

DISCIPLINARY ACTIONS

BODA

On November 18, 2016, the Board of Disciplinary Appeals signed an agreed judgment of indefinite disability suspension against Georgetown attorney **Paul Womack** [#21877500], 69, in accordance with Part XII of the Texas Rules of Disciplinary Procedure and section 8 of the Internal Procedural Rules of the Board of Disciplinary Appeals. BODA Cause No. 58368.

DISBARMENTS

On September 7, 2016, **David A. Chaumette** [#00787235], 48, of Sugar Land, was disbarred. An evidentiary panel of the District 4 Grievance Committee found that Chaumette failed to keep his clients reasonably informed about the status of their legal

matters and to promptly comply with reasonable requests for information, failed to hold funds belonging to clients that were in Chaumette's possession in connection with representation in a trust account and, upon receiving funds in which his clients had an interest, failed to promptly deliver to his clients the funds that they were entitled to receive. Chaumette also engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation and failed to timely furnish to the Office of Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure.

Chaumette violated Rules 1.03(a), 1.14(a), 1.14(b), 8.04(a)(3), and 8.04(a)(8). He was ordered to pay \$66,000 in restitution and \$2,105 in attorneys' fees and direct expenses.

On September 2, 2016, **Christopher Anthony Flores** [#00793735], 47, of San Antonio, was disbarred. An evidentiary panel of the District 10 Grievance Committee found that Flores engaged in conduct involving a serious crime.

Flores violated Rule 8.04(a)(2). He was ordered to pay \$2,205 in attorneys' fees and direct expenses.

On October 3, 2016, **Philip M. Grazier** [#08342500], 64, of San Marcos, was disbarred. An evidentiary panel of the District 15 Grievance Committee found that Grazier neglected a client's matter, failed to communicate with a client, failed to refund unearned fees, engaged in the practice of law while his law license was suspended, and failed to respond to the grievance.

Grazier violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.15(d), 8.04(a)(8), and 8.04(a)(11). He was ordered to pay \$750 in restitution and \$1,947.70 in attorneys' fees and direct expenses.

On August 15, 2016, **Jay Steven Pearlman** [#15689950], 61, of Richmond, was disbarred. An evidentiary panel of

the District 5 Grievance Committee found that Pearlman failed to keep his clients reasonably informed about the status of their legal matters and to comply with reasonable requests for information and, upon receiving funds in which his clients had an interest, failed to promptly notify them and to promptly deliver the funds. Upon termination of representation, Pearlman failed to surrender papers to a client to which she was entitled. Pearlman also failed to explain a legal matter to the extent reasonably necessary to permit his client to make an informed decision regarding the representation, and he engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation in regard to his representation of a client.

Pearlman violated Rules 1.03(a), 1.03(b), 1.14(b), 1.15(d), and 8.04(a)(3). He was ordered to pay \$24,283 in restitution and \$1,465 in attorneys' fees and direct expenses.

Pearlman has filed an appeal.

On September 1, 2016, **Erin Elizabeth Stanley** [#24059264], 33, of Houston, was disbarred. An evidentiary panel of the District 4 Grievance Committee found that Stanley committed a criminal act that reflects adversely on her honesty, trustworthiness, or fitness as a lawyer in other respects and engaged in the practice of law when her right to practice had been suspended.

Stanley violated Rules 8.04(a)(2) and 8.04(a)(11). She was ordered to pay \$1,535 in attorneys' fees and direct expenses.

RESIGNATIONS

On October 18, 2016, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Sydney Marmion Weaver** [#00795712], 63, of Odessa. At the time of the resignation, there were 11 disciplinary actions pending alleging Weaver neglected clients' matters; failed to communicate with clients and keep clients reasonably informed; failed to hold clients' funds

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in a trust account; failed to provide a full accounting of fees; failed to return unearned fees; failed to return clients' files; withdrew from representation and failed to protect the clients' interests; accepted employment in legal matters beyond her competence; failed to give candid advice about a client's legal matter; failed to supervise her non-lawyer staff; permitted the conduct of a non-lawyer to be in violation of disciplinary rules; shared legal fees with a non-lawyer; engaged in conduct involving fraud, deceit, or misrepresentation; and failed to respond to grievances.

