

9596

STATE OF NORTH CAROLINA

COUNTY OF WAKE

BEFORE THE
GRIEVANCE COMMITTEE
OF THE
NORTH CAROLINA STATE BAR
87GR 0511
87GR 0512

IN THE MATTER OF
GARY D. HENDERSON
ATTORNEY AT LAW

ACCEPTANCE/REJECTION OF
PUBLIC REPRIMAND

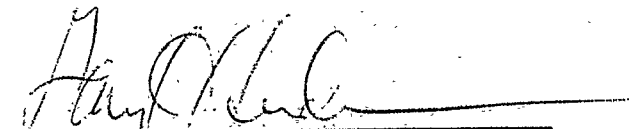
TO: The Grievance Committee of the North Carolina State Bar
ATTN: B. E. James
Post Office Box 25908
Raleigh, North Carolina 27611

I hereby give notice to the Grievance Committee pursuant to Section 13(11) of Article IX of the Rules and Regulations of the North Carolina State Bar as follows:

I hereby accept the Public Reprimand issued by the Grievance Committee in the above-referenced grievance file understanding that the Public Reprimand will be filed as provided in Subsection 23(A) (2) of Article IX.

I hereby reject the Public Reprimand issued by the Grievance Committee understanding that a Complaint will be filed in the Disciplinary Hearing Commission pursuant to Section 14 of Article IX.

This the 19 day of July, 1989.



Gary D. Henderson, Attorney
File No.: 87GR 0511 & 87GR 0512

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Your statement on the release that Larry Butler personally appeared before you and signed the release was not true. It violated Rule 1.2(C) of the Rules of Professional Conduct.

In deciding to issue this Public Reprimand, the committee was aware that you did not intend to deceive the insurance company or Larry Butler. The committee was also aware that neither of the Butlers were upset about your handling of this matter and that these grievances were inspired by a disgruntled former secretary of yours. The committee understood you were only attempting to get the matter settled as quickly as possible at your client's insistence. However, the committee still felt your conduct was wrong and warranted this action.

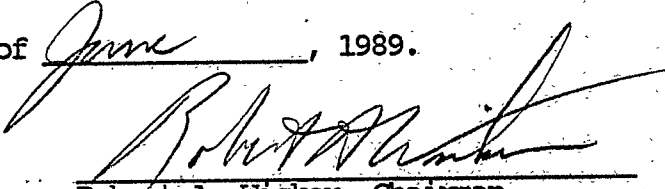
You are hereby publicly reprimanded by the North Carolina State Bar due to your professional misconduct. The Grievance Committee trusts that you will ponder this Public Reprimand, recognize the error that you have made, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession. This Public Reprimand should serve as a strong reminder and inducement for you to weigh carefully in the future your responsibility to the public, your clients, your fellow attorneys and the courts to the end that you demean yourself as a respected member of the legal profession whose conduct may be relied upon without question.

This Public Reprimand will be maintained as a permanent record in the judgment book of the North Carolina State Bar. Since a complaint was made and professional misconduct has been found, the complainant will receive a copy of this Public Reprimand. A copy also is available to the public upon request.

Within 15 days after this Public Reprimand is served upon you, you may refuse this Public Reprimand and request that charges be filed. Such refusal and request must be addressed to the Grievance Committee and filed with the Secretary. If you do file such refusal and request, counsel shall thereafter be instructed to prepare and file a complaint against you with the Disciplinary Hearing Commission of the North Carolina State Bar. The Hearing before the Disciplinary Hearing Commission is public and all of its proceedings and its decision are public.

In accordance with the policy adopted October 15, 1981 by the Council of the North Carolina State Bar regarding the taxing of the administrative and investigative costs to any attorney issued a reprimand by the Grievance Committee, the costs of this action in the amount of \$50.00 are hereby taxed to you.

Done and ordered, this 13 day of June, 1989.


Robert A. Wicker, Chairman
The Grievance Committee
North Carolina State Bar

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