

**ORDER OF THE SUPREME COURT OF TEXAS**

**Misc Docket No. 96- 9239**

Appointment of a District Judge to Preside  
in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable David C. White, Judge of the 362nd District Court of Denton County, Texas, to preside in the Disciplinary Action styled:


**The Commission for Lawyer Discipline v. Leonard J. Meyer**

to be filed in a District Court of Harris County, Texas.

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Harris County, Texas, a copy of this Order and of the Disciplinary Petition for filing and service pursuant to Rule 3.03, Texas Rules of Disciplinary Procedure.

As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City  
of Austin, this 22nd day of October, 1996.



JOHN T. ADAMS, CLERK  
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 96-9239, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 23 day of October, 1996.

  
Thomas R. Phillips  
Chief Justice

CAUSE NO. \_\_\_\_\_

COPY

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
v.	§	HARRIS COUNTY, TEXAS
LEONARD J. MEYER	§	_____ JUDICIAL DISTRICT

**DISCIPLINARY PETITION**

TO THE HONORABLE JUDGE OF THE COURT:

COMES NOW Petitioner, the COMMISSION FOR LAWYER DISCIPLINE, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complaining of Respondent LEONARD J. MEYER, (hereinafter called "Respondent"), showing the Court:

**I.**

Petitioner brings this disciplinary action pursuant to the State Bar Act, the Texas Government Code Annotated §81.001, *et seq.* (Vernon 1988 and supp. 1994), the Texas Disciplinary Rules of Professional Conduct, and the Texas Rules of Disciplinary Procedure. The complaint that forms the basis of this Disciplinary Petition was filed on or after May 1, 1992.

**II.**

Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas. Respondent is a resident of Harris County, 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. Respondent may be served at his business address located at 3040 Post Oak Blvd., Suite 1300, Houston, Harris County, Texas, 77056.

### III.

On or about February 20, 1996, Respondent communicated by letter with Sheila Collins Thurlow (hereinafter referred to as "Complainant"), on behalf of Respondent's client, Tyrone Wolter, regarding damages in a civil suit in which Complainant was the opposing party to Respondent's client. Respondent knew Complainant was represented by another attorney, did not have Complainant's attorneys consent to communicate with the Complainant, and was not authorized by law to communicate with the Complainant.

### IV.

The acts and/or omissions of the Respondent described in Paragraph III above, which occurred on or after January 1, 1990, constitute conduct in violation of Rule(s) 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] of the Texas Disciplinary Rules of Professional Conduct.

### V.

The complaint that forms the basis of this cause of action was brought to the attention of the Office of the General Counsel by Thomas N. Thurlow's filing of a complaint on or about February 28, 1996.

Prayer

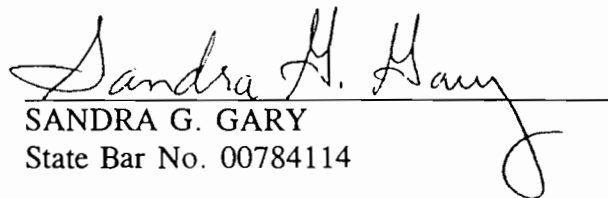
WHEREFORE, PREMISES CONSIDERED, Petitioner the COMMISSION FOR LAWYER DISCIPLINE respectfully prays that this Court discipline Respondent, LEONARD J. MEYER, by disbarment, suspension or reprimand, as the facts shall warrant; and that the Petitioner have all other relief to which it may show itself to be justly entitled, including costs of court and attorney's fees.

Respectfully submitted,

Steven W. Young  
Interim General Counsel

Sandra G. Gary  
Assistant General Counsel

Office of the General Counsel  
STATE BAR OF TEXAS  
1111 Fannin, Suite 1370  
Houston, Texas 77002  
(713) 759-6931  
Fax No. (713) 752-2158

  
SANDRA G. GARY  
State Bar No. 00784114

ATTORNEYS FOR THE COMMISSION  
FOR LAWYER DISCIPLINE

# STATE BAR OF TEXAS



Office of the General Counsel

September 3, 1996

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

*Re: Commission for Lawyer Discipline v. Leonard J. Meyer*

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 Leonard J. Meyer. Mr. Meyer 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 practices to preside in this case. Upon appointment, request is hereby made that you notify the Respondent at the address shown below and the undersigned of the identity and address of the judge assigned:

Leonard J. Meyer  
3040 Post Oak Blvd., Suite 1300  
Houston, Texas 77056

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 180 day deadline by which the case must be set for trial 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.

