

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

FILED  
2011 APR 15 PM 2: 32

**MICHAEL S. SHIPWASH, BPR #19173**  
An Attorney Licensed to Practice Law in Tennessee  
(Knox County)

APPELLATE COURT CLERK  
NASHVILLE

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NO. M2011-00844-SC-BPO-RP

BOPR No. 2008-1741-2(K)-RS

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**ORDER OF ENFORCEMENT**

This matter is before the Court upon a Petition for Discipline filed by the Board of Professional Responsibility (the "Board") against Respondent, Michael S. Shipwash, on March 19, 2008; upon an Answer to the Petition for Discipline filed by the Respondent on April 9, 2008; upon the Hearing Panel Decision filed on February 23, 2010; upon a Petition for Writ of Certiorari filed by the Board on April 12, 2010; upon a Petition for Writ of Certiorari filed by the Respondent on April 14, 2010; upon the dismissal of the Respondent's Petition for Writ of Certiorari and the Board's Petition for Writ of Certiorari by the Chancery Court on February 14, 2011; and upon the entire record in this cause.

From all of which the Court approves the recommendation of the Hearing Panel and adopts the Hearing Panels Decision as the Court's Order.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** by the Court,

1. The Respondent, Michael S. Shipwash, shall be suspended for one (1) year, with all time probated pursuant to Supreme Court Rule 9, Section 8.5 subject to the following conditions.
  - A. During the pendency of the probation, Respondent shall attend ten (10) hours of Continuing Legal Education on the topic of legal ethics. These hours shall be over and above the hours normally required by the Commission on Continuing Legal Education.
  - B. The Respondent shall employ, at his own expense, a Law Practice Monitor. In the first month of the probation period, the Law Practice Monitor will meet with the Respondent to discuss good office management practices and make suggestions on improving the Respondent's management of his law

practice. The Respondent shall meet with the Law Practice Monitor monthly during the probation period. The Law Practice Monitor shall specifically assist the Respondent in improving his use of retainer agreements and identifying conflicts of interest.

- C. The Law Practice Monitor shall provide monthly reports to Disciplinary Counsel detailing the Respondent's compliance with these conditions.
- D. During the probationary period, the Respondent shall also make restitution to Mary Ann Ledwell in the amount of \$141,000. The Respondent may negotiate a payment plan that is acceptable to the Board, however, his probation requires continual compliance with any agreed payment schedule.


3. Failure to meet any of the above listed conditions or upon report to Disciplinary Counsel from the Law Practice Monitor that the Respondent has failed to meet any of the above listed conditions will result in the revocation of the Respondent's probation. Upon revocation of his probation, the Respondent will be required to serve the entirety of the one (1) year suspension beginning (10) days from the date of revocation.

4. Pursuant to Supreme Court Rule 9, Section 24.3, the Respondent shall pay to the Board of Professional Responsibility the expenses and costs of this matter in the amount of \$8,189.95 and in addition, shall pay to the Clerk of this Court the costs incurred herein, within ninety (90) days from the entry of this order, for all of which execution may issue if necessary.

5. That the Respondent shall comply in all aspects with Rule 9, Section 18 of the Rules of the Supreme Court regarding the obligations and responsibilities of suspended attorneys.

6. The Board of Professional Responsibility shall cause notice of this discipline to be published as required by Supreme Court Rule 9, Section 18.10.

FOR THE COURT:

  
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CORNELIA A. CLARK  
CHIEF JUSTICE