

NORTH CAROLINA

WAKE COUNTY

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
14G0142

IN THE MATTER OF

F. Grey Powell,
Attorney At Law

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REPRIMAND

On April 16, 2015 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by the State Bar. The grievance was assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff’s investigation of this matter.

Pursuant to Section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Subcommittee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Subcommittee found probable cause. Probable cause is defined in the rules as “reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action.”

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required, and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, a reprimand, or a censure to the respondent attorney.

A reprimand is a written form of discipline more serious than an admonition issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused harm or potential harm to a client, the administration of justice, the profession, or a member of the public, but the misconduct does not require a censure.

The Grievance Committee was of the opinion that a censure is not required in this case and issues this reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand.

In June 2012, you entered into an employment agreement with a California law firm, Granite Law California, LLP (“Granite Law”) to provide services in connection with the firm’s North Carolina clients. The law firm was not registered with the North Carolina State Bar or the

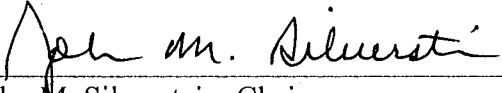
North Carolina Secretary of State. The firm's two equity partners were licensed in California, but not in North Carolina. You were listed as a "Granite Law Partner" on Granite Law's website. Your primary involvement with Granite Law entailed reviewing loan modification documents for spelling and clerical errors. Your partnership agreement with Granite Law provided that Granite Law would pay you \$50/file review. You were not paid by Granite Law's clients nor did you routinely communicate with the clients. You reviewed about four files/month in 2013.

The Grievance Committee found that your arrangement with Granite Law California, LLP assisted that entity in engaging in the unauthorized practice of law in North Carolina in violation of Rules 5.5(a) and 8.4(a) of the North Carolina Rules of Professional Conduct.

You are hereby reprimanded by the North Carolina State Bar for your professional misconduct. The Grievance Committee trusts that you will heed this reprimand, that it will be remembered by you, that it will be beneficial to you, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession.

In accordance with the policy adopted July 23, 2010 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any attorney issued a reprimand by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this the 6th day of MAY, 2015.



John M. Silverstein, Chair
Grievance Committee

JMS/lb