

The North Carolina State Bar
Authorized Practice Committee

208 Fayetteville Street (27601)
Post Office Box 25908
Raleigh, North Carolina 27611
Telephone (919) 828-4620
Fax: (919) 834-8156
Web: www.ncbar.gov

JUL 30 2007

Ms. Tracey C. Robinson
212 S. Tryon Street
Suite 480
Charlotte, North Carolina 28281

LETTER OF CAUTION
Cease & Desist

Re: Allegation of Unauthorized Practice of Law
File number: 06AP0010

Dear Ms. Robinson:

On July 11, 2007, the Authorized Practice Committee met and considered the results of its investigation into your activities in the above referenced matter. As you will recall, you were informed of the allegations before the Committee and given an opportunity to respond. You responded, and the Committee carefully considered both the information received by it and your response. You also attended the Committee's meeting on April 18, 2007 at which you made a presentation and responded to questions, which the Committee considered as well. You then attended the July meeting and responded to additional questions from the Committee. The Committee thanks you for your cooperation and willingness to respond to its questions.

Based upon all of the information available to it, the Committee concluded that there was probable cause to believe that you have engaged in the unauthorized practice of law in North Carolina. Among the facts that led the Committee to this conclusion are: You are a licensed Florida attorney who resides in Charlotte, North Carolina. You informed the Committee that you are a North Carolina resident with a North Carolina drivers' license and that you are registered to vote in North Carolina. After moving to North Carolina in 2003, you attempted, but were unsuccessful, in obtaining a North Carolina law license by exam in February 2005. Shortly after the results of the Bar exam were mailed, you established a Florida professional corporation named Tracey Cabanis Robinson, P.A. on April 13, 2005. You listed the corporation's principal place of business as the same address as your registered agent, Bethony Brenman. However, you did not have a law office at that address and you identified the corporation's mailing address as a Charlotte address, which appears to be your residence at the time. You then opened an office for the practice of law in North Carolina under the name of your Florida corporation. You concurrently registered with the North Carolina State Bar as an interstate law firm even though you told the Committee that you are only in Florida sporadically, you do not have many Florida clients, and your membership record with the Florida Bar gives only a North Carolina address.

Anthony S. Di Santi, Chair
Joshua W. Willey, Jr., Vice-Chair

After you opened your law office in Charlotte, you entered into a relationship with a business named "The Settlement Source" whereby your firm was asked to provide legal services associated with residential real estate closings. You actively communicated with clients, provided legal advice, and supervised the activities and legal services of this office. You employed or engaged North Carolina attorneys as an employer or contractor to assist you in providing legal services in North Carolina. You and your office prepared legal documents associated with a real estate practice, including deeds, and provided title opinions for buyers and lenders. You were actively involved in overseeing this work as the only principal of your firm.

Eventually, you severed your relationship with the Settlement Source and created a limited liability partnership for the practice of law with a North Carolina attorney even though you still were not licensed to practice in North Carolina. You still engage in day to day legal work from a North Carolina law office and continue to hold yourself out as an attorney.

It is the unauthorized practice of law in North Carolina for anyone other than a North Carolina licensed attorney to provide legal services or hold out to the North Carolina public as an attorney or as able to provide legal services. N.C. Gen. Stat. §§ 84-2.1, 4, and 5. The registration of your Florida professional corporation, which was only established after you became a North Carolina resident, did not confer upon you any ability to practice law in North Carolina. 27 NCAC 1, Sub. E § .0205. The Committee concluded that there was probable cause to believe that your conduct constituted the unauthorized practice of law in violation of these statutes. Accordingly, it voted to issue this Letter of Caution to notify you of its decision and to demand that you stop engaging in your activities now.

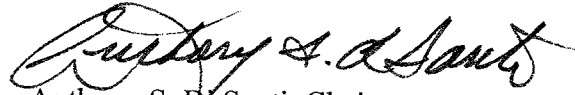
Your conduct is illegal and must end immediately. You may not circumvent the North Carolina laws on unauthorized practice by creating an interstate law firm that has no significant or substantial presence in Florida or forming a partnership with North Carolina attorneys while you live and provide legal services in North Carolina. Additionally, you may not maintain a law firm in North Carolina for which you are a principal and employ North Carolina attorneys to oversee your work product. Further, you may not provide any legal services related to the closing or settlement of North Carolina residential real property transactions, including but not necessarily limited to preparation of legal documents, providing opinions of title, and advising parties about their legal rights or obligations under the closing documents.

If you continue your activities, the State Bar may seek a court order to perpetually enjoin your unlawful conduct, as the Bar is authorized to do pursuant to North Carolina General Statute Section 84-37 and Chapter 1, Subchapter D, Section .0200 through .0207 of the Rules and Regulations of the North Carolina State Bar. Please also be aware that the unauthorized practice of law can be prosecuted as a criminal misdemeanor offense pursuant to North Carolina General Statute Sections 84-7 and 84-8 (copies enclosed). Because you are a licensed attorney in Florida, the Committee directed that a copy of this letter be sent to the Florida Bar.

Please provide a response with evidence that you have complied with the Committee's decision within 15 days of your receipt of this letter.

Thank you for your cooperation in this matter. Please contact the Committee's counsel, David R. Johnson, if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anthony S. Di Santi".

Anthony S. Di Santi, Chair
Authorized Practice Committee

ASD/lr