional Responsibility of the Supreme Court shall cause notice of this suspension to be published as required by Rule 9, Section 18.10, of the Rules of the Supreme Court of Tennessee.

FOR THE COURT:



JANICE M. HOLDER, JUSTICE

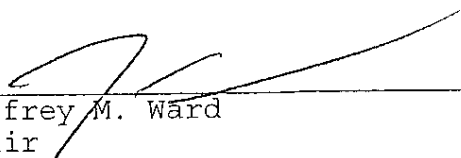
IN DISCIPLINARY DISTRICT II
OF THE
BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE





IN RE: JOHN EARL RAINWATER, DOCKET NO. 2004P-1477-2(K)-TC
BPR No. 621,
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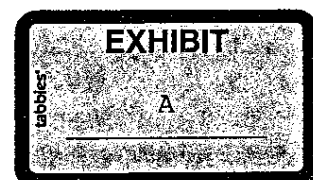
ORDER OF RECOMMENDATION

The Respondent, John Earl Rainwater, having entered a Conditional Plea of guilty, which has been approved and recommended by Disciplinary Counsel, Theresa M. Costonis, and based upon the record in this case, the Hearing Panel recommends approval of the Conditional Plea of Guilty and forwards this recommendation to the Board of Professional Responsibility on this the 31st day of May, 2007.


Jeffrey M. Ward
Chair


Ursula Bailey


Wayne Alan Kline



SUBMITTED BY:



Theresa M. Costonis, BPR No. 17054
Disciplinary Counsel

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

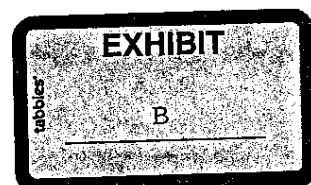
IN RE: JOHN EARL RAINWATER, DOCKET NO. 2004P-1477-2 (K) -TC
BPR No. 621,
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CONDITIONAL PLEA OF GUILTY

Comes now the Respondent, John Earl Rainwater, pursuant to Rule 9, Section 16, of the Rules of the Supreme Court of Tennessee, and tenders this Conditional Plea of Guilty (hereinafter "Agreement") as follows:

1. The Respondent was served with a Petition for Discipline filed on November 10, 2004, a Supplemental Petition for Discipline filed on January 28, 2005, and a Second Supplemental Petition for Discipline filed on February 24, 2006, which he has read and which he understands.

2. The Respondent is not represented by counsel in this cause, but acknowledges that he has sought advice, reviewed and/or understands the matters and issues raised in the above referenced Petition for Discipline and Supplemental Petitions for Discipline and addressed herein and the applicable Rules of Disciplinary Enforcement, Sections 18 and 19 in particular, to the extent that



he deems necessary to make an informed and knowing decision regarding said matters and this Agreement.

3. The Respondent is aware that he would be entitled to a hearing on the charges set forth in the above referenced Petition for Discipline and Supplemental Petitions for Discipline before a Hearing Committee of the Board of Professional Responsibility to determine whether discipline would or should be imposed arising out of such conduct and, if so, the extent of such discipline.

4. The Respondent is aware that should he desire a hearing as to the charges referred to in the preceding paragraph, he would have the right to testify and to present evidence in his own behalf, including the right to subpoena and present witnesses.

5. The Respondent is aware that he would be entitled to appeal any decision of the Hearing Committee to the appropriate Chancery or Circuit Court and subsequently to the Supreme Court of Tennessee.

6. If recommended by the Hearing Panel and approved by the Board of Professional Responsibility, the Respondent hereby agrees that in exchange for his Conditional Plea of Guilty his license to practice law will be suspended for a period of one year, commencing on September 1, 2007, arising out of the conduct alleged in the Petition for Discipline and Supplemental Petitions for Discipline.

7. Provided that this Agreement is accepted by the Board of Professional Responsibility, the Respondent specifically waives any hearing and/or appeals referred to in Paragraphs 3, 4, and 5, above.

8. The Respondent enters this Agreement of his own free will, without being subjected to coercion or duress, and is aware of the implications and rights he is foregoing or waiving by entering into same.

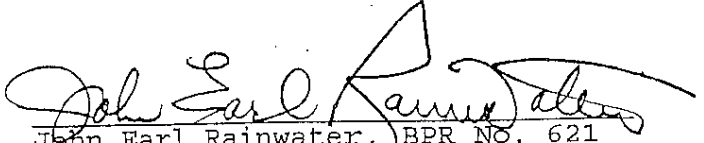
9. The Respondent acknowledges and admits that the material facts as alleged in the Petition for Discipline and Supplemental Petitions for Discipline are true. The Petition for Discipline and the Supplemental Petitions for Discipline allege that the Respondent violated Disciplinary Rules of the Code of Professional Responsibility, DR 1-102(A)(1)(4)(5)(6), DR 2-106(A)(B), DR 5-101(A), DR 6-101(A)(1)(2)(3), DR 7-101(A)(1)(2)(3)(4), DR 7-102(A)(B), DR 7-106(A)(C)(5)(6)(7), and DR 9-102(A)(B); and Rules of Professional Conduct 1.1, 1.2, 1.3, 1.4, 1.15, 1.16, 3.1, 3.2, 3.3, 3.4, 4.1, 4.4, and 8.4. The Respondent admits his guilt of violating some, but not all, of the Disciplinary Rules of the Code of Professional Responsibility and Rules of Professional Conduct alleged to have been violated in the Petition for Discipline and Supplemental Petitions for Discipline (as recited above). With regard to the alleged violations not admitted, the Respondent chooses not to contest them for his own personal reasons.

10. The Respondent understands that pursuant to Section 24.3 of Supreme Court Rule 9, payment of costs assessed by the Board of Professional Responsibility shall be required as a condition precedent to reinstatement of the Respondent to the practice of law.

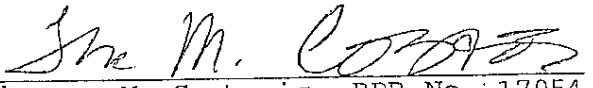
11. The Respondent understands that pursuant to Section 19 of Supreme Court Rule 9 he may not resume the practice of law until reinstated by order of the Supreme Court after filing a Petition for Reinstatement.

12. In the event that this Agreement is not accepted and approved by the Board of Professional Responsibility, it shall be considered void and of no consequence.

This Conditional Plea of Guilty has been executed on this 4th day of May, 2007.


John Earl Rainwater, BPR No. 621

This Conditional Plea of Guilty is approved and recommended by Disciplinary Counsel.


Theresa M. Costonis, BPR No. 17054
Disciplinary Counsel