



BOARD OF PROFESSIONAL RESPONSIBILITY

of the

SUPREME COURT OF TENNESSEE

LANCE B. BRACY
CHIEF DISCIPLINARY COUNSEL

LAURA L. CHASTAIN
DEPUTY CHIEF DISCIPLINARY COUNSEL

BEVERLY P. SHARPE
CONSUMER COUNSEL DIRECTOR

1101 KERMIT DRIVE, SUITE 730
NASHVILLE, TENNESSEE 37217
TELEPHONE: (615) 361-7500
(800) 486-5714
FAX: (615) 367-2480
E-MAIL: ethics@tbpr.org

WILLIAM W. HUNT, III
CHARLES A. HIGH
SANDY GARRETT
JESSE D. JOSEPH
JAMES A. VICK
THERESA M. COSTONIS
DISCIPLINARY COUNSEL

RELEASE OF INFORMATION THOMAS L. WHITESIDE, BPR #16173

CONTACT: CHARLES A. HIGH BOARD OF PROFESSIONAL RESPONSIBILITY

615-361-7500

March 8, 2005

BRENTWOOD LAWYER DISBARRED

On March 4, 2005, the Supreme Court of Tennessee entered an order disbarring Thomas L. Whiteside from the practice of law. Previously on January 28, 2004, the Supreme Court temporarily suspended Mr. Whiteside's right to practice for failure to respond to a disciplinary complaint.

A petition for discipline involving three disciplinary complaints was filed on June 28, 2004. On August 12, 2004, a motion for default judgment on the petition for discipline was filed.

On November 19, 2004, a hearing panel of the Board of Professional Responsibility convened. The respondent, Thomas L. Whiteside, was given proper notice of the hearing but failed to appear.

The hearing panel heard testimony and other proof and issued a Judgment of the Hearing Panel on December 15, 2004. The hearing panel found that the respondent abandoned his law practice, knowingly failed to perform services to clients and neglected legal matters of clients causing serious injury to his clients. The hearing panel found that Whiteside took client funds under false pretenses and deceived his clients.

The hearing panel granted the motion for default judgment and recommended that the respondent be disbarred. Neither party appealed the Judgment of the Hearing Panel.

Based upon the hearing panel's recommendation the Supreme Court entered the order of disbarment. A disbarred attorney may not apply for reinstatement for at least five years after the effective date of disbarment. An attorney petitioning for reinstatement after disbarment must have a hearing before a hearing panel of the Board of Professional Responsibility. After the hearing, the hearing panel makes a written report to the Supreme Court recommending for or against reinstatement. The attorney shall be reinstated only by order of the Supreme Court. The burden of proof requires that an attorney applying for reinstatement show by clear and

convincing evidence that reinstatement will not be detrimental to the integrity and standing of the bar or the administration of justice or subversive to the public interest.

CAH:mw

Whiteside 1450-6 rel.doc