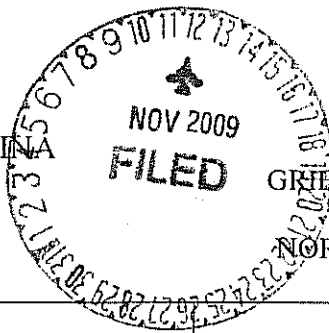


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE  
GRIEVANCE COMMITTEE CHAIR  
OF THE  
NORTH CAROLINA STATE BAR  
08G0513

IN RE:

BRETT HUBBARD, ATTORNEY

CONSENT ORDER  
TRANSFERRING MEMBER TO  
DISABILITY INACTIVE STATUS

This matter is before the undersigned Chair of the Grievance Committee of the North Carolina State Bar pursuant to 27 NCAC 1B § .0118(g). Melissa D. Donahue and Nichole P. McLaughlin represented the North Carolina State Bar ("State Bar"). Brett Hubbard represented himself. Based upon the information presented and with the consent of the member and of deputy counsel, the undersigned makes the following

#### FINDINGS OF FACT

1. The 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, and the rules and regulations of the North Carolina State Bar promulgated thereunder.
2. Brett Hubbard ("Hubbard"), was admitted to the North Carolina State Bar on August 19, 1988, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the rules, regulations and Rules of Professional Conduct of the North Carolina State Bar and the laws of the State of North Carolina.
3. During or prior to the relevant periods referred to herein, Hubbard was engaged in the practice of law in the State of North Carolina and maintained a law office in Cary, Wake County, North Carolina.
4. Hubbard's evaluating psychologist and psychiatrist diagnosed Hubbard with underlying depression that has existed over a long period of time and adjustment disorder with mixed anxiety. They jointly concluded that due to his mental state he was unable to perform as an attorney.
5. Hubbard's depression and adjustment disorder are mental conditions which significantly impair his professional judgment, performance or competence as an attorney.

6. Hubbard consents to being transferred to disability inactive status.

Based on the foregoing Findings of Fact, the undersigned makes the following

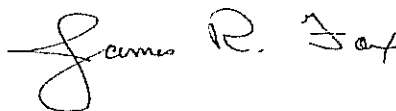
#### CONCLUSIONS OF LAW

1. There is clear, cogent and convincing evidence that Hubbard is disabled within the meaning of 27 NCAC 1B § .0103(19).
2. Hubbard should be transferred to disability inactive status with the State Bar.
3. Hubbard has voluntarily consented to being transferred to disability inactive status pursuant to 27 NCAC 1B § .0118(g).

THEREFORE, it is hereby ORDERED:

1. Brett Hubbard is transferred to disability inactive status.
2. Hubbard shall not practice law in North Carolina until he is no longer disabled and has been returned to active status as a member of the North Carolina State Bar pursuant to the procedures set out in 27 NCAC 1B § .0125(c).


This, the 23<sup>rd</sup> day of September, 2009.



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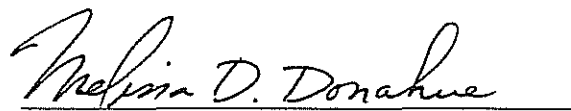
James R. Fox, Chair  
Grievance Committee

CONSENTED TO:



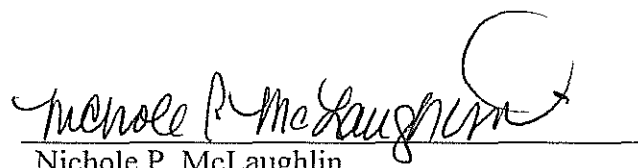
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Brett Hubbard, Attorney



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Melissa D. Donahue  
Deputy Counsel  
State Bar Number 27792

A handwritten signature in black ink, reading "Nichole P. McLaughlin". The signature is written in a cursive style with a large, stylized "C" at the end. A horizontal line is drawn across the page just below the signature.

Nichole P. McLaughlin  
Deputy Counsel  
State Bar Number 26603

North Carolina State Bar  
P.O. Box 25908  
Raleigh, N.C. 27611  
919-828-4620