



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

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RELEASE OF INFORMATION
RE: DAVID BRENT WHELAN, BPR #032494
CONTACT: A. RUSSELL WILLIS
BOARD OF PROFESSIONAL RESPONSIBILITY
615-361-7500

September 10, 2020

RUTHERFORD COUNTY LAWYER TEMPORARILY SUSPENDED

On September 10, 2020, the Supreme Court of Tennessee temporarily suspended David Brent Whelan from the practice of law upon finding Mr. Whelan failed to respond to the Board regarding a complaint of misconduct and poses a risk of substantial harm to the public. Section 12.3 of Supreme Court Rule 9 provides for the immediate summary suspension of an attorney's license to practice law in cases where the attorney fails to respond to the Board regarding a complaint of misconduct or poses a risk of substantial harm to the public.

Mr. Whelan is immediately precluded from accepting any new cases, and he must cease representing existing clients by October 10, 2020. After October 10, 2020, Mr. Whelan shall not engage in the practice of law or use any indicia of lawyer, legal assistant, or law clerk nor maintain a presence where the practice of law is conducted.

Mr. Whelan must notify all clients being represented in pending matters, as well as co-counsel and opposing counsel of the Supreme Court's Order suspending his law license and deliver to all clients any papers or property to which they are entitled.

Mr. Whelan must comply with the requirements of Tennessee Supreme Court Rule 9, Sections 28 and 12.3(d), regarding the obligations and responsibilities of temporarily suspended attorneys and the procedure for reinstatement.

This suspension remains in effect until dissolution or modification by the Supreme Court. Mr. Whelan may for good cause request dissolution or modification of the suspension by petition to the Supreme Court.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

09/10/2020

Clerk of the
Appellate Courts

IN RE: DAVID BRENT WHELAN, BPR #032494

An Attorney Licensed to Practice Law in Tennessee
(Rutherford County)

No. M2020-01230-SC-BAR-BP
BOPR No. 2020-3123-4-AW-12.3

ORDER OF TEMPORARY SUSPENSION

This matter is before the Court on a Petition of the Board of Professional Responsibility of the Supreme Court of Tennessee, by and through Disciplinary Counsel, for the temporary suspension of David Brent Whelan from the practice of law, pursuant to Tenn. Sup. Ct. R. 9, § 12.3. The Petition has been authorized by the Chair of the Board of Professional Responsibility and is supported by the Affidavit of Steven J. Christopher, Disciplinary Counsel.

Based upon the Petition and the supporting Affidavit, the Court finds that David Brent Whelan, Respondent, failed to respond to the Board of Professional Responsibility concerning a complaint of misconduct and poses a risk of substantial harm to the public.

IT IS THEREFORE, CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT THAT:

1. David Brent Whelan is hereby temporarily suspended from the practice of law as provided in Tenn. Sup. Ct. R. 9, § 12.3.
2. David Brent Whelan shall comply with Tenn. Sup. Ct. R. 9 in all respects and particularly as provided in Tenn. Sup. Ct. R. 9, § 28, regarding the responsibilities of suspended attorneys.
3. David Brent Whelan may make application for dissolution or modification of this Order as provided in Tenn. Sup. Ct. R. 9, § 12.3.
4. The Board of Professional Responsibility shall cause notice of this suspension of David Brent Whelan to be published as required by Tenn. Sup. Ct. R. 9, § 28.11.

5. The Board of Professional Responsibility has filed a motion to place under seal the attachments to Exhibit 1 of its petition for temporary suspension. Upon review, the Court hereby grants the motion. Therefore, Attachments A through H to Exhibit 1 shall be placed under seal in the office of the Appellate Court Clerk.

PER CURIAM