

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 97- 9115

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

The Supreme Court of Texas hereby appoints the Honorable Anne Ashby, Judge of the 134th District Court of Dallas County, Texas, to preside in the Disciplinary Action styled:

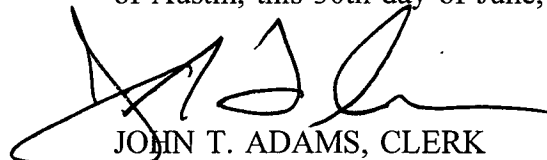
The Commission for Lawyer Discipline v. William B. Gammon

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

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Travis 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.

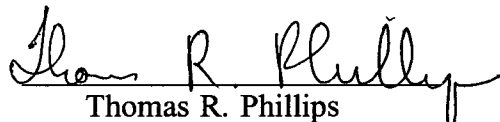
As ordered by the Supreme Court of Texas, in chambers,

with the Seal thereof affixed at the City
of Austin, this 30th day of June, 1997.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 97-9115, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas-Government Code §74.057.

Signed this 30 day of June, 1997.


Thomas R. Phillips
Chief Justice

NO. _____

COMMISSION FOR LAWYER
DISCIPLINE

v.

WILLIAM B. GAMMON

§
§
§
§
§
§

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

_____ JUDICIAL DISTRICT

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter referred to as "Petitioner"), complaining of Respondent, William B. Gammon (hereinafter referred to as "Respondent"), and would show the following:

I. Jurisdiction

Petitioner brings this disciplinary action pursuant to the State Bar Act, Tex. Gov't. Code Ann. §81.001, *et seq.* (Vernon 1988), the Texas Disciplinary Rules of Professional Conduct, and the Texas Rules of Disciplinary Procedure. The complaint which forms the basis of the petition was filed after May 1, 1992.

II. Identification of Respondent

Respondent is William B. Gammon. His State Bar of Texas Card No. is 07611280. The State Bar of Texas membership records show his last known address to be Post Office Box 684868, Austin, Texas 78768-4868. Respondent is a resident of and has his principal place of practice in Travis County, Texas. An officer may serve citation on Respondent at his place of business located at 812 San Antonio Street, Austin, Texas 78701.

III. Respondent is an Attorney Licensed to Practice Law in Texas

Respondent is an attorney licensed to practice law in the State of Texas. His license to practice law in the State of Texas is currently active.

IV. Summary of the Complaint

On or about November 26, 1996, Cathryn Leigh Cox filed a complaint against Respondent in connection with a lawsuit entitled *Michael Bemis d/b/a Polyco v. Elwood L. Munson*, Cause No. 94-05248 and 94-05248-A, District Court of Travis County, 167th Judicial District of Texas. Respondent represented the plaintiff in this matter.

Respondent engaged in conduct involving dishonesty, fraud, deceit and misrepresentation by deceiving Munson into signing a million dollar agreed judgment against himself by falsely representing to Munson that no collection efforts would ever be undertaken against him with regard to the judgment, and that a release would be provided to Munson after the agreed judgment was used in a lawsuit Respondent and his client were pursuing against a third party.

By his conduct in engaging in dishonesty, fraud, deceit and misrepresentation, Respondent committed professional misconduct in violation of Rule 8.04(a)(3) of the Texas Disciplinary Rules of Professional Conduct and Part 1.06(Q) of the Texas Rules of Disciplinary Procedure.

V. Prayer for Appropriate Discipline


WHEREFORE, premises considered, Petitioner the Commission for Lawyer Discipline prays that this Court discipline Respondent William B. Gammon by disbarment, suspension, or reprimand

as the facts shall warrant, and that Petitioner have such other relief as to which it may show itself
justly entitled, including costs of court and attorney's fees.

Respectfully submitted,

Steven W. Young
General Counsel

Christopher R. Scott
Assistant General Counsel
Office of the General Counsel
State Bar of Texas
P.O. Box 12487, Capitol Station
Austin, Texas 78711-2487
1-800-204-2222
512/463-1463
Fax: 512/477-4607



Christopher R. Scott
State Bar Card No. 17891550

ATTORNEYS FOR PETITIONER
THE STATE BAR OF TEXAS

STATE BAR OF TEXAS



Office of the General Counsel

June 6, 1997

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

Re: Commission For Lawyer Discipline v. William B. Gammon

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 William B. Gammon. Mr. Gammon has designated Travis 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:

William B. Gammon
812 San Antonio
Austin, Texas 78701

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 Travis 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.

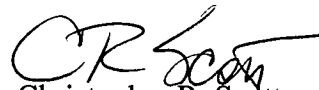
Also enclosed is a pre-addressed envelope for your use in transmitting the above referenced documents to the District Clerk of Travis County, Texas, and a return envelope to be sent to the District Clerk of Travis County, Texas, for the Clerk's use in returning a filemarked

Mr. John T. Adams, Clerk
Supreme Court of Texas
June 6, 1997
Page 2 of 2

copy of the petition to the undersigned.

If you have any questions, please call me. Thank you for your assistance.

Sincerely,


Christopher R. Scott
Assistant General Counsel

CRS/lac
Enclosures

G:\GENERAL\CHRIS\GAMMON\CORRESPOND-SC.LTR



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 ASST
NADINE SCHNEIDER

July 3, 1997

Mr. Christopher R. Scott
Assistant General Counsel, State Bar of Texas
P.O. Box 12487
Austin, Texas 78711-2487

Mr. William B. Gammon
812 San Antonio
Austin, Texas 78701

Dear Mr. Scott and Mr. Gammon:

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 Anne Ashby, Judge of the 134th District Court, Dallas, Texas to preside in

Commission for Lawyer Discipline v. William B. Gammon

Sincerely,

SIGNED

John T. Adams
Clerk



THE SUPREME COURT OF TEXAS

CHIEF JUSTICE
THOMAS R. PHILLIPS

POST OFFICE BOX 12248 AUSTIN, TEXAS 78711

CLERK
JOHN T. ADAMS

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JAMES A. BAKER
GREG ABBOTT

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FAX: (512) 463-1365

EXECUTIVE ASS'T
WILLIAM L. WILLIS
ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

July 3, 1997

Honorable Anne Ashby
Judge, 134th District Court
George L. Allen Sr. Courts Building, 4th Floor
600 Commerce Street
Dallas, Texas 75202

Dear Judge Ashby:

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. Scott and Mr. Gammon, and a copy of the letter to the District Clerk of Travis County.

It is recommended that, about a month or six weeks after receipt of this letter, you contact the Travis County Court Administrative Office (512-753-9300) (certainly just before or immediately after you set the case for trial) 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 (210-379-8556) 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

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PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT

July 3, 1997

The Honorable Amalia Rodriguez-Mendoza
District Clerk of Travis County
P.O. Box 1748
Austin, Texas 78767-1748

Dear Mr. Rodriguez-Mendoza:

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. William B. Gammon, and a copy of the Supreme Court's order appointing the Honorable Anne Ashby, Judge of the 134th District Court, Dallas, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Hon. Anne Ashby
Mr. William B. Gammon
Mr. Christopher R. Scott