

IN THE SUPREME COURT OF TEXAS
MISC. DOCKET NO. 96- 9244

IN THE MATTER OF
BRUCE MICHAEL FRIEDMAN

ORDER

On this day, the Court considered the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Bruce Michael Friedman, together with the Response of Chief Disciplinary Counsel to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Bruce Michael Friedman. The Court has reviewed said Motion and Response and finds that each meets the requirements of Part X of the Texas Rules of Disciplinary Procedure. In conformity with Part X, Section 10.02 of the Texas Rules of Disciplinary Procedure, the Court considers the detailed statement of professional misconduct contained within the Response of Chief Disciplinary Counsel to be deemed conclusively established for all purposes. The Court finds that Bruce Michael Friedman, is resigning in lieu of disciplinary action. The Court, being advised that the acceptance of the resignation is in the best interest of the public and the profession, hereby concludes that the following Order is appropriate.

IT IS ORDERED that the law license of Bruce Michael Friedman, of Houston, Texas, State Bar Card Number 00785592, heretofore issued by the Court, be cancelled and his name be dropped and deleted from the list of persons licensed to practice law in Texas.

IT IS FURTHER ORDERED that Bruce Michael Friedman, shall immediately surrender his State Bar Card and Texas law license to the Clerk of the Supreme Court of Texas or file with the Court an affidavit stating the cause of his inability to do so.

IT IS FURTHER ORDERED that Bruce Michael Friedman, be, and he is hereby permanently enjoined and prohibited from practicing law in the State of Texas, holding himself out as an attorney at law, performing legal services for others, giving legal advice to others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body (whether state, county, municipal, or other), or holding himself out to others or using his name in any manner in conjunction with the words "Attorney at Law", "Counselor at Law", or "Lawyer".

It is further ORDERED that Bruce Michael Friedman, shall immediately notify each of his current clients in writing of this resignation. In addition to such notification, Bruce Michael Friedman, is ORDERED to return any files, papers, unearned monies and other property belonging to clients and former clients in his possession to the respective clients or former clients or to another attorney at the client's or former client's request. Bruce Michael Friedman is ORDERED to file with the State Bar of Texas, 5910 North Central Expressway, Suite 900, Dallas, Texas 75206, within thirty (30) days of the date of the effective date of this Order an affidavit

stating that all current clients have been notified of his resignation and that all files, papers, monies and other property belonging to all clients and former clients have been returned as ordered herein.

It is further ORDERED that Bruce Michael Friedman, shall, on or before thirty (30) days from the effective date of this Order, notify in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Bruce Michael Friedman, has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Bruce Michael Friedman, is representing in Court. Bruce Michael Friedman is ORDERED to file with the State Bar of Texas, 5910 North Central Expressway, Suite 900, Dallas, Texas 75206, within thirty (30) days of the date of the effective date of this Order an affidavit stating that he has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which he has any matter pending of the terms of this Order, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) he is representing in Court.

By the Court, en banc, in chambers, this the 6th day
of December, 1996.

Thomas R. Phillips
Thomas R. Phillips, Chief Justice

Raul A. Gonzalez
Raul A. Gonzalez, Justice

Nathan L. Hecht
Nathan L. Hecht, Justice

John Cornyn
John Cornyn, Justice

Craig T. Enoch
Craig T. Enoch, Justice

Rose Spector
Rose Spector, Justice

Priscilla Owen
Priscilla Owen, Justice

James A. Baker
James A. Baker, Justice

Greg Abbott
Greg Abbott, Justice

IN THE SUPREME COURT OF TEXAS
MOTION FOR ACCEPTANCE OF RESIGNATION AS
ATTORNEY AND COUNSELOR AT LAW

OF

BRUCE MICHAEL FRIEDMAN

NOW COMES your Applicant, Bruce Michael Friedman, and hereby resigns as an Attorney and Counselor at Law in the State of Texas; and hereby submits to the Court his resignation as an Attorney and Counselor at Law; and prays that the Court accept said resignation.