Weaver violated Rules 1.01(a), 1.01(b)(1), 1.03(a)(b), 1.14(a)(b), 1.14(c), 1.15(b)(1), 1.15(d), 2.01, 5.03(a), 5.03(b)(1), 5.03(b)(2), 8.04(a)(3), and 8.04(a)(8).

SUSPENSIONS

On October 31, 2016, **Luis Javier Corona** [#04837375], 55, of Corpus Christi, accepted a one-year fully probated suspension, effective November 1, 2016. The 214th District Court of Nueces County, in connection with three client matters, found Corona neglected a legal matter entrusted to him; failed to abide by a client's decisions concerning the objectives and general methods of representation; failed to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information; failed to hold funds and other property belonging in whole or in part to clients or third persons in his possession separate from his own property; failed, upon receiving funds or other property in which a client or third person had an interest, to promptly notify the client or third person and render a full accounting upon request; failed to reasonably protect a client's interests; improperly communicated with one represented by counsel; failed to supervise a non-lawyer employee; for violating these Rules, knowingly assisted or induced another to do so, or did so through the acts of another; and failed to respond to a grievance in a timely manner.

Corona violated Rules 1.01(b)(1), 1.02(a), 1.03(a), 1.14(a), 1.14(b), 1.15(d), 4.02(a), 5.03, 8.04(a)(1), and 8.04(a)(8).

He was ordered to pay \$1,646.50 in restitution and \$1,485.55 in attorneys' fees.

On September 30, 2016, **Brenna Michele Crane** [#24069616], 35, of Edna, received a five-year partially probated suspension effective December 1, 2016, with the first three years actively suspended and the remainder probated. An evidentiary panel of the District 5 Grievance Committee found that in two separate representations, Crane neglected the legal matter entrusted to her, failed to keep the client reasonably informed about the status of the case, failed to promptly comply with reasonable requests for information from her client, and failed to timely furnish to the Office of Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure. In one of the representations, Crane also committed a serious crime or another criminal act that reflects adversely on her honesty, trustworthiness, or fitness as a lawyer in other respects and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Crane violated Rules 1.01(b)(1), 1.03(a), 8.04(a)(2), 8.04(a)(3), and 8.04(a)(8). She was ordered to pay \$1,195.85 in attorneys' fees and direct expenses.

On November 8, 2016, **Michael W. Eaton** [#06383800], 58, of Dallas, agreed to a 12-month active suspension effective January 1, 2017. An evidentiary panel of the District 7 Grievance Committee found that on March 28, 2014, complainants hired Eaton to represent them in connection with a property tax matter. In representing the complainants, Eaton neglected the legal matter entrusted to him by failing to timely serve the petition on the adverse party thereby allowing the matter to be dismissed and barred by the statute of limitations. On November 1, 2015, Eaton was actively suspended from the practice of law for a period of two months. During his active suspension, Eaton failed to inform his client

that he was suspended, misrepresented to his client that he was his attorney, and gave the client legal advice. During Eaton's active suspension, he held himself out as an attorney using his law firm letterhead and email address. On or about November 16, 2015, Eaton e-filed a petition in which he misrepresented or forged the signature of another attorney, without that attorney's permission.

Eaton violated Rules 1.01(b)(1), 1.15(a), 8.04(a)(3), 8.04(a)(7), and 8.04(a)(11). He was ordered to pay \$1,350 in restitution and \$1,250 in attorneys' fees and direct expenses.

On October 10, 2016, **Roland M. Ferguson Jr.** [#00786425], 61, of Sulphur Springs, received a one-year partially probated suspension effective October 7, 2016, with the first month actively suspended and the remainder probated. An evidentiary panel of the District 1 Grievance Committee found



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that Ferguson was hired to represent his client in a divorce matter. Ferguson failed to keep his client reasonably informed about the status of his legal matter and failed to promptly comply with reasonable requests for information from his client.

Ferguson violated Rule 1.03(a). He was ordered to pay \$2,164.27 in attorneys' fees and direct expenses.

On October 10, 2016, **Roland M. Ferguson Jr.** [#00786425], 61, of Sulphur Springs, received a two-year partially probated suspension effective October 7, 2016, with the first six months actively suspended and the remainder probated. An evidentiary panel of the District 1 Grievance Committee found that Ferguson was hired to represent his client in a family law matter involving a child custody dispute. Ferguson failed to keep his client reasonably informed about the status of her legal matter and failed to

promptly comply with reasonable requests for information from his client. Further, upon termination of the representation, Ferguson failed to refund advance payments of fees that had not been earned.

