

WAKE COUNTY
NORTH CAROLINA



BEFORE THE COUNCIL OF THE
NORTH CAROLINA STATE BAR
04 BCS 1

IN RE TENDER OF SURRENDER OF)
)
LICENSE OF ZACHARY T. BYNUM, III)

ORDER OF DISBARMENT

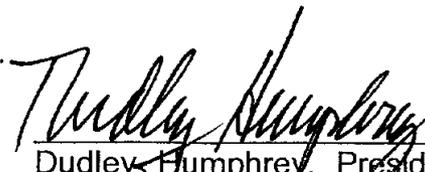
THIS MATTER was heard by the Council of the North Carolina State Bar pursuant to 27 NCAC 1B § .0117 (a) of the State Bar Discipline and Disability Rules upon the affidavit of tender of surrender of license executed by Zachary T. Bynum, III, on April 6, 2004, and filed in the offices of the State Bar on April 13, 2004.

Based on the affidavit, the Council finds that Zachary T. Bynum, III misappropriated more than \$2,500,000 he held in a fiduciary capacity in his attorney trust accounts for numerous clients and others and from trust accounts he maintained incident to administration of several decedent estates. The Council also finds that Bynum misappropriated a substantial amount of money from his business accounts unrelated to the practice of law. This conduct constitutes grounds for discipline, under N.C. Gen. Stat. § 84-28 (b)(2), in that Bynum violated Rules 1.15 through 1.15-3 and Rules 8.4 (a), (b), (c), (d) and (g) of the Revised Rules of Professional Conduct.

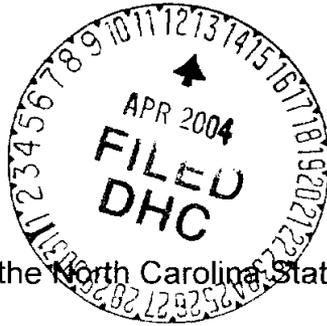
WHEREFORE, upon motion made and duly seconded, the Council enters the following Order:

1. The tender of surrender of the license of Zachary T. Bynum, III is hereby accepted.
2. Zachary T. Bynum, III hereby is DISBARRED from the practice of law in North Carolina.
3. Zachary T. Bynum, III shall comply with the provisions of 27 NCAC 1B § .0124 of the State Bar Discipline and Disability Rules and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by 27 NCAC 1B § .0124 of the State Bar Discipline and Disability Rules.
4. The costs of this action are taxed against Zachary T. Bynum, III.

Done and ordered this the 23rd day of April 2004.


Dudley Humphrey, President
The North Carolina State Bar

NORTH CAROLINA
WAKE COUNTY



BEFORE THE COUNCIL OF THE
NORTH CAROLINA STATE BAR
04 BCS I

TO: The Council of the North Carolina State Bar

AFFIDAVIT OF SURRENDER

ZACHARY T. BYNUM, III, 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 pursuant to State Bar Discipline & Disability Rule 27 NCAC 1 B § .0117.

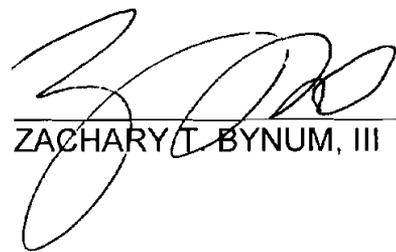
2. My resignation is freely and voluntarily rendered, and is not the result of coercion or duress. I am fully aware of the implications of submitting my resignation.

3. I am aware that there is a pending investigation by the State Bar regarding allegations that over several years I misappropriated more than \$2,500,000 to my own use, including money in my attorney trust accounts that had been entrusted to me in a fiduciary capacity for numerous clients and others, including lenders; and money held in trust incident to administration of several decedent estates, including my own father's estate. The State Bar also is investigating allegations that I misappropriated a substantial amount of money from business accounts unrelated to the practice of law.

4. I acknowledge that the material facts upon which the investigation is predicated are true.

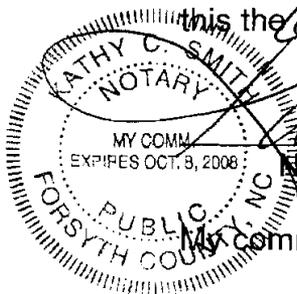
5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

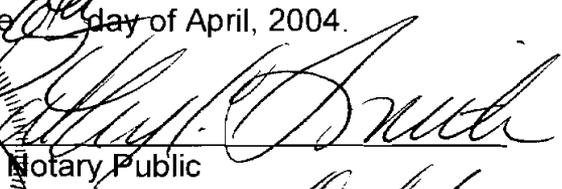
This is the 6th day of April 2004.



ZACHARY T. BYNUM, III

Sworn to and subscribed before me
this the 6th day of April, 2004.





Notary Public

My commission expires: October 9, 2008