LAW OFFICE OF

B.J. WADE

October 16, 2014

VIA U.S. MAIL
Tennessee Board of Professional Responsibility
10 Cadillac Drive, Suite 220
Brentwood, TN 37027

RE: Respondent: Richard Glassman

Dear Sir or Madam:

This letter will serve as a multi-count Complaint against Respondent, Richard Glassman.

I. BACKGROUND

I was an associate at the Glassman predecessor firm from April 11, 1985 until January 1, 1990, at which time I became a "partner" (or "shareholder" as we interchanged those terms). I left the firm on or about November 5, 2010.

II. EVIDENCE SUPPRESSED BY RESPONDENT

In the case of "Carol McIntyre v. Dr. Peter Aldea", Shelby County Circuit Court docket number CT-006865-01, the Respondent represented Plaintiff, Carol McIntyre. Ms. McIntyre was served with a request for production of documents which included a request for any diary she may have had related to her treatment. She responded that she had no diary. In addition, Ms. McIntyre was deposed and denied on several occasions that she had a diary.

At trial Ms. McIntyre admitted before the jury that she did in fact have a diary. When asked why she lied about it, Ms. McIntyre testified, "My lawyer told me to." The lawyer who told her to lie was Respondent.

III. IMPROPER ADVANCEMENT OF EXPENSES TO PLAINTIFF

Respondent represented a Ms. Jan Williams as a Plaintiff in a medical malpractice case. During settlement negotiations for the upcoming trial the Plaintiff Ms. Williams was financially strapped and was considering accepting Defendant's offer. Respondent was convinced the Defendant would offer more and Respondent sent a wire transfer to Plaintiff Williams' bank account to give her some money to "tide" her over until the case settled. The amount of money respondent improperly advanced to Plaintiff Williams was approximately $15,000.

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IV. IMPROPER FEE SHARING WITH LAYMAN

A. The Respondent had a paralegal whom I will call "paralegal A." Respondent had an ongoing sexual relationship with paralegal A. In an effort to boost her income, Respondent claimed he had a small Plaintiff's case (valued at about $50,000). Respondent claimed Paralegal A did all of the work except perhaps one hour, and therefore, paralegal A should receive a $5,000 "cash bonus". This happened on several occasions. These occasions were improper fee splitting with a layman.

B. Respondent had a subsequent "paralegal B" with whom he had a sexual relationship. The same scenario as in III (A) above occurred.

V. DOUBLE DIPPING ON FIRM'S WESTLAW ACCOUNT

In approximately July 2009, Susan Stephenson, our office administrator, approached me and stated that Respondent was in effect double dipping on the firm's Westlaw account. According to Mrs. Stephenson, Respondent would request a check payable to himself for the Westlaw account amounting to $5,000 or more. Respondent would then charge the Westlaw charge to his firm credit card, and pocket the check made to him personally. I was not sure how to handle this information. I did put the issue on the agenda for the partners' meeting we had in March 2010, and there should be a record of the agenda at the Respondent's firm.

In addition there may be a tape recording a position of this meeting. Matters had reached a tense point because of Respondent's handling of the "Markowitz v. Glassman, Edward, Wade and Wyatt" case, Chancery Court docket number CH-05-1003. In that case the Court, sitting non-jury, found for the Plaintiff. The Special Chancellor allocated to Mr. Markowitz approximately $550,000 and on p. 14 the decision found that Defendant [Respondent in this case] misinformed the Court.

Respondent taped a part of the March 2010 meeting, and I raised the Westlaw issue. Respondent conveniently claimed the tape was not working and then claimed trying to find these Westlaw records would be a "waste of time". Based on my experience at the firm for 25 years, my opinion is that it would not have been a waste of time; our office administrator kept good records and in my opinion could have assembled the records in about two hours. It is worth noting Respondent never denied the Westlaw scheme as I outlined at the meeting, nor did he ever produce the backup documents.

Before we could finish the Westlaw discussion, Respondent claimed some cardiovascular symptoms to make it appear he was having a stroke or the like. He was hustled out the back door so no one would see. Shareholder Dale Tuttle took Respondent to Tuttle's friend Oakley Jordan, M.D. It was reported that Respondent had a hypertensive event. Respondent never provided the information to rebut the claim that he was in effect "double dipping" in the Westlaw account.

Mr. Glassman used the firm's bank account as his own personal account, paying personal and household expenses from the firm account. These items included wine, food, and flowers for his wife and three daughters.

VI. RESPONDENT'S FALSE STATEMENTS IN THE MARKOWITZ CASE

As mentioned above, the firm then known as "Glassman, Edwards, Wade & Wyatt" was sued by an independent contractor, Steve Markowitz. The case arose when a case handled by Respondent and Mr. Markowitz settled. The attorney fee was approximately Three Million Three Hundred dollars ($3,300,000). The Respondent dictated the Markowitz portion of the fee should be $100,000, an amount the confidential mediator for the firm Joe Riley, Esq. opined, "shocked the conscience".

Markowitz declined to accept the $100,000 fee, resigned from the firm, and filed suit against the firm. The Joe Riley, Esq., opinion came approximately two weeks before trial.

At trial Special Chancellor Walter Kurtz found in favor of Markowitz, awarding him approximately $550,000 in damages. Of significance was Special Chancellor Kurtz's finding that, "The Defendant [Respondent] misinformed the Court." This decision was not appealed from and therefore constitutes a final order that Respondent misinformed the Court.

VII. IMPROPER CONTACT WITH A PERSON KNOWN TO BE REPRESENTED BY COUNSEL

On or about September 25, 2014 my estranged wife Tina Wade called Respondent. My wife is represented by two different law firms on matters that touch on the Respondent's firm's claims against me. Respondent was fully aware of my wife's representation. The Respondent, acting ethically, should have immediately informed my wife that he could not talk to her because she was being represented by counsel and should have then terminated the conversation unilaterally. Instead, Respondent had a substantive conversation with my wife, Tina Wade, knowing she was represented by counsel and that her position was adverse to him. In fact, Respondent in the past had threatened in writing to sue my wife.

VIII. INCOME TAXES

Respondent stated that the firm could not "withstand an audit" with the clear implication that he cheated on the firm's tax returns. Respondent was always careful to be the one taking care of the tax returns.

If you have any questions, I will be difficult to reach for two weeks beginning October 19, 2014, as I will be in London.

Best regards,

B.J. Wade

BJW/mlt