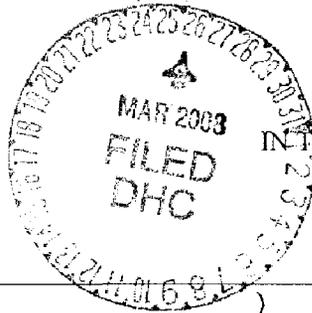


WAKE COUNTY  
NORTH CAROLINA



IN THE GENERAL COURTS OF JUSTICE  
SUPERIOR COURT DIVISION  
08 CVS

THE NORTH CAROLINA STATE BAR,  
PETITIONER,

v.

NEIL G. O'ROURKE, ATTORNEY,  
RESPONDENT.

CONSENT ORDER  
OF  
DISBARMENT

BY \_\_\_\_\_  
WAKE COUNTY S.C.J.C.  
2008 MAR 26 AM 11:21  
FILED

THIS MATTER came on to be heard and was heard by the undersigned Judge of the Superior Court of Wake County. Petitioner, the North Carolina State Bar, was represented by Katherine E. Jean. Respondent, Neil G. O'Rourke, was represented by David S. Rudolf.

Based upon the Affidavit of Surrender of Law License submitted to the court by Neil G. O'Rourke, the court makes the following:

**FINDINGS OF FACT**

1. Neil G. O'Rourke was an officer of Peerless Real Estate Services, L.L.C.
2. In that capacity, O'Rourke engaged in a conspiracy to commit loan fraud, mail fraud, wire fraud, bank fraud and securities fraud in violation of 18 U.S.C. 371.
3. O'Rourke engaged in the conspiracy in connection with selling lots in, and obtaining loans in connection with, a real estate development called "Village of Penland."
4. O'Rourke was charged in the Federal District Court for the Western District of North Carolina with one count of conspiracy to commit loan fraud, mail fraud, wire fraud, bank fraud and securities fraud in violation of 18 U.S.C. 371.
5. O'Rourke has entered a plea of guilty to this charge.
6. O'Rourke is in fact guilty of this charge.

Based upon the foregoing Findings of Fact, the court makes the following:

**CONCLUSIONS OF LAW**

1. By entering into a conspiracy to commit loan fraud, mail fraud, wire fraud, bank fraud and securities fraud in violation of 18 U.S.C. 371, O'Rourke violated Rules 8.4(b) and (c) of the North Carolina Revised Rules of Professional Conduct.

2. O'Rourke's misconduct constitutes grounds for discipline pursuant to N.C. Gen. Stat. Section 84-28(b)(2).

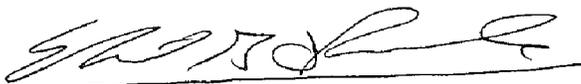
IT IS NOW, THEREFORE, **ORDERED**:

1. Neil G. O'Rourke is DISBARRED from the practice of law in North Carolina.
2. Neil G. O'Rourke shall comply with the provisions of Subchapter B, Section .0024 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Subchapter B, Section .0024.
3. The costs of this action are taxed against Neil G. O'Rourke.

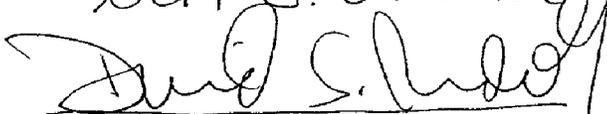
Done and Ordered this 26th day of March, 2008.

  
Superior Court Judge Presiding

I CONSENT

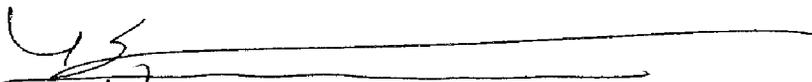


Neil G. O'Rourke



David S. Rudolf

Attorney for Neil G. O'Rourke



Katherine E. Jean

Attorney for Wake County  
State Bar

State Bar



WAKE COUNTY  
NORTH CAROLINA



THE GENERAL COURTS OF JUSTICE  
SUPERIOR COURT DIVISION  
08 CVS

00CV0005151  
BY  
WAKE COUNTY CLERK  
MAR 27 10 11-21  
FILED

THE NORTH CAROLINA STATE BAR,  
PETITIONER,  
v.  
NEIL G. O'ROURKE, ATTORNEY,  
RESPONDENT.

AFFIDAVIT OF SURRENDER  
OF LAW LICENSE

Neil G. O'Rourke, being first duly sworn, deposes and says as follows:

1. I desire to resign and hereby tender my license to practice law in North Carolina.
2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation.
3. I am aware that there is pending an investigation regarding allegations that I conspired to commit loan fraud, mail fraud, wire fraud, bank fraud and securities fraud in violation of 18 U.S.C. 371 in my capacity as officer of Peerless Real Estate Services, LLC. I have been charged in the Federal District Court for the Western District of North Carolina with one count of conspiracy to commit loan fraud, mail fraud, wire fraud, bank fraud and securities fraud in violation of 18 U.S.C. 371. I have entered my plea of guilty to this charge. I am in fact guilty of this charge.
4. I engaged in the conspiracy in connection with selling lots in, and obtaining loans in connection with, a real estate development called "Village of Penland."
5. I acknowledge the truth of the material facts upon which the investigation is predicated.
6. I am submitting my resignation because I believe that is the right thing to do. I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

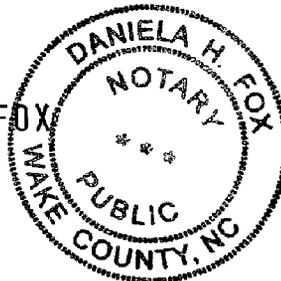
This the 29 day of February, 2008.

Neil G. O'Rourke

I, Daniela H. Fox, Notary Public of the County of Wake, State of North Carolina, certify that Neil G. O'Rourke personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of his own personal knowledge, and executed the foregoing Affidavit.

This the 29th day of February, 2008.

Daniela H. Fox  
Notary Public



My Commission Expires: Oct. 30, 2010

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