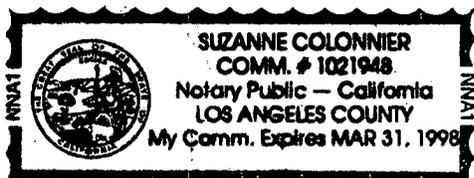
Attached hereto is the License and permanent State Bar card issued by this Court to the Applicant, Bruce Michael Friedman, as an Attorney and Counselor at Law on April 9, 1993. Said License and permanent State Bar card are hereby surrendered by the Applicant.

Your applicant is voluntarily resigning and withdrawing from the practice of law; Applicant does so in lieu of discipline for professional misconduct; and Applicant prays that his name be dropped and deleted from the list of persons licensed to practice law in Texas; and that his resignation be accepted.

Bruce M Friedman

Bruce Michael Friedman
State Bar No. 00785592

SUBSCRIBED AND SWORN to before me by the said Bruce Michael Friedman this the 21st day of October, 1996



Suzanne Colonnier
NOTARY PUBLIC in and for
the State of California

Bruce Michael Friedman, c/o Robert C. Sullivan, 2911 Turtle Creek Blvd., 1000 Park Place, Dallas, Texas 75219-6241

IN THE SUPREME COURT OF TEXAS

RESPONSE OF THE CHIEF DISCIPLINARY COUNSEL
OF THE
STATE BAR OF TEXAS
REGARDING

BRUCE MICHAEL FRIEDMAN

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, Steven W. Young, Chief Disciplinary Counsel of the State Bar of Texas, in accordance with Part X of the Texas Rules of Disciplinary Procedure, hereby file a response on behalf of the State Bar of Texas, acting by and through the Commission for Lawyer Discipline, to the Motion for Acceptance of Resignation as Attorney and Counselor at Law of Bruce Michael Friedman, dated on or about October 21, 1996, and received by the Chief Disciplinary Counsel on or about October 22, 1996. The acceptance of the resignation of Bruce Michael Friedman, (hereinafter referred to as "Friedman") is in the best interests of the public and the profession.

The following complaint is currently pending against Friedman before an investigatory panel of the District Grievance Committee. The professional misconduct with which Friedman is charged in the pending complaint is as follows:

David Kassabian & Richard Harrison vs. Bruce Michael Friedman
D0049606962

Friedman is an attorney, licensed in Texas, whose primary place of practice and residence is in California. In or about May or June, 1994, Friedman opened a law practice in Dallas, Texas to handle personal injury cases. Friedman established a corporation to manage the day-to-day operations of the Dallas law office. The sole owner and director of this corporation was a non-lawyer. Friedman's Dallas office remained in operation until early February, 1996.

While the Dallas office was opened Friedman allowed non-lawyers to engage in conduct that constitutes the unauthorized practice of law. Non-lawyers opened and processed client trust and firm operating accounts and disbursed client funds. Client files were opened, negotiated and settled without the clients ever having communicated with Friedman. Friedman did no meaningful work on behalf of his clients in the handling of their cases.

Friedman allowed a non-lawyer to maintain custody and control of the law office's books and records. Friedman also allowed a non-lawyer to deposit client settlement checks and disburse funds from the trust account. Disbursements were made to the client, medical providers, and to the corporation owned by the non-lawyer. The non-lawyer paid the office overhead expenses from the funds that he disbursed to the corporation. Any remaining funds were split on a percentage basis between Friedman and the non-lawyer. The above facts support a violation of Rules 1.01(b)(2), 1.03(b), 5.03(a), 5.04(a), (d)(1), (3) and 5.05(b) of the Texas Disciplinary Rules of Professional Conduct.

