

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

FILED  
2011 OCT 31 AM 11:47  
BOARD OF PROFESSIONAL  
RESPONSIBILITY  
*RW*  
EXEC. SEC.

IN RE: CARL MARK WARREN, BPR NO. 13992  
Respondent, an attorney licensed  
to practice law in Tennessee  
(Hamilton County)

FILE NO. 33598-3-KB

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PUBLIC CENSURE

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The above complaint was filed against Carl Mark Warren, an attorney licensed to practice law in Tennessee, alleging certain acts of misconduct. Pursuant to Supreme Court Rule 9, the Board of Professional Responsibility considered this matter at its meeting on September 9, 2011.

Respondent represented Complainant in a personal injury claim. Respondent did not obtain a written fee agreement signed by the Complainant for a contingency fee. Respondent accepted a settlement without his client's authorization. Respondent did not advise his client that he had received and endorsed a settlement check on her behalf and on behalf of Respondent's law firm.

Complainant later informed Respondent she was seeking further medical treatment due to the accident. Respondent then redacted the signatures on the settlement check and returned the check and an unsigned release to the insurance company. The insurance company filed suit against Complainant to enforce the settlement. Respondent agreed to waive any claim to a fee regarding Complainant's personal injury claim. Subsequent counsel represented Complainant *pro bono* and reached a settlement with the insurance company.

By the aforementioned facts, Carl Mark Warren, has violated Rules of Professional Conduct 1.2(a) (scope of representation), 1.4 (communication), 1.5(c) (fees) and 1.15(b) (safekeeping of property) and is hereby Publicly Censured for these violations.

FOR THE BOARD OF  
PROFESSIONAL RESPONSIBILITY

  
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Lela Hollabaugh, Chair

October 19, 2011  
\_\_\_\_\_  
Date