Ferguson violated Rules 1.03(a) and 1.15(d). He was ordered to pay \$1,200 in restitution and \$2,175 in attorneys' fees and direct expenses.

On October 27, 2016, **Ray Fisher** [#07057400], 64, of Austin, received a three-year partially probated suspension, with one month actively suspended and the remainder probated. An evidentiary panel of the District 9 Grievance Committee found that Fisher was hired to represent the complainant's company to resolve three debt collection matters. The complainant paid Fisher an advanced fee of \$5,000. In May 2014, two debtors filed suit against the complainant's company. The complainant attempted on numerous occasions to contact

Fisher by telephone and email regarding the status of the cases, but Fisher failed to respond. Further, Fisher failed to take any action to negotiate with the third debtor. Therefore, the complainant hired another attorney to represent his company. When terminated, Fisher agreed to provide an invoice for services rendered and to return unearned fees. Fisher stated that it would take him "some time" to pay the refund and that it would be paid in installments, indicating that the funds had not been maintained in a trust or escrow account. Fisher failed to provide any invoice or refund.

Fisher violated Rules 1.01(b)(1), 1.03(a), 1.14(a), and 1.15(d). He was ordered to pay \$5,000 in restitution and \$849.21 in attorneys' fees and direct expenses.

On November 1, 2016, **Robert James Ford** [#00798184], 53, of San Antonio, agreed to a two-year partially probated suspension effective December 1, 2016, with the first three months actively served and the remainder probated. An evidentiary panel of the District 10 Grievance Committee found Ford neglected clients' matters, failed to communicate with clients, failed to refund unearned fees, failed to withdraw from representation, and failed to return a client's file.

Ford violated Rules 1.01(b)(1), 1.03(a), 1.15(a)(2), and 1.15(d). He was ordered to pay \$3,500 in restitution and \$1,300 in attorneys' fees.

On November 14, 2016, **Keith Matthew Gould** [#00795885], 55, of Corpus Christi, accepted a one-year fully probated suspension effective November 15, 2016. An evidentiary panel of the District 11 Grievance Committee found that Gould shared legal fees with a non-lawyer employee.

Gould violated Rules 5.01(a) and 5.04(a). He was ordered to pay \$4,850 in attorneys' fees and direct expenses.

On November 14, 2016, **Keith Matthew Gould** [#00795885], 55, of Corpus Christi, accepted a six-month

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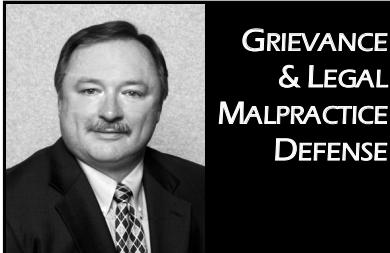
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fully probated suspension, effective November 15, 2016. The 347th District Court of Nueces County found that Gould failed to keep a client reasonably informed and promptly comply with reasonable requests for information and failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions.

Gould violated Rules 1.03(a) and 1.03(b). He was ordered to pay \$1,786.22 in attorneys' fees.

On September 20, 2016, **David W. Knight** [#11597325], 62, of Wichita Falls, received a one-year, eight-month, and 20-day partially probated suspension effective September 12, 2016, with the first eight months and 20 days actively suspended and the remainder probated. An evidentiary panel of the District 14 Grievance Committee found that Knight failed to safeguard funds by keeping funds in his possession in connection with a representation separate from his own funds, failed to respond to a lawful demand for information from a disciplinary authority, and failed to furnish to the Office of Chief Disciplinary Counsel a response or other information required by the Texas Rules of Disciplinary Procedure.

Knight violated Rules 1.14(a), 8.01(b), and 8.04(a)(8). He was ordered to pay \$1,566.94 in attorneys' fees and direct expenses.

