

► Contact the Office of Chief Disciplinary Counsel at (512) 453-5535, the Board of Disciplinary Appeals at (512) 475-1578 or tboda.org, or the State Commission on Judicial Conduct at (512) 463-5533.

JUDICIAL ACTIONS

To read the entire public sanctions, go to scjc.texas.gov.

On June 6, 2019, the State Commission on Judicial Conduct accepted a voluntary agreement to resign from judicial office in lieu of disciplinary action regarding **Mike Sutherland**, county judge, Caldwell, Bursleson County.

On July 16, 2019, the State Commission on Judicial Conduct issued a public warning to **Yvonne “Bonnie Rangel” Guaderrama**, 171st District Court judge, El Paso, El Paso County.

On July 16, 2019, the State Commission on Judicial Conduct issued a public warning to **Louis E. “Bud” Turcotte**, Kenedy County judge, Sarita,

Kenedy County.

On July 16, 2019, the State Commission on Judicial Conduct issued a public admonition to **Jonathan Bailey**, 431st District Court judge, Denton, Denton County. Subsequent to the Commission’s issuance of the sanction, the judge requested the appointment of a special court of review, in review of the Commission’s decision, pursuant to Tex. Gov’t Code § 33.034.

BODA

On May 10, 2019, the Board of Disciplinary Appeals signed an agreed judgment of private reprimand against a Texas attorney after the parties filed a joint motion to vacate judgment (of fully probated suspension) signed by an evidentiary panel of the District 2 Grievance Committee on November 15, 2018. BODA Cause No. 61384.

On May 28, 2019, the Board of Disciplinary Appeals dismissed for want of prosecution the appeal of Dallas attorney **Richard Joseph Deaguero** [#05623500], 73, from a judgment of partially probated suspension by an evidentiary panel of the District 6-4 Grievance Committee in Case No. 201703997. Deaguero did not timely file a brief. BODA Cause No. 61399.

On May 31, 2019, the Board of Disciplinary Appeals dismissed for want of prosecution the appeal of Dallas attorney **Richard Joseph Deaguero** [#05623500], 73, from a judgment of probated suspension by an evidentiary panel of the District 6-2 Grievance Committee in Case No. 201701838. Deaguero did not timely file a brief. BODA Cause No. 60517.

On June 13, 2019, the Board of Disciplinary Appeals signed a judgment of partially probated suspension against Richmond attorney **Robin Kathleen Barry** [#24031845], 47. On August 26, 2016, the Chancery Court for Davidson County, Tennessee, entered an order dis-

barring Barry in a matter styled *Board of Professional Responsibility of the Supreme Court of Tennessee, Petitioner v. Robin K. Barry, respondent*, No. 15-120-1, BOPR Docket No. 2014-2332-0-WM, for her violation of Tennessee Rules of Professional Conduct Rules 1.4 [communication], 1.15 [safekeeping property and funds], and 8.4(c) [misconduct]. Barry is suspended from the practice of law in Texas for 36 months, with the first 12 months active and the remainder probated. BODA Cause No. 61329.

On July 29, 2019, the Board of Disciplinary Appeals signed an interlocutory order of suspension against Lake Jackson attorney **Kirk Lawrence Brannan** [#24038779], 65. Although duly cited, Brannan did not answer or appear at the hearing. On April 5, 2019, Brannan pleaded guilty to bank fraud in violation of 18 U.S.C. § 1343, an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in the case styled *United States of America v. Kirk Lawrence Brannan*, Cause No. 4:15-CR-00080-001, in the U.S. District Court for the Southern District of Texas, Houston Division. Brannan was sentenced to prison for 36 months, followed by supervised release for three years, and ordered to pay \$5,317,350 in restitution. Brannan has appealed his criminal conviction. The board retains jurisdiction to enter a final judgment when the criminal appeal is final. BODA Cause No. 62049.

