

NORTH CAROLINA

WAKE COUNTY

BEFORE THE COUNCIL OF
THE NORTH CAROLINA
STATE BAR

09 BCS 1

IN THE MATTER OF THE TENDER
OF SURRENDER OF LICENSE OF ORDER OF DISBARMENT
DAVID J. FERRIS, JR.

THIS MATTER coming on to be heard and being heard by the Council of the North Carolina State Bar pursuant to Section .0017 of Subchapter B of the Rules and Regulations of the North Carolina State Bar upon an affidavit of tender of license executed by David J. Ferris, Jr. and filed in the offices of the North Carolina State Bar on January 22nd, 2009.

Based upon the affidavit of tender of license, the Council finds that David J. Ferris, Jr., while serving in capacities as closing lawyer, purchaser or undisclosed investor, knowingly participated in and facilitated multiple fraudulent real estate transactions.

The Council also finds that David J. Ferris, Jr. has waived his right to notice of this hearing and the right to be heard before the Council.

The Council concludes that the conduct of David J. Ferris, Jr. constitutes grounds for discipline under N.C. Gen. Stat. §84-28(b)(2) in that David J. Ferris, Jr. violated Rule 8.4(c) of the Revised Rules of Professional Conduct and that the Council may enter an order of discipline accordingly.

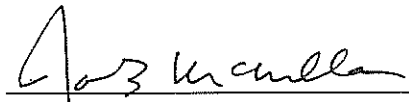
WHEREFORE, upon motion duly made and seconded, the Council of the North Carolina State Bar enters the following order:

1. The tender of surrender of license of David J. Ferris, Jr. is hereby accepted.
2. David J. Ferris, Jr. is hereby DISBARRED from the practice of law in North Carolina.

3. David J. Ferris, Jr. will comply with the provisions of Subchapter B, Section .0024 of the Rules and Regulations of the North Carolina State Bar and will surrender his license and permanent registration card to the Secretary of the North Carolina State Bar along with the affidavit required by Subchapter B, Section .0024.

4. The costs of this action are taxed against David J. Ferris, Jr.

Done and Ordered, this the 23rd day of January, 2009.



John B. McMillan
President
North Carolina State Bar

NORTH CAROLINA
WAKE COUNTY



BEFORE THE COUNCIL
OF THE NORTH CAROLINA STATE BAR
09 BCS 1

AFFIDAVIT OF SURRENDER

David J. Ferris, Jr., being first duly sworn, deposes and says as follows:

1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to the provisions of 27 N.C. Admin. Code Chapter 1, Subchapter B, Section .0117 of the N.C. State Bar Discipline & Disability Rules.
2. My resignation is freely and voluntarily rendered. It is not the result of coercion or duress. I am fully aware of the implication of submitting my resignation.
3. I am aware that there is pending an investigation regarding allegations that while serving in capacities as closing attorney, purchaser or undisclosed investor, I knowingly facilitated and participated in multiple fraudulent real estate closings in which I signed and transmitted HUD-1 Settlement Statements that I knew contained false information.
4. I acknowledge that the material facts upon which the investigation is predicated are true.
5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.
6. I understand that the hearing by the Council of the North Carolina State Bar with regard to the acceptance of my Affidavit of Surrender will occur at the regularly scheduled meeting of the Council of the North Carolina State Bar on Friday, January 23, 2009 at the Marriot Hotel, Raleigh, North Carolina.
7. I acknowledge that I understood before tendering my Affidavit of Surrender that it would be presented to the Council at its meeting on Friday, January 23, 2009.
8. I hereby waive any claim, argument, or assertion that I have not received proper or timely notice of the hearing before the Council on Friday, January 23, 2009 on my Affidavit of Surrender or any other defect in notice. I further waive any and all right or privilege to appear before the Council at that hearing.

9. I affirm that I have had a full opportunity to seek the advice and counsel of an attorney in filing my Affidavit of Surrender and in waiving any rights set forth in this Waiver.

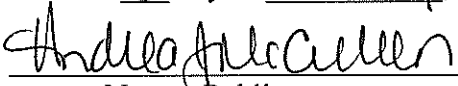
This the 22nd day of JANUARY, 2009.


David J. Ferris, Jr.

I, Andrea J. McCullen, Notary Public of the County of Wake, State of North Carolina, certify that David J. Ferris, Jr. personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of his own personal knowledge, and executed the foregoing Affidavit.

Sworn to and subscribed before me

This the 22 day of January, 2009.


Notary Public

My commission expires: 1/6/14

