

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 James T. Conrad and filed in the offices of the North Carolina State Bar on October 13, 2006.

Based upon the affidavit of tender of license, the Council finds that James T. Conrad misappropriated at least \$314,000.00 of entrusted funds for his own personal use. The entrusted funds were held by Conrad as trustee for a family trust of which Conrad and his siblings were intended beneficiaries.

The Council also finds that James T. Conrad 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 James T. Conrad constitutes grounds for discipline under N.C. Gen. Stat. §84-28(b)(2) in that James T. Conrad violated Rules 8.4(a), (b) and (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 James T. Conrad is hereby accepted.
- 2. James T. Conrad is hereby DISBARRED from the practice of law in North Carolina.

- 3. James T. Conrad 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 James T. Conrad.

Done and Ordered, this the 30th day of Odobo, 2006.

Steven D. Michael, President The North Carolina State Bar

NORTH CAROLINA

WAKE COUNTY

BEFORE THE COUNCIL OF THE NORTH CAROLINA STA

06 BCS **7**

AFFIDAVIT OF SURRENDER

James T. Conrad, 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, in my capacity as trustee of an irrevocable family trust in which my siblings and I were the intended beneficiaries, I misappropriated at least \$314,000.00.
- 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.

This the 12^{7h} day of A_{nq} nst , 2006.

James T. Conrac

Sworn to and subscribed before me

this the 15th day of Anjust

Notary Public

My commission expires: (/ (/ ())

2006.