

original

Exhibit #2



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of the
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May 10, 2004

CONFIDENTIAL

Ms. Linda Wagner
P.O. Box 12374
Knoxville, TN 37912

Re: File No. 26434-2(K)-TH

Dear Ms. Wagner:

I am shortly forwarding this file to a hearing officer for his/her decision. My office will advise you as to the hearing officer's decision.

In so doing, I would make some observations to this case. At the outset I would note that this office cannot retry your legal matter. You are justifiably upset over the length of time that this matter has taken. I understand you blame the counsel for your ex-husband, Thomas Keenan Smith, for this delay. Mr. Smith may have been responsible for a portion of the delay. However, delay is not necessarily an ethics violation, particularly, when the delay is in the interest of the client. Mr. Smith apparently takes the position that in part he was acting at his client's request or in his client's interest. Because of the attorney-client privilege, this office cannot pursue this response any further. If there is unnecessary delay, your attorneys may bring this to the court's decision.

Whatever the hearing officer decides, my office will let you know. (Please note that the letter you will receive advising you of the results of this case is a form letter and my signature thereon is a "rubber stamp". If there is any difference between that letter and this one, it is the result of the hearing officer's decision.)

Sincerely,

William W. Hunt, III
Disciplinary Counsel