





III.
VENUE AND SERVICE

Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas. Respondent's principal place of practice is Harris County, Texas, and therefore venue is appropriate in Harris County, Texas, pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure. An officer may service citation upon Respondent located at [REDACTED]

IV.
FIRST CAUSE OF ACTION

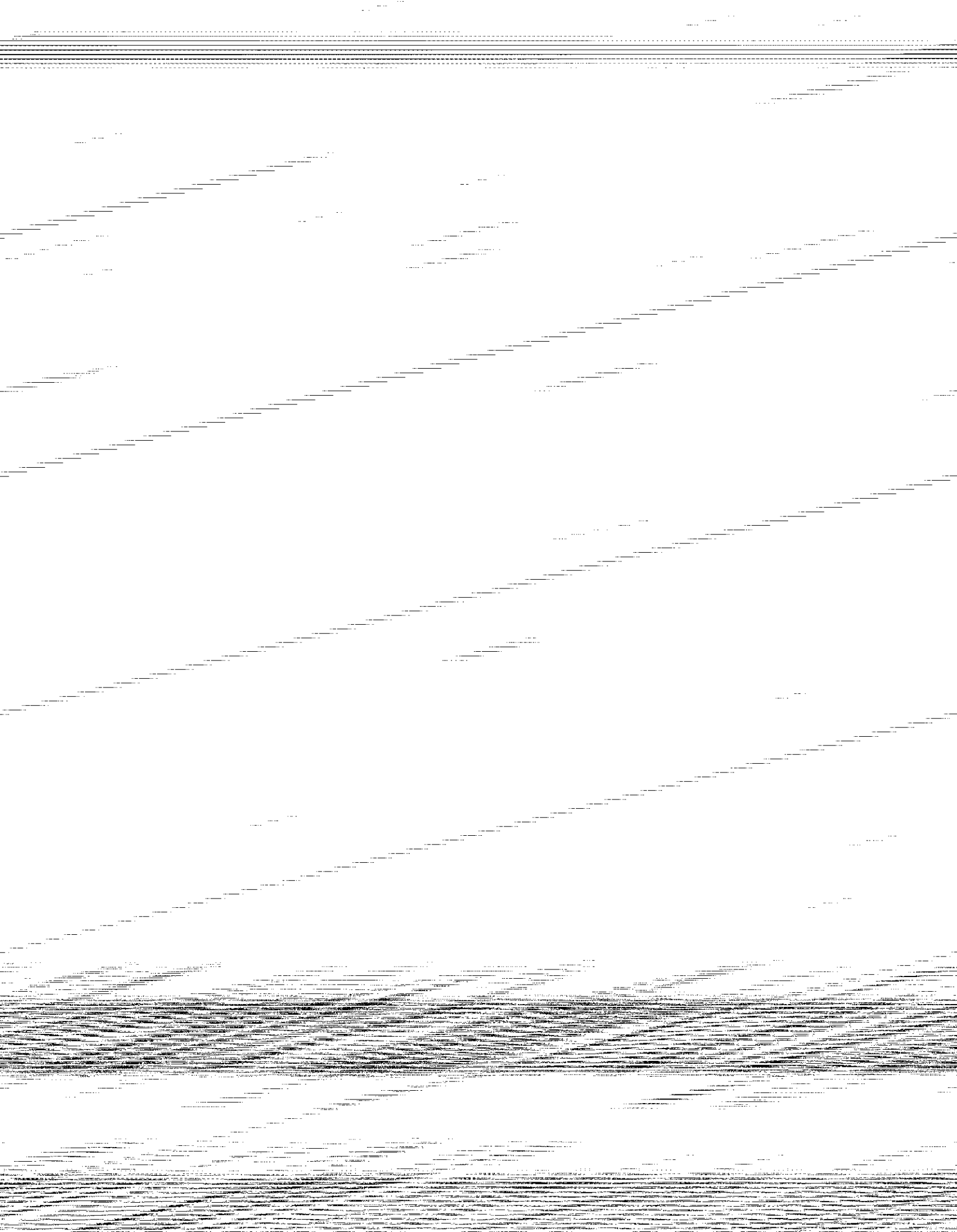
On or about November 17, 1997, Gordon Beresford (hereinafter referred to as "Complainant") retained Respondent for representation in a divorce matter. Complainant paid Respondent \$1,043.00 as a partial retainer. A Petition for Divorce was filed on November 25, 1997 under cause number 97-57736.