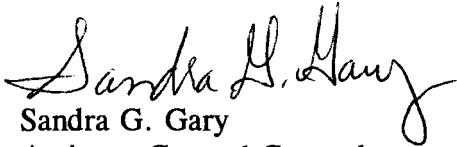
Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the Civil Case Information Sheet, and the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Harris County, Texas, with the request that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

Also enclosed is a pre-addressed envelope for your use in transmitting the above referenced documents to the District Clerk of Harris County, Texas, and a return envelope to be sent to the District Clerk of Harris County, Texas, for the Clerk's use in returning a filemarked copy of the petition to the undersigned.

Mr. John T. Adams, Clerk  
Supreme Court of Texas  
September 3, 1996  
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If you have any questions, please contact me. Thank you for your assistance.

Very truly yours,

A handwritten signature in cursive script that reads "Sandra G. Gary". The signature is written in black ink and is positioned above the typed name and title.

Sandra G. Gary  
Assistant General Counsel

SGG/sml  
enclosures



## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

October 25, 1996

CLERK  
JOHN T. ADAMS

JUSTICES  
RAUL A. GONZALEZ  
NATHAN L. HECHT  
JOHN CORNYN  
CRAIG ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

Ms. Sandra G. Gary  
Assistant General Counsel, State Bar of Texas  
1111 Fannin, Suite 1370  
Houston, Texas 77002

Mr. Leonard J. Meyer  
3040 Post Oak Blvd., Suite 1300  
Houston, Texas 77056

Dear Ms. Gary and Mr. Meyer:

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 David C. White, Judge of the 362nd District Court, Denton, Texas to preside in

Commission for Lawyer Discipline v. Leonard J. Meyer

Sincerely,

**SIGNED**

John T. Adams  
Clerk





## THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

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JAMES A. BAKER  
GREG ABBOTT

EXECUTIVE ASS'T  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

October 25, 1996

Honorable David C. White  
Judge, 32nd District Court  
Joseph Carroll Courts Building  
401 West Hickory  
Denton, Texas 76201

Dear Judge White:

We enclose for your information a copy of the order of assignment, a copy of the Disciplinary Action, a copy of the notification letter to Mr. Meyer and Ms. Gary, and a copy of the letter to the District Clerk of Harris County.

It is recommended that, six to eight weeks after receipt of this letter, you or your coordinator contact the Harris County District Court Administrative Office (713 755-7593) to find out the district court to which this disciplinary case has been assigned. We then recommend that, either before or immediately after you set the case for trial, you contact the Harris County District Court Administrative Office (713 755-7593) to reserve a courtroom, provide for a court reporter, etc. Finally, you should contact the Presiding Judge of the Administrative Judicial Region into which you have been assigned [409 538-8176] to obtain information on lodging, allowable expenses, and claims forms for your expenses incident to presiding over this disciplinary case.

Sincerely,

**SIGNED**

John T. Adams  
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE  
THOMAS R. PHILLIPS

POST OFFICE BOX 12248      AUSTIN, TEXAS 78711

TEL: (512) 463-1312

FAX: (512) 463-1365

CLERK  
JOHN T. ADAMS

JUSTICES  
RAUL A. GONZALEZ  
NATHAN L. HECHT  
JOHN CORNYN  
CRAIG ENOCH  
ROSE SPECTOR  
PRISCILLA R. OWEN  
JAMES A. BAKER  
GREG ABBOTT

EXECUTIVE ASST  
WILLIAM L. WILLIS

ADMINISTRATIVE ASS'T  
NADINE SCHNEIDER

October 25, 1996

The Honorable Charles Bacarisse  
District Clerk of Harris County  
P.O. Box 4651  
Houston, Texas 77210

Dear Mr. Bacarisse:

Pursuant to Rule 3.03 of the Texas Rules of Disciplinary Procedure, I am sending for filing State Bar of Texas Disciplinary Action styled: The Commission for Lawyer Discipline v. Leonard J. Meyer and a copy of the Supreme Court's order appointing the Honorable David C. White, Judge of the 362nd District Court, Denton, Texas, to preside in this Disciplinary Action.

