

STATE OF MAINE

SUPREME JUDICIAL COURT

DOCKET NO. BAR-05-08

BOARD OF OVERSEERS OF THE BAR)

Plaintiff)

ORDER

THOMAS R. ACKER)

of Hollis, ME)

Me. Bar #3381)

Defendant)

On September 22, 2006 this Court issued an Order of Disbarment of Thomas R. Acker. The Court must now consider how to further manage and properly dispose of clients' files now retained by Attorney Wayne E. Tumlin, acting as the court-appointed Receiver in this matter.

Based upon the joint proposal of Attorney Tumlin and the Board of Overseers, the Court now orders the following:

1. Until June 30, 2007, Attorney Tumlin shall continue to deliver files related to Mr. Acker's former clients, as those clients request and acknowledge delivery of the same. Attorney Tumlin shall maintain receipts of each returned file.

2. Regarding clients who have not requested a return but were notified of the availability of their files, Attorney Tumlin shall send an additional letter notifying those clients of the availability of their file(s).

3. If by June 30, 2007, no subsequent response is received by Attorney Tumlin, then he shall transfer those files to the office of the Board of Overseers of the Bar at 97 Winthrop Street, Augusta, Maine. The Board shall retain such files for a minimum of eight years from the date of termination of representation or from the date of Mr. Acker's disbarment, whichever is earlier, consistent with Maine Bar Rule 3.4 (a)(4).

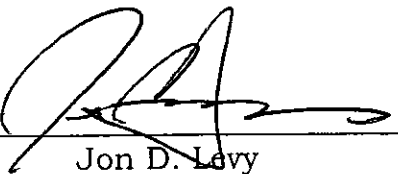
4. Regarding notifications sent but unconfirmed as to receipt by former clients, Attorney Tumlin shall again attempt notice to those former clients and retain such files until June 30, 2007. On July 1, 2007 the Board shall take delivery of those files and retain them as described above in paragraph number 3 above.

5. The Court recognizes the possibility that Mr. Acker may come across former client files. If that should occur, Mr. Acker shall advise the office of Bar Counsel and deliver the same to the Board's office. In turn, Bar Counsel shall immediately advise the Court of the existence of such files.

6. Regarding other unidentified former clients who may come forward to retrieve their files, those clients shall be directed to the Board of Overseers' office for assistance with their inquiries.

7. The Board may, in the future, move for modification of this order for good cause shown.

Dated: October 18, 2006



Jon D. Levy

Associate Justice