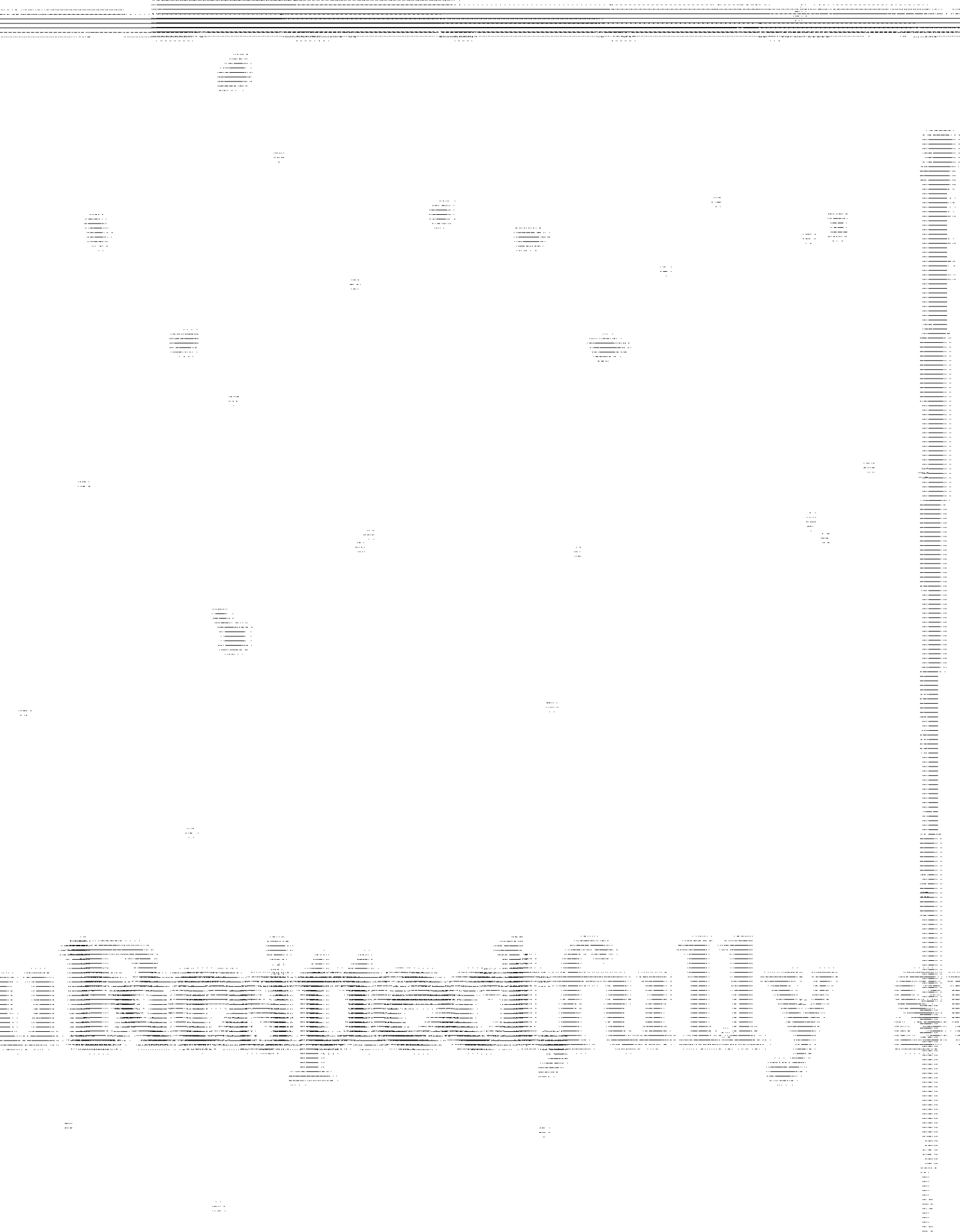
V.

At the time of employment, Complainant explained that he had not had any contact with his wife and it would be extremely difficult to personally serve her with the necessary papers. Respondent then suggested to Complainant that she be served by publication, to which Complainant agreed and preferred. Respondent did not serve Complainant's wife in the manner that Complainant requested, preferred, and/or understood that Respondent would do. Instead, Respondent located Complainant's wife through her father and she signed a Waiver of Citation and Appearance on August 15, 1998. Because of Respondent's conscious disregard of his responsibilities to Complainant, the waiver expired and Complainant was not able to use the waiver to establish service upon his wife.









STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

April 10, 2001

John T. Adams, Clerk
Supreme Court of Texas
P.O. Box 12248
Austin, Texas 78711

Re: Commission for Lawyer Discipline v. Peter A. Bergman

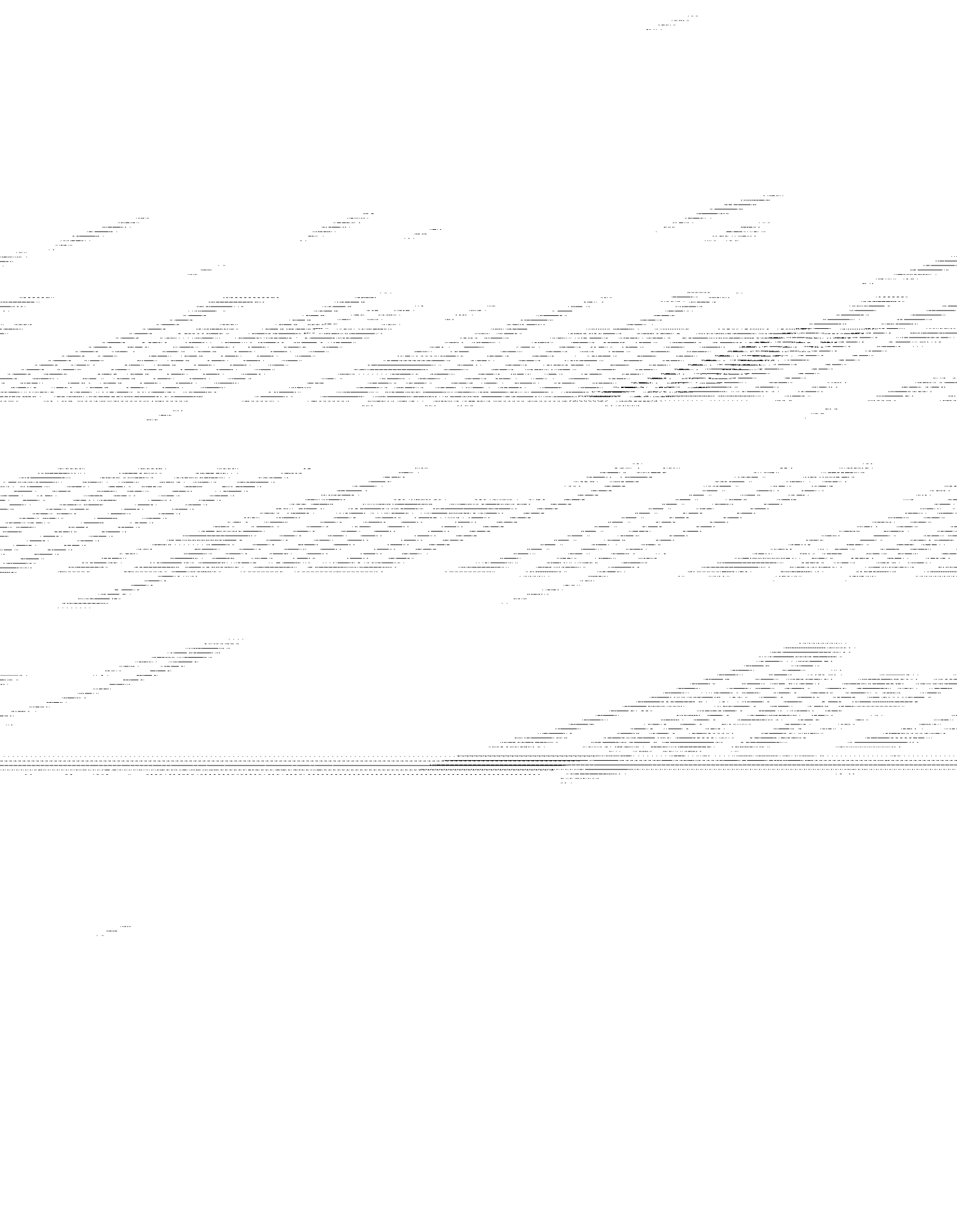
Dear Mr. Adams:

Enclosed please find an original and two (2) copies of a Disciplinary Petition being filed by the Commission for Lawyer Discipline against Peter A. Bergman. Mr. Bergman has designated Harris County, Texas, as his principal place of practice. Request is hereby made that the Court appoint an active District Judge who does not reside in the Administrative Judicial Region in which Respondent resides to preside in this case. Upon appointment, request is made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

Peter A. Bergman
[REDACTED]
[REDACTED]

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to whether he or she will be able to comply with the trial as set forth in Section 3.07 of the Texas Rules of Disciplinary Procedure. If not, I would respectfully request that an alternate appointment be made.

Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Harris County, Texas, with the request that the suit be filed, service be obtained, and a file-marked copy of the petition be returned to the undersigned.





The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

CLERK
JOHN T. ADAMS

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
DEBORAH G. HANKINSON
HARRIET O'NEILL
WALLACE B. JEFFERSON

EXECUTIVE ASSISTANT
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

JUN 25 2001

Mr. J.G. Molleston
Assistant General Counsel, State Bar of Texas
1111 Fannin, Suite 1370
Houston, Texas 77002

Mr. Peter A. Bergman
[REDACTED]
[REDACTED]

Dear Mr. Molleston and Mr. Bergman:

Pursuant to Rule 3.02 of the Texas Rules of Disciplinary Procedure, I hereby notify you that the Supreme Court of Texas has appointed the Honorable J. Manuel Banales, Judge of the 105th District Court, Corpus Christi, Texas to preside in

Commission for Lawyer Discipline v. Peter A. Bergman

Sincerely,

SIGNED

John T. Adams
Clerk

