

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

FEB 08 2007

Clerk of the Courts

IN RE: KATHY ANN SITTLOH, BPR NO. 23020,
AN ATTORNEY LICENSED TO PRACTICE LAW
IN TENNESSEE (RUTHERFORD COUNTY)

BOPR No. 2006-1606-4-JV

No. M2006-00226-5C-BPR-BP

ORDER OF ENFORCEMENT

This matter is before this Court on a Petition for Discipline filed against the Respondent, Kathy Ann Sittloh, by the Board of Professional Responsibility of the Supreme Court of Tennessee on May 25, 2006. A Supplemental Petition for Discipline was filed against the Respondent on July 12, 2006. The Petitions were mailed to the Respondent by certified mail at the most recent address provided to the Board of Professional Responsibility, as provided in Section 12.1 of Supreme Court Rule 9. The Respondent did not file an Answer to the Petition or the Supplemental Petition for Discipline. On August 24, 2006, the Hearing Panel entered a Default Judgment against the Respondent on the Petition and Supplemental Petition for Discipline and deemed admitted the allegations made therein. A hearing was conducted before the Hearing Panel on October 30, 2006, to determine the sanction to be imposed. The Respondent did not appear for the hearing. By the Finding and Judgment of the Hearing Panel filed November 15, 2006, attached hereto as Exhibit A and incorporated herein by reference, the Hearing Panel found that the Respondent should be disbarred. The Respondent did not file a Petition for Certiorari pursuant to Sections 1.3 and 8.3 of Supreme Court Rule 9 seeking review of the Finding and Judgment of the Hearing Panel.

It is, therefore, ORDERED, ADJUDGED and DECREED by this Court that the Finding and Judgment of the Hearing Panel filed on November 15, 2006, be entered for enforcement, and that Kathy Ann Sittloh is disbarred from the practice of law.


It is further ORDERED, ADJUDGED and DECREED, pursuant to Section 24.3 of Rule 9 of this Court, that Kathy Ann Sittloh shall reimburse and pay to the Board of Professional Responsibility the costs and expenses of this proceeding in the amount of \$2,177.50 and, in addition, shall pay to the Clerk of this Court the costs incurred herein, for all of which execution shall issue, if necessary.

Pursuant to Section 24.3 of Supreme Court Rule 9, payment of costs assessed to the Respondent, Kathy Ann Sittloh, shall be a condition precedent to any reinstatement of the Respondent to the practice of law.


Pursuant to Section 18.9 of Supreme Court Rule 9, proof of compliance with Section 18 of Supreme Court Rule 9 shall be a condition precedent to any petition for reinstatement.

Entered this 30th day of January, 2007.

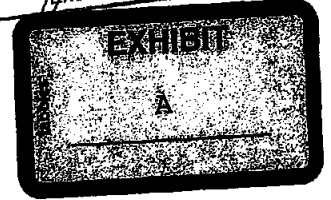
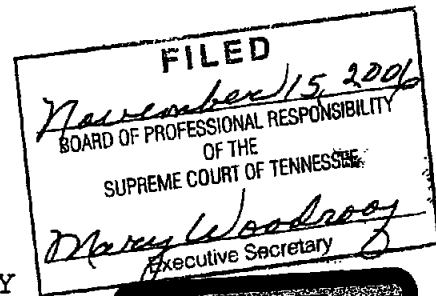
FOR THE COURT:


JANICE M. HOLDER
JUSTICE

APPROVED FOR ENTRY:


James A. Vick, BPR No. 9843
Disciplinary Counsel
Board of Professional Responsibility
Suite 730
1101 Kermit Drive
Nashville, Tennessee 37217
(615) 361-7500

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



IN RE: KATHY ANN SITTLOH,
BPR No. 23020, An
Attorney Licensed to
Practice Law in Tennessee
(Rutherford County)

DOCKET NO. 2006-1606-4-JV

FINDINGS AND JUDGMENT OF HEARING PANEL

This matter came on for hearing before the undersigned Hearing Panel of the Board of Professional Responsibility at 9:00 a.m. on October 30, 2006. Though Notice of Hearing was provided to the Respondent pursuant to Section 8.2 of Supreme Court Rule 9, the Respondent did not appear. The Board of Professional Responsibility was represented by James A. Vick, Disciplinary Counsel.

