



**BOARD OF PROFESSIONAL RESPONSIBILITY
OF THE
SUPREME COURT OF TENNESSEE**

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RELEASE OF INFORMATION
RE: BRIAN C. SMITH, BPR# 001128
CONTACT: SANDY GARRETT
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

March 8, 2011

HAMILTON COUNTY LAWYER CENSURED

On February 28, 2011, Brian C. Smith of Chattanooga, Tennessee, was publicly censured by the Tennessee Supreme Court.

The Board of Professional Responsibility filed a Petition for Discipline against Mr. Smith pursuant to Rule 9 of the Rules of the Supreme Court of Tennessee. Mr. Smith violated the Rules of Professional Conduct by representing conflicting interests in an estate. Mr. Smith's actions violated the following Rule of Professional Conduct: 1.8(g) (Conflicts of Interest). Mr. Smith was further ordered to pay the costs of the disciplinary proceedings.

For these violations, the Supreme Court of Tennessee publicly censured Brian C. Smith. A public censure is a rebuke and warning to the attorney, but it does not affect the attorney's ability to practice law.

Smith 1906-3 rel.doc

PLEASE NOTE

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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
2011 FEB 28 PM 4:16

IN RE: **BRIAN C. SMITH, BPR #001128**
An Attorney Licensed to Practice Law in Tennessee
(Hamilton County)

APPELLATE COURT CLERK
NASHVILLE

NO. 112011-00442-SE-BPO-BP
BOPR NO. 2010-1906-3-CM

ORDER OF ENFORCEMENT

This matter is before the Court upon the Petition for Discipline filed March 3, 2010, upon an Answer filed March 26, 2010; upon Respondent's Conditional Guilty Plea filed October 12, 2010; upon the Order of the Hearing Panel entered October 21, 2010; upon the Board's consideration of this matter on December 10, 2010; and upon the entire record in the cause.

From all of which the Court accepts the Order of the Hearing Panel and adopts the Order of the Hearing Panel as the Court's Order.

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

1. The Respondent, Brian C. Smith shall be publicly censured.
2. The Board of Professional Responsibility shall cause notice of this public censure to be published as required by Supreme Court Rule 9, Section 18.10.
3. 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 \$873.64, and in addition, shall pay to the Clerk of this Court the costs incurred herein, within (90) days of the entry of this Order, for all of which execution may issue if necessary.
4. Pursuant to Supreme Court Rule 9, Rules of the Supreme Court, Section 18.5, this Order shall be effective ten (10) days after the date of entry.

FOR THE COURT:

Cornelia A. Clark

CORNELIA A. CLARK
CHIEF JUSTICE

Michael V. Catalano, Clerk, hereby certify that this is a true and exact copy of the original

filed in the cause
This 28 day of Feb., 2011
CLERK OF COURT

By: *[Signature]*