

WAKE COUNTY  
NORTH CAROLINA

BEFORE THE DISCIPLINARY HEARING COMMISSION  
OF THE NORTH CAROLINA STATE BAR  
98 BCS 6



IN THE MATTER OF THE )  
TENDER OF LICENSE OF: )  
WILLIAM J. BAIR ) ORDER OF DISBARMENT  
)  
)

THIS MATTER coming to be heard and being heard by the Council of the North Carolina State Bar pursuant to Section 17 of Article IX of the Rules and Regulations of the North Carolina State Bar upon an affidavit of tender of license pursuant to Section 17(A) executed by William J. Bair and filed in the offices of the North Carolina State Bar on July 9, 1998.

Based upon the affidavit, the Council finds that William J. Bair's conduct of misappropriating client funds is grounds for discipline pursuant to N.C. Gen. Stat. Section 84-28(b)(2) in that William J. Bair violated Rule 1.2(b) (c) & (d), and Rule 10.1(a) & (c) of the Rules of Professional Conduct.

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

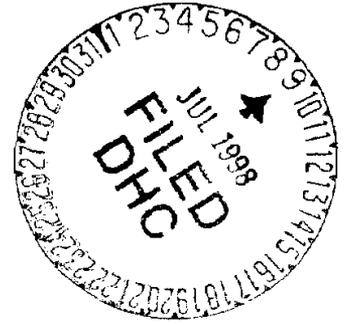
1. The tender of surrender of license of William J. Bair be accepted.
2. William J. Bair be and hereby is DISBARRED from the practice of law in North Carolina.
3. William J. Bair shall comply with the provisions of Article IX, Section 24 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Article IX, Section 24.
4. That the costs of this action be taxed against William J. Bair.

Done and Ordered this 17 day of July 1998.

  
\_\_\_\_\_  
William O. King, President  
North Carolina State Bar

STATE OF NORTH CAROLINA

COUNTY OF WAKE



AFFIDAVIT

TO: The Council of the North Carolina State Bar

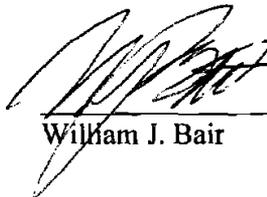
I, William J. Bair, hereby tender my license to practice and desire to resign from the North Carolina State Bar. My resignation is extended freely and voluntarily, and is not the result of coercion or duress, and I am fully aware of the implications of submitting this, my resignation.

I am aware that there is presently pending an investigation or other proceedings regarding allegations that I have been guilty of misconduct, specifically that:

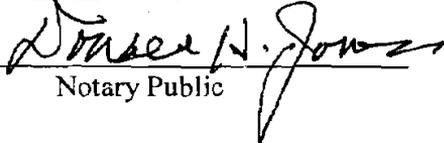
1. Between May and October 1996, I misappropriated for my own use and benefit \$22,552.60 of funds I was holding in my trust account for my client, Wingate T. Jones.
2. After the allegations were filed, the State Bar began an investigation. I had discussions with the State Bar, provided all information requested, and fully cooperated in the investigation.
3. On July 9, 1998, I repaid \$22,552.60 to Mr. Jones.

I acknowledge that the facts as set forth in paragraphs 1, 2, and 3 are true. I am submitting my resignation because I know if charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

This the 9<sup>th</sup> of July 1998.

  
 \_\_\_\_\_  
 William J. Bair

Sworn to and subscribed before me, this 9<sup>th</sup> of July 1998.

  
 \_\_\_\_\_  
 Notary Public

My Commission Expires: July 5, 2000