On July 29, 2019, the Board of Disciplinary Appeals signed a final judgment of disbarment of Mansfield attorney **Tshombe Ali Anderson** [#24012218], 51. Anderson answered the petition for compulsory discipline but did not appear at the hearing. On May 9, 2018, Anderson pleaded guilty to conspiracy to commit health care fraud in violation of 18 U.S.C. §§ 1349, 1347, an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in the case styled *United States of America v. Tshombe Anderson, Defendant*, Cause No. 3:15-CR-409-

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M (1), in the U.S. District Court for the Northern District of Texas, Dallas Division. Anderson was sentenced to prison for 10 years, followed by supervised release for three years, and ordered to pay \$26,572,458.93 in restitution. On October 10, 2018, the Board of Disciplinary Appeals signed an interlocutory order of suspension while Anderson appealed his criminal conviction. On March 20, 2019, the 5th Circuit Court of Appeals dismissed Anderson's appeal and issued its mandate. BODA Cause No. 60492.

On July 29, 2019, the Board of Disciplinary Appeals signed a final judgment of disbarment of Missouri City attorney **Ronald Eugene Reynolds** [#24025610], 45. On or about November 24, 2015, Reynolds was convicted in *The State of Texas v. Ronald Eugene Reynolds*, Case Nos. 15-307888, 15-307889, 15-307890, 15-307891, and 15-307892 in the County Court at Law 4 in Montgomery County, of barratry and barratry ill obtain employment, intentional crimes as defined in the Texas Rules of Disciplinary Procedure, and sentenced to 365 days of incarceration and ordered to pay fines and court costs. Reynolds appealed his criminal convictions, and on May 2, 2016, the Board of Disciplinary Appeals signed an interlocutory order of suspension during the pendency of his appeal. On September 24, 2018, the 8th Court of Appeals in El Paso affirmed the criminal convictions and issued its mandate. BODA Cause No. 57004.

On July 29, 2019, the Board of Disciplinary Appeals signed a final judgment of disbarment against Dallas attorney **Bilal Ahmed Khaleeq** [#24091271], 49. On July 20, 2018, Khaleeq pleaded guilty to conspiracy to commit marriage fraud in violation of 18 U.S.C. § 371 (8 USC § 1325(c)), an intentional crime as defined in the Texas Rules of Disciplinary Procedure, in the case styled *United States of America v. Bilal Ahmed Khaleeq*, Cause No. 3:17-CR-00359-N(1), in the U.S. District Court for the Northern District of Texas, Dallas Division. Khaleeq was sentenced to prison for six months, followed by supervised release for one year, and ordered to pay a \$10,000 fine. Khaleeq appealed his criminal conviction, and on October 9, 2018, the Board


of Disciplinary Appeals signed an interlocutory order of suspension during the pendency of his appeal. On September 20, 2019, the 5th Circuit Court of Appeals dismissed his appeal for want of prosecution. BODA Cause No. 60812.

On July 29, 2019, the Board of Disciplinary Appeals signed a final judgment of disbarment against Medford, New Jersey, attorney **James William Richards IV** [#00797313], 49. On or about April 26, 2013, Richards was court-martialed after being found guilty of child pornography and sexual abuse of a child, intentional crimes as defined in the Texas Rules of Disciplinary Procedure. He was also found guilty of failure to obey an order and was sentenced to incarceration in the Air Force Correction System for 17 years, ordered to forfeit all pay and allowances, and dismissed from the service in *United States v. Lieutenant Colonel James W. Richards IV*, Cause No. 38346, in the Air Education and Training Command headquarters at Joint Base San Antonio-Randolph. Richards appealed his criminal conviction, and on May 4, 2015, the Board of Disciplinary Appeals signed an interlocutory order of suspension during the pendency of his appeal. On August 27, 2018, the secretary of the Air Force approved the sentence imposed and executed Richard's dismissal from the service, making his court-martial final. BODA Cause No. 55908.