On May 25, 2006, the Board of Professional Responsibility filed a Petition for Discipline against the Respondent. On July 12, 2006, the Board of Professional Responsibility filed a Supplemental Petition for Discipline. The Petition for Discipline and Supplemental Petition for Discipline were served by certified mail pursuant to Section 12.1 of Supreme Court Rule 9. On August 15, 2006, after the Respondent had failed to answer or otherwise respond to the Petition for Discipline or Supplemental

Petition for Discipline, the Board of Professional Responsibility filed a Motion for Default Judgment and That Allegations Contained in Petition for Discipline and Supplemental Petition for Discipline Be Deemed Admitted. The Respondent did not respond to the Motion for Default Judgment. On August 24, 2006, the Hearing Panel entered a Default Judgment against the Respondent and deemed admitted the allegations in the Petition for Discipline and Supplemental Petition for Discipline.

Considering the allegations contained in the Petition for Discipline and Supplemental Petition for Discipline deemed admitted by the grant of Default Judgment on August 24, 2006, the exhibits tendered into evidence, and statements of Disciplinary Counsel, the Hearing Panel finds as fact each of the allegations, including the aggravating factors, alleged in the Petition for Discipline and Supplemental Petition for Discipline. The Hearing Panel finds as additional aggravating factors that: 1) the Respondent failed to cooperate in the disciplinary process; and 2) the Respondent was temporarily suspended from the practice of law by Order of the Supreme Court entered February 14, 2006, pursuant to Section 4.3 of Supreme Court Rule 9, for failure to respond to complaints of misconduct and because she posed a threat of irreparable harm to the public.

The Hearing Panel finds based upon these facts that the Respondent violated Rules of Professional Conduct 1.1, 1.2(a), 1.3, 1.4, 1.5(a), 1.15(a)(d), 1.16(d), 3.2, 5.5(a), and 8.4(a)(b)(c)(d).

Considering the facts, aggravating factors, violations of the Rules of Professional Conduct, and the ABA Standards for Imposing Lawyer Sanctions, the Hearing Panel ORDERS, ADJUDGES, and DECREES that:

I. The Respondent, Kathy Ann Sittloh, shall be disbarred.

II. The costs of this proceeding shall be taxed to the Respondent.

Enter this the 15th day of November, 2006.

Matthias B. Murfree III
Matthias B. Murfree, III, BPR No. 3356
Chair

Steven A. Dix
Steven Ashley Dix, BPR No. 12619

Roger Steven Waldron
Roger Steven Waldron, BPR No. 2767

I, Michael W. Catalano, Clerk, hereby certify that this is a true and exact copy of the original filed in the cause.

This 6 day of Feb, 2007
CLERK OF COURT

By: [Signature]



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: KATHY ANN SITTLOH, NO. 23020
CONTACT: JAMES A. VICK
BOARD OF PROFESSIONAL RESPONSIBILITY

February 8, 2007

MURFREESBORO LAWYER DISBARRED BY SUPREME COURT

By Order of the Supreme Court filed February 6, 2007, Kathy Ann Sittloh was disbarred from the practice of law. A Petition for Discipline was filed against Ms. Sittloh on May 25, 2006, arising out of seven complaints of misconduct, three of which involved the taking of client monies. A Supplemental Petition for Discipline was filed against Ms. Sittloh on July 12, 2006, arising out of seven additional complaints of misconduct. Ms. Sittloh had previously been temporarily suspended by Order of the Supreme Court entered February 14, 2006. Ms. Sittloh did not file an Answer to the Petition or Supplemental Petition for Discipline. On August 24, 2006, a Default Judgment was entered against Ms. Sittloh and the allegations made in the Petitions deemed admitted. A hearing was conducted before a Hearing Panel of the Board of Professional Responsibility on October 30, 2006, to determine the sanction to be imposed. Ms. Sittloh did not appear for the hearing. By the Finding and Judgment of the Hearing Panel filed November 15, 2006, the Hearing Panel found that Ms. Sittloh violated Rules of Professional Conduct 1.1, 1.2(a), 1.3, 1.4, 1.5(a), 1.15(a)(d), 1.16.(d), 3.2, 5.5(a), and 8.4(a)((b)(c)(d) and should be disbarred.

Pursuant to Section 19 of Supreme Court Rule 9, Ms. Sittloh will not be eligible to apply for reinstatement to the practice of law for five years. Reinstatement would be granted only by Ms. Sittloh demonstrating by clear and convincing evidence that she has the moral qualifications, competency, and learning required for admission to the practice of law and that her resumption of practice would not be detrimental to the integrity and standing of the bar or administration of justice or subversive to the public interest.

Sittloh 1606-4 rel.doc

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