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WAKE COUNTY, C.S.C.

WAKE COUNTY NORTH CAROLINA	IN THE GENERAL COURTS OF JUSTICE SUPERIOR COURT DIVISION 11 CVS
THE NORTH CAROLINA STATE BAR, PETITIONER, v. TODD M. PEEBLES, RESPONDENT.	CONSENT ORDER OF PRELIMINARY INJUNCTION

THIS MATTER came on to be heard and was heard by the undersigned Judge of Superior Court of Wake County on motion of Petitioner, the North Carolina State Bar. Petitioner was represented by Katherine E. Jean. Respondent, Todd M. Peebles, was represented by Alan M. Schneider. Based upon the consent of the parties, the Court makes the following:

FINDINGS OF FACT

1. Respondent, Todd M. Peebles ("Peebles"), was licensed to practice law in North Carolina on August 23, 1991.

2. As of the date of this petition, Peebles' last known address of record on file with the North Carolina State Bar is 102 S. Cherry Street, Winston-Salem, North Carolina 27101.

3. The State Bar's preliminary investigation indicates that Peebles has mishandled client funds that were deposited into his attorney trust account.

4. Peebles desires to cooperate with the State Bar.

5. A need for prompt action exists to ensure that entrusted funds are not mishandled in the future.

Based upon the foregoing Findings of Fact, the Court makes the following

CONCLUSIONS OF LAW

1. Prompt action, pursuant to N.C. Gen. Stat. 84-28(f), is necessary to preserve the status quo while the State Bar conducts an analysis of Peebles' trust and operating accounts and to ensure that client funds are not mishandled.

2. Peebles should be enjoined from accepting any further funds from or on behalf of clients or other individuals in a fiduciary capacity, from writing checks against any account in which client or fiduciary funds have been deposited, and from directing or permitting any employee or agent to withdraw funds from and/or to draw any checks or other instruments upon any account in which client or fiduciary funds have been deposited until and unless expressly permitted by subsequent orders of the Court.

3. To assist the State Bar's analysis of his trust and operating accounts, Peebles should provide the State Bar with records of all accounts in which client or fiduciary funds have been deposited and with all client files requested by the State Bar as set forth below.

THEREFORE, IT IS HEREBY ORDERED:

1. Todd M. Peebles is enjoined from accepting or receiving any funds from clients or third parties in a fiduciary capacity, from withdrawing any funds from and/or drawing any checks or other instruments against any account in which client or fiduciary funds have been deposited and from directing or permitting any employee or agent to withdraw funds from and/or to draw any checks or other instruments upon any account in which client or fiduciary funds have been deposited until and unless expressly permitted by subsequent orders of the Court.

2. Peebles or any other person having custody or control of records relating to any account into which client or fiduciary funds have been deposited shall immediately produce to the North Carolina State Bar for inspection and copying all of Peebles' financial records relating to any account into which client or fiduciary funds have been deposited, including, but not limited to bank statements, canceled checks, deposit slips, client ledger cards, check stubs, debit memos and any other records relating to the receipt and disbursement of client and/or fiduciary funds.

3. Peebles or any other person having custody or control over records relating to persons or entities for whom Peebles has provided legal services shall produce to the North Carolina State Bar for inspection and copying all records and documents relating to each such person or entity including but not limited to client files, billing statements, memoranda and receipts. Documents relating to current clients shall be produced within 24 hours of demand by the State Bar. Documents relating to closed client files shall be produced within 3 days of demand by the State Bar.

4. If Peebles does not have possession of the minimum records required to be maintained regarding trust and fiduciary funds pursuant to Rule 1.15-3 of the Rules of Professional Conduct, he shall direct the bank(s) where his bank account(s) are maintained, within 10 days of the date of this order, to copy and transmit any such missing records directly to the North Carolina State Bar at Peebles' expense.

5. Peebles shall not serve in any fiduciary capacity, including trustee, escrow agent, personal representative, executor or attorney-in-fact until and unless he is permitted to do so by order of this Court.

6. This Consent Order of Preliminary Injunction shall remain in effect until further order of this Court.

THIS the 16 day of September, 2011.

Superior Court Judge Presiding

WE CONSENT

Todd M. Peebles
Respondent

Alan M. Schneider
Attorney for Respondent

Katherine E. Jean
Attorney for Petitioner
The North Carolina State Bar