On July 29, 2019, the Board of Disciplinary Appeals signed a judgment of disbarment against Baltimore, Maryland, attorney **G. Michael Cooper III** [#04775600], 74. On January 12, 2007, the Supreme Court of Illinois entered an order and mandate disbaring Cooper in a matter styled *In re: G. Michael Cooper, III*, Supreme Court No. M.R. 21194, Commission No. 05 CH 82. The court found that Cooper converted client funds to his own use and violated Illinois Rules of Professional Conduct Rules 5.5(a), 8.4(a)(4), and 8.4(a)(5). BODA Cause No. 58355.


On July 29, 2019, the Board of Disciplinary Appeals signed a judgment of partially probated suspension against El Paso attorney **Jose Marcos Perales Pina**

[#24091472], 41. On March 8, 2019, the Supreme Court of the State of New Mexico entered an order suspending Perales Pina from the practice of law for one year, followed by supervised probation for six months, in a matter styled *In the Matter of J. Marcos Perales Pina, an Attorney Suspended from the Practice Law Before the Courts of the State of New Mexico*, No. S-1-SC-37402. The court found that Perales Pina violated New Mexico Rules of Professional Conduct Rules 16-101 [failing to provide competent representation to a client], 16-801a [knowingly making false statements of material facts in connection with a disciplinary matter], 16-804(D) [engaging in conduct prejudicial to the administration of justice], and 16-804(C) [engaging in conduct involving dishonesty, deceit, or misrepresentation]. Perales Pina is suspended from the practice of law in Texas beginning July 29, 2019, and ending July 28, 2020, followed by a probated six-month suspension. BODA Cause No. 62036.



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DISCIPLINARY ACTIONS

On July 11, 2019, the Board of Disciplinary Appeals signed an agreed judgment of fully probated suspension against Phoenix, Arizona, attorney **Gerald G. Eagleburger** [#06333000], 75. On December 7, 2018, a final judgment and order was entered in a matter styled *In the Matter of A Member of the State Bar of Arizona, G. Gregory Eagleburger, Bar No. 002695, Respondent*, Case No. PDJ-2018-9108, placing Eagleburger on probation for one year for violating Arizona Rules of Professional Conduct Rules 1.3 [diligence], 1.7(a) [conflict of interest/current client], 5.3(b), and 8.4(d) [conduct prejudicial to the administration of justice]. Eagleburger is suspended from the practice of law in Texas for one year beginning August 1, 2019. BODA Cause No. 62035.

On July 16, 2019, the Board of Disciplinary Appeals signed an agreed judgment of indefinite disability suspension against Fort Worth attorney **Huey P.**

Mitchell [#14212000], 83. BODA Cause No. 62094.

On July 29, 2019, the Board of Disciplinary Appeals affirmed the judgment of public reprimand against The Woodlands attorney **Matthew Louis Pepper** [#24066817], 56, signed by an evidentiary panel of the District 3 Grievance Committee on September 4, 2018. The panel found that Pepper violated Texas Disciplinary Rules of Professional Conduct Rule 1.07(a)(1) [a lawyer shall not act as an intermediary between clients without disclosure and consent] and 1.09(a)(3) [without prior consent, a lawyer shall not represent another person against a former client in the same or substantially related matter]. BODA Cause No. 61009.

DISBARMENTS

On May 1, 2019, **Peter Breece Plotts III** [#16074100], 59, of Bryan, received a final judgment of disbarment. An evidentiary panel of the District 8 Grievance Committee found that Plotts was hired to defend a client in matters related to the administration of an estate. Plotts filed an answer on behalf of his client. Throughout the course of the next year and a half, the plaintiffs filed numerous motions against his client, but Plotts failed to notify his client of the motions or respond to them and all communication from Plotts ceased. Later, the client learned that a final judgment had been entered against him in favor of the plaintiffs. Plotts was given notice of the complaint by the Office of Chief Disciplinary Counsel but failed to furnish a written response to the complaint as directed.

Plotts violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8).

On May 10, 2019, **Brett A. Pruitt** [#16367800], 62, of San Antonio, was disbarred. An evidentiary panel of the District 10 Grievance Committee found that in connection with one complaint, Pruitt engaged in conduct involving dishonesty and misrepresentation, violated a prior disciplinary judgment, and failed to respond to the grievance.