There is currently pending a disciplinary action against Friedman styled The Commission for Lawyer Discipline vs. Bruce Michael Friedman. The professional misconduct with which Friedman is charged in the disciplinary action is as follows:

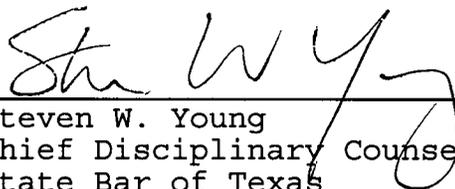
Telesforo Segura vs. Bruce Michael Friedman
H0049612353

On or about February 15, 1996, Complainant, Telesforo Segura, hired Friedman for representation in a personal injury claim arising out of an automobile accident. Friedman kept a percentage of Complainant's Personal Injury Protection funds and provided no other benefit to Complainant. By providing no meaningful result for Complainant, the percentage of the Personal Injury Protection claim becomes an unconscionable fee. The above facts support a violation of Rule 1.04(a) Disciplinary Rules of Professional Conduct.

Prottillo Madecadel vs. Bruce Michael Friedman
H0019508554

On or about May 1, 1994, Complainant, Portillo Madecadel, hired Friedman to represent him in a personal injury matter. In reviewing the Complaint, Grievance Committee 4A2 considered the allegation that Friedman financed an advertisement in "La Subasda", a newspaper, without identifying himself or other lawyers in his firm. On or about June 15, 1995, Friedman was asked to provide evidence to the Grievance Committee that he had complied with Rule 7.04(k) in obtaining the advertising, but Friedman failed to do so. The above facts support a violation of Rule 7.04(k) of the Texas Disciplinary Rules of Professional Conduct.

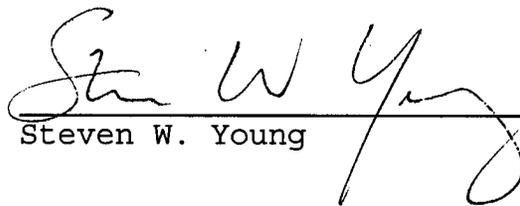
In view of Friedman's execution, on or about October 21, 1996, of his resignation as an attorney and counselor at law, and in anticipation of the Court's acceptance of same, the Chief Disciplinary Counsel does not anticipate going forward with the disciplinary proceedings pending before the investigatory panel and intends to dismiss the complaints upon entry of Order by the Supreme Court of Texas deleting Friedman from the list of persons licensed to practice law in the State of Texas.



Steven W. Young
Chief Disciplinary Counsel
State Bar of Texas

CERTIFICATE OF SERVICE

A true and correct copy of this Response of the Chief Disciplinary Counsel of the State Bar of Texas Regarding Bruce Michael Friedman, has on this 5th day of November, 1996, been mailed to Bruce Michael Friedman, c/o his attorney Robert C. Sullivan, 2911 Turtle Creek Blvd., 1000 Park Place Dallas, Texas 75219-6241, by certified mail, return receipt requested.



Steven W. Young

CALIFORNIA)
STATE OF ~~TEXAS~~)
COUNTY OF Los Angeles)

AFFIDAVIT

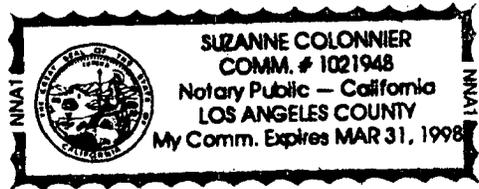
Before me, the undersigned authority, personally appeared Bruce Michael Friedman, who being by me duly sworn, deposed as follows:

"My name is Bruce Michael Friedman, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I, Bruce Michael Friedman, declare that my permanent State Bar Card and law license issued by the Supreme Court are presently lost or misplaced and could not be located despite diligent search, but if recovered, they will promptly be returned to the Court. If I should find my permanent State Bar Card and law license at a future date, I will immediately surrender same to the Court, as they are property of the Court. My State Bar Card Number is 00785592.

Bruce M Friedman
Affiant

SWORN TO AND SUBSCRIBED before me on this 8th
day of November, 1996.



Suzanne Colonnier
Notary Public in and for
State of California

3/31/98
My commission expires

SUZANNE COLONNIER
Notary's printed name