



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

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RELEASE OF INFORMATION
RE: FRANK G. ABERNATHY, BPR #13692
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April 5, 2002

LAW LICENSE OF NASHVILLE ATTORNEY SUSPENDED

On April 1, 2002, the Supreme Court of Tennessee entered an Order suspending the law license of Frank G. Abernathy for a period of one year beginning April 16, 2002. Mr. Abernathy borrowed money from his client and prepared a Last Will and Testament, which named himself as Executor of her estate and Trustee of the Trust created for the benefit of her two children. Mr. Abernathy made no disclosures to his client about the fact that he would have a conflict being the Executor and a debtor to the estate. Mr. Abernathy used confidential information to his advantage and developed a conflict of interest in his representation of his client in drafting her Will and advising her financially. Respondent also engaged in misrepresentation.

Disciplinary Counsel filed a petition for discipline pursuant to Rule 9, Rules of the Supreme Court of Tennessee. Mr. Abernathy, pursuant to Section 16 of Tennessee Supreme Court Rule 9, submitted a Conditional Guilty Plea in exchange for a stated form of punishment.

The suspension order specifies that Abernathy shall make restitution to his client Juditka Kasper-Fox in the amount of \$180,403.94.

The suspension order further specifies that Mr. Abernathy may continue to work as a lobbyist, and as a sports agent for N.F.L. athletes, business consultant, and as an officer in a Bermuda based insurance company, so long as he is not General Counsel or any other position in said company offering legal advice, as these employments do not constitute the practice of law.

The suspension order shall remain in effect until an order of reinstatement is issued by the Supreme Court of Tennessee, upon showing clear and convincing evidence that his reinstatement to the practice of law would in no way be detrimental to the public interest.