Pruitt violated Rules 8.04(a)(3), 8.04(a)(7), and 8.04(a)(8). He was ordered to pay \$1,655 in attorneys' fees and direct expenses.

RESIGNATIONS

On June 18, 2019, the Supreme Court of Texas accepted the resignation in lieu of discipline of **Stuart Lee Whitaker** [#00786341], 58, of Palestine. On February 23, 2017, Whitaker was named in a true bill of indictment handed down by a grand jury in the 3rd Judicial District Court, Anderson County. The indictment alleged Whitaker committed "serious" crimes as defined by the Texas Rules of Disciplinary Procedure Rule 1.06 AA.

Whitaker violated Rules 8.04(a)(2), 8.04(a)(3), and 8.04(a)(9).

SUSPENSIONS

On June 6, 2019, **Monica Garza Arriaga** [#24069315], 53, of San Antonio agreed to a two-year fully probated suspension effective June 28, 2019. An evidentiary panel of the District 10 Grievance Committee found that Arriaga neglected a client's matter, failed to keep a client reasonably informed, and failed to explain a matter to the extent reasonably necessary to permit a client to make informed decisions.

Arriaga violated Rules 1.01(b)(1), 1.03(a), and 1.03(b). She was ordered to pay \$1,000 in attorneys' fees and direct expenses.

On June 4, 2019, **Kyle B. Collins** [#04613400], 65, of Austin, accepted a 60-day fully probated suspension effective August 1, 2019. An investigatory panel of the District 9 Grievance Committee found that while representing a client in two criminal matters, Collins neglected the legal matters, failed to keep the client reasonably informed about the status of her cases, and failed to respond to reasonable requests for information. Collins further failed to timely return the unearned fee to his client and made a false statement in his response to the grievance.

Collins violated Rules 1.01(b)(1), 1.03(a), 1.15(d), and 8.01(a). Collins was ordered to pay \$450 in attorneys'

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On June 27, 2019, **Anthony W. Hernandez** [#09515550], 66, of Houston, accepted a six-month fully probated suspension. An evidentiary panel of the District 4 Grievance Committee found that upon receipt of funds, Hernandez failed to promptly notify third persons that had an interest, 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, and did not in good faith timely assert a privilege or other legal grounds for failure to do so.

Hernandez violated Rules 1.14(b) and 8.04(a)(8). He was ordered to pay \$250 in attorneys' fees.

On May 1, 2019, **Brian Scott Holk** [#24033728], 46, of Fort Worth, received a six-month fully probated suspension effective April 11, 2019. An evidentiary panel of the District 7 Grievance Committee found that in or about October 2015, Holk was hired to represent the complainant in a child custody matter involving child support in Dallas County. The complainant paid Holk \$3,750 to represent her in the family matter. During the representation, Holk neglected the legal matter. Holk also failed to keep the complainant reasonably informed about the status of her legal matter and failed to promptly comply with her reasonable requests for information about her case. Further, Holk failed to timely respond to the grievance.

Holk violated Rules 1.01(b)(1), 1.03(a), and 8.04(a)(8). He was ordered to pay \$1,813 in attorneys' fees and direct expenses.

On June 18, 2019, **Derek Alfonso Quinata** [#24072292], 38, of El Paso, agreed to a three-year fully probated suspension effective June 15, 2019. An evidentiary panel of the District 17 Grievance Committee found that Quinata neglected a client's matter, failed to keep a client reasonably informed, failed to return unearned portions of fees, and failed to respond to the grievance.

Quinata violated Rules 1.01(b)(1),

1.03(a), 1.15(d), and 8.04(a)(8). He was ordered to pay \$260 in restitution and \$1,000 in attorneys' fees and direct expenses.