On November 8, 2016, **Richard Kent Livesay** [#00790057], 47, of Edinburg, accepted a one-year active suspension, effective January 1, 2017. The 430th District Court of Hidalgo County found that Livesay violated Rules 1.02(a)(1) [a lawyer shall abide by a client's decisions concerning the objectives and general methods of representation], 7.03(a) and 7.03(b) [for permitting a non-lawyer employee to initiate in-person contact with prospective clients to seek professional employment], 7.06(b) [for accepting or continuing employment arising from conduct prohibited by these Rules], 8.04(a)(1) [for violating these Rules, knowingly assisting or inducing another to do so, or

doing so through the acts of another], and 8.04(a)(3) [for engaging in conduct involving deceit or misrepresentation].

Livesay was ordered to pay \$2,292 in attorneys' fees.

On October 12, 2016, **Benjamin Robert Peppard** [#24083647], 32, of Tyler, received a three-year partially probated suspension effective October 15, 2016, with the first year actively served and the remainder probated. An evidentiary panel of the District 7 Grievance Committee found that Peppard neglected a legal matter entrusted to him; failed to keep his client reasonably informed about the status of the client's civil matter and failed to promptly comply with reasonable requests for information from his client; upon termination of this representation, failed to surrender papers and property to which his client was entitled; and failed to timely furnish a response to the Office of Chief Disciplinary Counsel as

required by the Texas Rules of Disciplinary Procedure and did not in good faith timely assert a privilege or other legal ground for failure to do so.

Peppard violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$2,365 in attorneys' fees and \$335 in direct expenses.

On May 24, 2016, **Harold Brandon Price** [#24049263], 45, of Dallas, received a two-year partially probated suspension, with the first year actively suspended and the remainder probated. An evidentiary panel of the District 6 Grievance Committee found that Price neglected a legal matter entrusted to him; failed to keep his client reasonably informed about the status of his case and promptly comply with reasonable requests for information from his client; and upon termination of representation, failed to refund advance payments of fees that had not been earned. Price also failed to timely furnish

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to the Office of Chief Disciplinary Counsel a response or other information as required by the Texas Rules of Disciplinary Procedure and did not in good faith timely assert a privilege or other legal ground for his failure to do so.

Price violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to complete three hours of CLE in ethics in addition to the minimum MCLE compliance requirements and pay \$4,400 in restitution and \$3,032.75 in attorneys' fees and direct expenses.

On September 28, 2016, **William Earl Price** [#24003330], 52, of Dallas, received a six-month fully probated suspension effective September 15, 2016. An evidentiary panel of the District 6 Grievance Committee found that Price failed to timely furnish a response to the Office of Chief Disciplinary Counsel and did not in good faith assert a privilege or other legal ground for failure to do so.

Price violated Rule 8.04(a)(8). He was ordered to pay \$2,025 in attorneys' fees and \$279.50 in direct expenses.

On November 7, 2016, **Andres Aaron Ramos** [#24005926], 45, of Laredo, accepted a nine-month active suspension effective December 1, 2016. An evidentiary panel of the District 12 Grievance Committee found that Ramos neglected a client's matter, failed to keep a client reasonably informed, failed to return unearned fees, failed to properly safeguard client funds, failed to promptly deliver client funds to the client, failed to comply with a prior disciplinary judgment, failed to comply with cessation of practice rules, and practiced law while his law license was suspended.

Ramos violated Rules 1.01(b)(1), 1.03(a), 1.03(b), 1.04(a), 1.14(a), 1.14(b), 1.15(d), 8.04(a)(7), 8.04(a)(10), and 8.04(a)(11). He was ordered to pay \$1,500 in restitution and \$800 in attorneys' fees and direct expenses.

On November 9, 2016, **Robert Thomas Rice** [#16835200], 64, of Angleton, accepted a seven-and-a-half-month partially probated suspension effective November 15, 2016, with the first 45 days actively suspended and the remainder probated. An evidentiary panel of the District 5 Grievance Committee found that regarding one client, Rice failed to promptly deliver funds to the client that the client was entitled to receive. Regarding a second client, Rice knowingly disobeyed an obligation under the standing rules of a tribunal. Regarding a third client, Rice committed a criminal act that reflects adversely on his honesty, trustworthiness, or fitness as a lawyer.

Rice violated Rules 1.14(b), 3.04(d), and 8.04(a)(2). He was ordered to pay \$1,000 in attorneys' fees and direct expenses.

