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NORTH CAROLINA

WAKE COUNTY

FILED

1979 AUG 35 AM 10:00

W. E. GARNER, SEC
N. C. STATE BAR

BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
79 DHC 7

THE NORTH CAROLINA STATE BAR,
Plaintiff,

-vs-

EDWARD T. COOK, Attorney,
Defendant.

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND
ORDER OF DISMISSAL

THIS CAUSE coming on to be heard and being heard before the under-
signed Hearing Committee of the Disciplinary Hearing Commission of The
North Carolina State Bar at a regularly scheduled hearing held on Friday,
August 17, 1979, at 10:00 A.M. in the offices of The North Carolina State
Bar, 208 Fayetteville Street Mall, Raleigh, North Carolina, and said Hearing
Committee having heard the evidence and arguments and contentions of counsel,
make the following findings of fact;

1. The Plaintiff, The North Carolina State Bar, is a body duly
organized under the laws of North Carolina, and is the proper party to bring
this proceeding under the authority granted it in Chapter 84 of the General
Statutes of North Carolina.

2. The Defendant, Edward T. Cook, is a citizen and resident of
Mecklenburg County, North Carolina and was admitted to The North Carolina State
Bar in 1966 and is, and was at all times relevant to this proceeding, an
attorney at law licensed to practice law in the State of North Carolina and
was and is subject to the Rules, Regulations, Canons of Ethics and Code of
Professional Responsibility of The North Carolina State Bar and the laws of
the State of North Carolina.

3. The Plaintiff, The North Carolina State Bar, alleged in its Complaint
that the Defendant had misused or co-mingled ~~THREE THOUSAND DOLLARS~~ (\$3,000.00)
of funds while he was acting as administrator of a decedent's estate. From
the evidence adduced at the hearing, it was found that at no time did the
Defendant either co-mingle or misuse said funds. The funds in question were
at all times identifiable and remained separate from any personal funds of
the Defendant.

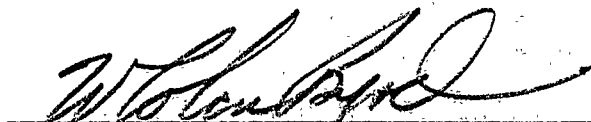
Based upon the foregoing findings of fact, the Hearing Committee
hereby concludes that the Defendant did not violate the Code of Professional
Responsibility of The North Carolina State Bar at any time during which the


aforementioned funds were in his possession and under his control. And it is therefore ORDERED:

That this matter be and the same is hereby dismissed.

This the 14th day of August, 1979.


Harold K. Bennett, Chairman


W. Colon Byrd


William Owen Cooke