On June 28, 2019, **Derek Alfonso Quinata** [#24072292], 38, of El Paso, agreed to a three-year fully probated suspension effective June 15, 2019. An evidentiary panel of the District 17 Grievance Committee found that Quinata neglected a client's matter and failed to keep a client reasonably informed.

Quinata violated Rules 1.01(b)(1) and 1.03(a). He was ordered to pay \$2,550 in restitution.

On July 29, 2019, **Shane Michael Boasberg** [#24038249], 43, of Austin, accepted a four-month probated suspension effective August 1, 2019. An investigatory panel of the District 9 Grievance Committee found that while representing a client in a personal injury matter, Boasberg neglected the case, failed to keep his client informed about the status of the case, and failed to respond to reasonable requests for information. Boasberg further failed to abide by his client's decision whether or not to accept a settlement offer and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation.

Boasberg violated Rules 1.01(b)(1), 1.02(a)(2), 1.03(a), and 8.04(a)(3).

On July 9, 2019, **Adrian Antonio Chavez** [#00790454], 50, of Odessa, agreed to an 18-month fully probated suspension effective August 1, 2019. An evidentiary panel of the District 15 Grievance Committee found that Chavez failed to keep clients reasonably informed and failed to respond to grievances.

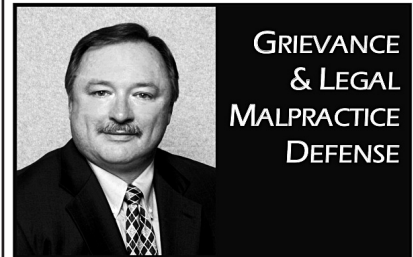
Chavez violated Rules 1.03(a) and 8.04(a)(8). He was ordered to pay \$800 in attorneys' fees and direct expenses.

On July 19, 2019, **Derek H. Davis** [#05479400], 70, of Dallas, received a 48-month fully probated suspension effective July 15, 2019. An investigatory panel of the District 6 Grievance Committee found Davis entered into a business transaction with clients' funds

wherein Davis acquired an interest but the terms were not fair and reasonable to the clients and were not fully disclosed in a manner which could be reasonably understood by the clients, the clients were not given a reasonable opportunity to seek the advice of independent counsel, and Davis failed to get written consent from the clients. Davis failed to appropriately safeguard trust funds and settlement funds entrusted to him and failed to promptly deliver settlement funds to a client. Davis also misrepresented the status of the funds when his client inquired about the settlement funds. Davis' use and misapplication of funds entrusted to him adversely reflect on his honesty, trustworthiness, and fitness as a lawyer. Davis engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation.

Davis violated Rules 1.08(a), 1.14(a), 1.14(b), 8.04(a)(2), and 8.04(a)(3). He was ordered to pay \$500 in attorneys' fees and direct expenses.

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DISCIPLINARY ACTIONS

On July 1, 2019, **William Andrew James Jr.** [#24076460], 51, of Cameron, accepted an 18-month probated suspension effective August 1, 2019. An investigatory panel of the District 8 Grievance Committee found that while representing a client in a family law matter, James neglected the case, failed to keep his client informed about the status of the case, and failed to respond to reasonable requests for information. James further failed to explain the matter to the extent necessary to permit the client to make informed decisions about the case and also failed to render a full accounting when requested by his client.

James violated Rules 1.01(b)(1), 1.03(a), 1.03(b), and 1.14(b).

On July 16, 2019, **Stuart R. Oliphint** [#00789526], 59, of Fort Worth, received a 12-month fully probated suspension effective August 1, 2019. An evidentiary panel of the District 7 Grievance Committee found Oliphint 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.

Oliphint violated Rule 8.04(a)(8). He was ordered to pay \$750 in attorneys' fees and direct expenses.

On March 13, 2019, **Alberto Posada** [#24039360], 48, of Harlingen, accepted a two-and-a-half-year fully probated suspension effective March 1, 2019. An evidentiary panel of the District 12 Grievance Committee found that Posada failed to comply with prior disciplinary judgments and failed to respond to the grievance in a timely manner.