Sincerely,

**SIGNED**

John T. Adams  
Clerk

cc: Hon. David C. White  
Mr. Leonard J. Meyer  
Ms. Sandra G. Gary

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# (8) B/1

CAUSE NO. 96-56579

COMMISSION FOR LAWYER DISCIPLINE	§	IN THE DISTRICT COURT OF
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
LEONARD J. MEYER	§	269TH JUDICIAL DISTRICT

**FINAL JUDGMENT**

On April 30, 1997, the above numbered cause wherein the Commission for Lawyer Discipline for the State of Texas is Petitioner, and Leonard J. Meyer is Respondent, was duly called for trial. The parties appeared through their respective counsel of record and announced ready for trial. Petitioner and Respondent each waived the impaneling of a jury. Petitioner then presented its Motion for Summary Judgment. Having considered the summary judgment evidence and the argument of counsel, the court finds that Petitioner's Motion should be denied. It is therefore

ORDERED that Petitioner's Motion for Summary Judgment is denied.

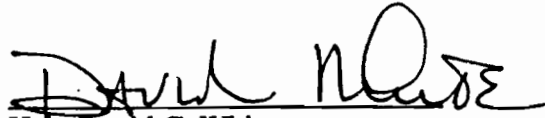
The parties then proceeded to state the evidence and at the conclusion thereof, both parties rested and closed. Having considered the pleadings, evidence and argument, the court finds that Respondent did not violate Rule 4.02(a) of the Texas Disciplinary Rules of Professional Conduct and therefore, Petitioner has failed to prove any violation sanctionable under the Texas Rules of Disciplinary Procedure. It is therefore

ORDERED that Petitioner's Petition for Disciplinary Sanctions is in all things DENIED. Respondent shall recover his costs for which let execution issue if not timely paid.

All other relief not expressly granted herein is hereby denied.

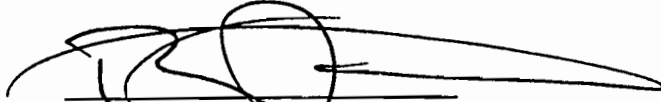
VI1046P0019

SIGNED THIS 16 day of May, 1997.



Hon. David C. White,  
Presiding Judge

**APPROVED AND REQUESTED  
TO BE ENTERED:**



Bernard Wm. Fischman  
State Bar No. 07043500  
TINSMAN & HOUSER, INC.  
One Riverwalk Place, Ste 1400  
700 N. St. Mary's St.  
San Antonio, Texas 78205  
(210) 225-3121 Telephone.  
(210) 225-6235 telefax.

**APPROVED AS TO FORM ONLY:**

Mary S. Klapperich  
Office of the General Counsel  
STATE BAR OF TEXAS  
1111 Fannin, Suite 1370  
Houston, Texas 77002  
(713) 759-6931 Telephone.  
(713) 752-2168 Telefax

V11046P0020

STATE OF TEXAS  
COUNTY OF HARRIS

I, Charles Becansse, District Clerk of Harris County, Texas, do hereby certify that the foregoing data is a true and correct copy of the original record, now in my possession and possession as appears or is shown in the office of the

- a) \_\_\_\_\_
- b) \_\_\_\_\_ 11046 19
- c) \_\_\_\_\_ and in my lawful possession and possession in digital form
- d) \_\_\_\_\_ or
- e) \_\_\_\_\_ in my lawful possession and possession in digital form

Witness my hand and seal of office this

JUN 24 1979

CHARLES BECANSSE, DISTRICT CLERK  
Harris County, Texas

By \_\_\_\_\_ Deputy

*Alan*