



BOARD OF PROFESSIONAL RESPONSIBILITY
of the
SUPREME COURT OF TENNESSEE

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RELEASE OF INFORMATION
RE: MARK D. TALLEY, BPR #011152
CONTACT: LAURA L. CHASTAIN
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

November 14, 2005

MEMPHIS ATTORNEY SUSPENDED FROM PRACTICE OF LAW

Mark D. Talley, a Memphis, Tennessee attorney, was suspended from the practice of law by the Tennessee Supreme Court for a period of five (5) years plus an indefinite suspension (until full restitution is made) with all time suspended except for six months (180 days) beginning January 1, 2006, with all remaining time to be served on probation.

Talley submitted a Conditional Guilty Plea in exchange for a stated form of discipline. Talley admitted his guilt of allowing his client to use Talley's capacity as a lawyer and escrow agent to provide credibility to an investment scheme which unknown to Talley would ultimately defraud investors.

The suspension order specifies that Talley shall make monthly payments to Mr. and Mrs. Michael Thornton in an amount equal to ten percent (10%) of his gross income from all sources until restitution in the amount of \$170,000 is paid in full. The suspension order further specified that Talley shall execute a note in the amount of \$170,000 to be repaid in monthly payments equal to ten percent (10%) of his gross income from all sources to Mr. and Mrs. Michael Thornton. Talley agreed to furnish attorney Kemper Durand his financial records quarterly for the purpose of monitoring compliance with his probation conditions and agreed that attorney Kemper Durand should notify Disciplinary Counsel in the event that he is out of compliance.

The suspension also ordered that Talley's failure to comply with any condition of probation shall constitute grounds for summary suspension and revocation of probation.

Section 18 of Tennessee Supreme Court Rule 9 requires Talley to notify by registered or certified mail all clients being represented in pending matters; all co-counsel and opposing counsel of the Supreme Court's Order suspending him. Section 18 also requires Talley to deliver to all clients any paper or property to which they are entitled. This

suspension/probation shall remain in effect until the expiration of five (5) years of compliance with the conditions of probation and complete restitution in the amount of \$170,000 having been paid to Mr. and Mrs. Thornton, and the cost of the disciplinary proceeding having been paid to the Board of Professional Responsibility and until an Order is entered by the Tennessee Supreme Court reinstating Talley to the practice of law.

Talley 1265-9 rel.doc

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