Posada violated Rules 8.04(a)(7) and 8.04(a)(8). He was ordered to pay \$5,000 in restitution and \$6,643.31 in attorneys' fees and direct expenses.

On June 18, 2019, **Derek Alfonso Quinata** [#24072292], 38, of El Paso, accepted a three-year fully probated sus-

pension effective June 15, 2019. An evidentiary panel of the District 17 Grievance Committee found that Quinata neglected a client matter, failed to respond to his client's request for information, and failed to refund the unearned portions of fees.

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

On June 12, 2019, **Lee Barrett Westmoreland** [#24001113], 46, of Nacogdoches, received a three-year fully probated suspension effective June 5, 2019. An evidentiary panel of the District 2 Grievance Committee found that Westmoreland failed to keep his client informed about the status of the criminal matter and failed to promptly comply with reasonable requests for information, failed to surrender papers and property to which his client was entitled to receive, and failed to timely respond to the grievance. Westmoreland also engaged in the practice of law when his right to practice was administratively suspended for failure to timely pay required fees or assessments.


Westmoreland violated Rules 1.03(a), 1.15(d), 8.04(a)(8), and 8.04(a)(11). He was ordered to pay \$2,225 in attorneys' fees and direct expenses.

On July 15, 2019, **Richard R. Alamia** [#00964200], 72, of Edinburg, agreed to a two-year partially probated suspension effective August 1, 2019, with the first 30 days actively served and the remainder probated. An evidentiary panel of the District 12 Grievance Committee found that Alamia failed to have a written contract in a contingent fee arrangement, failed to maintain client funds in a trust account, and engaged in conduct involving deceit and misrepresentation.

Alamia violated Rules 1.04(d), 1.14(a), and 8.04(a)(3). He was ordered to pay \$2,350.70 in attorneys' fees and direct expenses.

On July 16, 2019, the Board of Disciplinary Appeals signed an agreed judgment of indefinite disability suspension against Fort Worth attorney **Huey P. Mitchell** [#14212000], 83. BODA Cause No. 62094.

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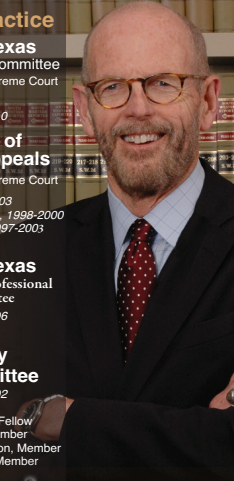
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PUBLIC REPRIMANDS

On June 5, 2019, **Gladys Nehikhare Daniels** [#24010827], 49, of Missouri City, accepted a public reprimand. An evidentiary panel of the District 12 Grievance Committee found that Daniels failed to communicate with her client.

Daniels violated Rules 1.03(a) and 1.03(b). She was ordered to pay \$800 in attorneys' fees and direct expenses.

On April 15, 2019, **Kevin T. Hedges** [#09370100], 57, of Richmond, accepted a public reprimand for violating Texas Disciplinary Rules of Professional Conduct Rule 1.03(a) [related to the representation of a private client] in 2015.

On May 1, 2019, **Brian Scott Holk** [#24033728], 46, of Fort Worth, received a public reprimand. An evidentiary panel of the District 7 Grievance Committee found that the complainant hired Holk to represent him in a divorce involving children and a civil lawsuit against his child's school for interference with his parental rights. Upon termination of representation, Holk failed to surrender papers and property to which the complainant was entitled. Further, Holk failed to timely respond to the grievance.

Holk violated Rules 1.15(d) and 8.04(a)(8). He was ordered to pay \$1,623 in attorneys' fees and direct expenses.

On June 21, 2019, **Jason D. Rowe** [#24073538], 36, of Houston, accepted a judgment of public reprimand. An evidentiary panel of the District 4 Grievance Committee found that in representing his client, Rowe failed to supervise the actions of a non-attorney in his office and made misrepresentations to his client.

