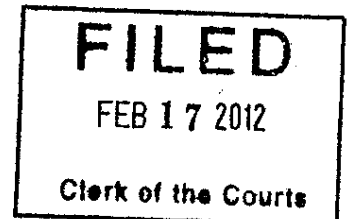


IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE JAMES L. RATHER, BPR #019722

No. M2011-02687-SC-BPR-BP
BOPR Docket No. 2011-2083-2-KH(17)



ORDER

On November 18, 2011, the Board of Professional Responsibility filed a petition for reciprocal discipline pursuant to Tenn. Sup. Ct. R. 9, § 17 seeking the disbarment of James L. Rather based on his disbarment by the Supreme Court of California in 2006. On December 19, 2011, Mr. Rather filed a premature, unverified and materially deficient response opposing the imposition of reciprocal discipline. By Order entered December 22, 2011, and served upon Mr. Rather by certified mail received December 28, 2011, the Court directed that Mr. Rather inform the Court within thirty (30) days of his receipt of that Order why reciprocal discipline should not be imposed in Tennessee in accordance with the standards contained in Tenn. Sup. Ct. R. 9, § 17.4; that he provide the Court with certified copies of the relevant portions of the California disciplinary proceeding; and, that he detail his efforts to obtain relief in California from the Supreme Court of California's disbarment order and provide the Court with copies of any papers filed in connection with such efforts. The Court advised Mr. Rather that his failure to timely respond would result in the Court imposing disbarment based upon the Supreme Court of California's judgment of disbarment. Mr. Rather has failed to respond as directed by the Court's Order.

It is, therefore, ordered that James L. Rather be disbarred from the practice of law pursuant to Tenn. Sup. Ct. R. 9, §17.4. It is further ordered that James L. Rather shall reimburse and pay to the Board of Professional Responsibility the costs and expenses of this proceeding in the amount of \$120.00, pursuant to Tenn. Sup. Ct. R. 9, § 24.3; and, in addition shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days of the entry of this Order, for all of which execution shall issue if necessary.

The Board of Professional Responsibility shall cause a notice of this discipline to be published in accordance with Tenn. Sup. Ct. R. 9, § 18.10.

FOR THE COURT:

A handwritten signature in black ink, appearing to read "William C. Koch, Jr.", written over a horizontal line.

WILLIAM C. KOCH, JR., JUSTICE