On September 26, 2016, **Robert S. Robertson** [#17071500], 59, of Brownsville, received a 910-day partially probated suspension, with the first 108 days actively served and the remainder probated. An evidentiary panel of the District 12 Grievance Committee found that Robertson failed to communicate with the client, failed to refund unearned fees, and failed to respond to the grievance.

Robertson violated Rules 1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$1,906.20 in attorneys' fees and direct expenses.

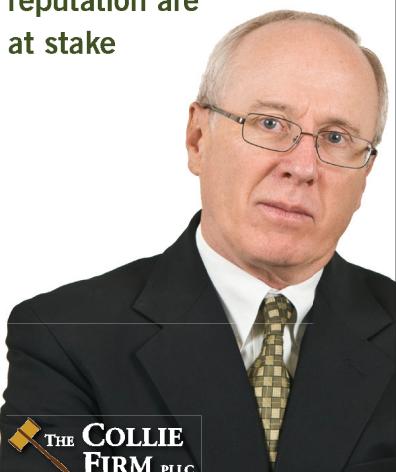
On November 14, 2016, **Craig James Schexnайдер** [#00797385], 65, of Beaumont, accepted a six-month fully probated suspension effective November 1, 2016. An evidentiary panel of the District 3 Grievance Committee found that Schexnайдер committed a criminal act that reflected adversely on his honesty, trustworthiness, or fitness as a lawyer.

Schexnайдер violated Rule 8.04(a)(2). He was ordered to pay \$500 in attorneys' fees and direct expenses.

On July 11, 2016, **Christina J. Wanies-Guirgis** [#24084772], 32, of Houston,

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received a three-year partially probated suspension, effective October 1, 2016, with the first two years actively suspended and the remainder probated. An evidentiary panel of the District 4 Grievance Committee found that Wanies-Guirgis neglected a legal matter entrusted to her, failed to keep her client reasonably informed about the status of the case, and failed to promptly comply with her client's reasonable requests for information. Wanies-Guirgis further failed to file a response to the grievance.

Wanies-Guirgis violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). She was ordered to pay \$3,750 in restitution and \$1,615 in attorneys' fees and direct expenses.

PUBLIC REPRIMANDS

On November 3, 2016, **Matthew Edward Sossi** [#00785016], 49, of San Antonio, accepted a public reprimand. An evidentiary panel of the District 10 Grievance Committee found that Sossi's law firm website contained misleading information and failed to comply with the requisite filing requirements of the State Bar of Texas Advertising Review Committee.

Sossi violated Rules 7.05(a)(2) and 7.07(c). He was ordered to pay \$800 in attorneys' fees and direct expenses.

PRIVATE REPRIMANDS

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for 18 attorneys, with the number in parentheses indicating the frequency of violation. Please note that an attorney may be reprimanded for more than one rule violation.

1.01(b)(1)—for neglecting a legal matter entrusted to the lawyer (4).

1.03(a)—for failing to keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information (8).

1.03(b)—for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding representation (2).

1.04(d)—for entering into a contingent fee agreement prohibited by paragraph

(e) or other law, and/or failing to enter into a written contingency fee agreement that states the method by which the fee is to be determined (1).

1.04(f)—a division or agreement for division of a fee between lawyers who are not in the same firm shall not be made unless the division is made, by written agreement with the client, with a lawyer who assumes joint responsibility for the representation (3).

1.15(b)(1)—for withdrawing from representation of a client resulting in a material adverse effect on the interests of the client (2).

1.15(d)—for failing, upon termination of representation, to reasonably protect a client's interests, give notice to the client to seek other counsel, surrender papers and property which belongs to the client, or refund any advance payments of fees that has not been earned (3).

5.01(a)—for failing to supervise a partner lawyer and orders, encourages, or knowingly permits the conduct involved (1).

5.03(a)—for failing to make reasonable efforts to ensure that the non-lawyer's conduct is compatible with the professional obligations of the lawyer (1).

5.03(b)—a lawyer shall be in violation if the lawyer orders, encourages, or permits the conduct involved of a non-lawyer to be in violation of the rules of the Texas Disciplinary Rules of Professional Conduct (1).

8.01(b)—for knowingly failing to respond to a lawful demand for information from a disciplinary authority (1).

8.04(a)(11)—a lawyer shall not engage in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the State Bar Rules relating to mandatory continuing legal education (1). **TBJ**