Rowe violated Rules 5.03(b)(1) and 8.04(a)(3). He was ordered to pay \$250 in attorneys' fees and direct expenses.

On July 8, 2019, **Richard Jefferson Lott Jr.** [#24070176], 48, of Pearland, accepted a public reprimand. The 149th District Court of Brazoria County found that Lott committed professional misconduct by violating Rules 1.01(a) [a lawyer shall not accept or continue employment in a legal matter which the

lawyer knows or should know is beyond the lawyer's competence], 1.01(b)(1) [in representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer], and 1.03(a) [requiring a lawyer to keep clients reasonably informed about the status of a matter and promptly comply with reasonable requests for information].

Lott was ordered to pay \$882.64 in attorneys' fees and direct expenses.

On July 10, 2019, **Rosemary R. Miranda** [#14199620], 77, of Edinburg, received an agreed judgment of public reprimand. An investigatory panel of the District 1 Grievance Committee found that in June 2015, Miranda was hired to represent two clients and to assist with adjusting their immigration status. Miranda neglected the legal matters entrusted to her by failing to file required documents and failing to file appeals correctly. Miranda frequently failed to carry out completely the obliga-

tions that she owed to the clients in their legal matters. She also failed to explain the immigration matters to the extent reasonably necessary to permit the clients to make informed decisions regarding the representation.

Miranda violated Rules 1.01(b)(1), 1.01(b)(2), and 1.03(b). She was ordered to pay \$500 in attorneys' fees and direct expenses.

PRIVATE REPRIMANDS

Listed here is a breakdown of Texas Disciplinary Rules of Professional Conduct violations for 15 attorneys, with the number in parentheses indicating the frequency of the violation. Please note that an attorney may be reprimanded for more than one rule violation.

1.01(b)(1)—In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer (2).

1.02(a)(2)—A lawyer shall abide by a client's decisions whether to accept an offer of settlement of a matter (1).

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DISCIPLINARY ACTIONS

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 (4).

1.03(b)—for failing to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding representation (3).

1.04(f)(1)(i)—for revealing confidential information of a client or a former client to a person that the client has instructed is not to receive the information (1).

1.04(f)(1)(ii)—A division or arrangement for division of a fee between lawyers who are not in the same firm may be made only if: (1) the division is: (i) in proportion to the professional services performed by each lawyer; or (ii) made between lawyers who assume joint responsibility for the representation (1).

1.04(f)(2)—the client is advised of, and does not object to, the participation of all the lawyers involved (1).

1.04(f)(2)(i)(ii)(iii)—A division or

arrangement for division of a fee between lawyers who are not in the same firm may be made only if: (2) the client consents in writing to the terms of the arrangement prior to the time of the association or referral proposed, including: (i) the identity of all lawyers or law firms who will participate in the fee-sharing agreement, (ii) whether fees will be divided based on the proportion of services performed or by lawyers agreeing to assume joint responsibility for the representation, and (iii) the share of the fee that each lawyer or law firm will receive or, if the division is based on the proportion of services performed, the basis on which the division will be made (1).

1.04(f)(3)—A division or arrangement for division of a fee between lawyers who are not in the same firm may be made only if: the aggregate fee does not violate paragraph (a) (1).

1.14(a)—for failing to hold funds and other property belonging in whole or part to clients or third persons in a lawyer's possession separate from the lawyer's own property (1).

1.14(b)—for failing, upon receiving funds or other property in which a client or third person has an interest, to promptly notify the client or third person and render a full accounting upon request (1).

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 belong to the client, or refund any advance payments of fees that have not been earned (3).

4.02(a)—In representing a client, a lawyer shall not communicate or cause or encourage another to communicate about the subject of the representation with a person, organization, or entity of government the lawyer knows to be represented by another lawyer regarding that subject, unless the lawyer has the consent of the other lawyer or is authorized by law to do so (1).

8.04(a)(8)—for failing to timely furnish to a district grievance committee a response or other information as required unless he or she timely asserts a privilege or other legal ground for failure to do so (2). **TBJ**

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