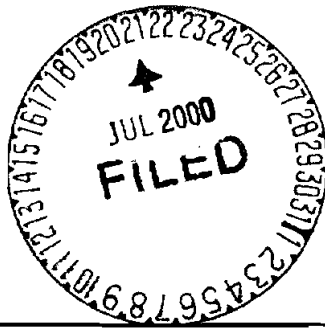


NORTH CAROLINA
WAKE COUNTY



BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
00 BCS 9

IN THE MATTER OF THE TENDER)	
OF SURRENDER OF LICENSE OF:)	
)	ORDER OF DISBARMENT
)	
ROBERT B. HERBERT, JR.)	

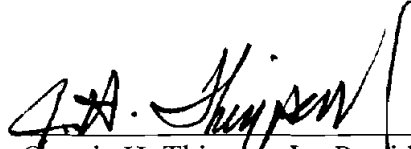
THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to 27 N.C. Admin. Code Chapter 1, Subchapter B, §.0117(a) of the State Bar Discipline & Disability Rules upon an affidavit of tender of surrender of license executed by Robert B. Herbert, Jr. (hereinafter, Herbert) on July 17, 2000 and filed in the offices of the North Carolina State Bar on July 18, 2000.

Based upon his affidavit, the Council finds that Herbert unlawfully diverted funds he held in a fiduciary capacity in his capacity as President and sole shareholder of Carolina Title Insurance Agency, Inc. Herbert's conduct is grounds for discipline pursuant to N.C. Gen. Stat. §84-28(b)(2) in that Herbert violated Rules 8.4(b) and (c) of the Revised Rules of Professional Conduct.

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

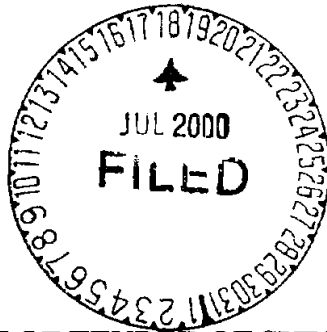
1. The tender of surrender of license of Herbert is hereby accepted.
2. Herbert is hereby is DISBARRED from the practice of law in North Carolina.
3. Herbert shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar.
4. The costs of this action are taxed against Herbert.

Done and ordered this 21st day of July, 2000.



 Cressie H. Thigpen, Jr., President
 The North Carolina State Bar

NORTH CAROLINA
WAKE COUNTY



BEFORE THE COUNCIL
OF THE
NORTH CAROLINA STATE BAR
00BC59

AFFIDAVIT OF TENDER OF SURRENDER OF LICENSE

I, ROBERT B. HERBERT, JR., being duly sworn, depose and say:

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

2. I am aware that there is presently pending an investigation or other proceeding regarding allegations that I have been guilty of misconduct, to wit:

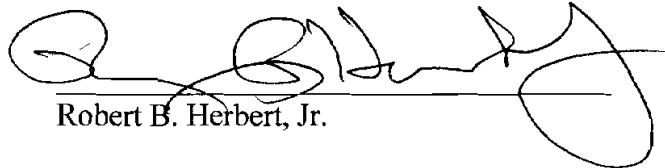
In my capacity as President and sole shareholder of Carolina Title Insurance Agency, Inc., I unlawfully diverted funds I held in a fiduciary capacity to my own use.

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

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

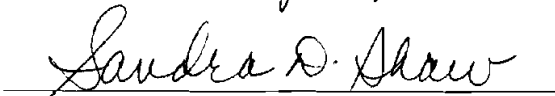
5. I understand that the Council of the North Carolina State Bar will consider this affidavit of surrender at its meeting on July 21, 2000, and I waive further notice.

This 17th day of July, 2000.



Robert B. Herbert, Jr.

Subscribed and sworn to before me this
the 17th day of July, 2000.



Sandra D. Shaw
Notary Public

My commission expires: 3-24-2001