

ORDER OF THE SUPREME COURT OF TEXAS

Misc Docket No. 99- 9229

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

The Supreme Court of Texas hereby appoints the Honorable Lisa Ann Millard, Judge of the 310th District Court of Harris County, Texas, to preside in the Disciplinary Action styled:


The Commission for Lawyer Discipline v. Linda B. Aland

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

The Clerk of the Supreme Court shall promptly forward to the District Clerk of Dallas 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,

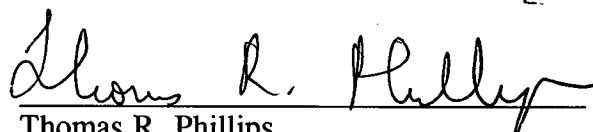
with the Seal thereof affixed at the City
of Austin, this ^{29th} ~~24th~~ day of November, 1999.



JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 99-9229, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code, §74.057.

Signed this 29 day of November, 1999.

A handwritten signature in cursive script, reading "Thomas R. Phillips". The signature is written in black ink and is positioned above a horizontal line.

Thomas R. Phillips
Chief Justice

NO. _____

| | | |
|----------------------------------|---|--------------------------|
| COMMISSION FOR LAWYER DISCIPLINE | § | IN THE DISTRICT COURT OF |
| V. | § | DALLAS COUNTY, TEXAS |
| LINDA B. ALAND | § | _____ 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 called "Petitioner"), complaining of Respondent, Robert C.E. Wolfe, (hereinafter called "Respondent"). showing the Court:

I.

Discovery Control Plan

Pursuant to Rules 190.1 and 190.2, TEXAS RULES OF CIVIL PROCEDURE (TRCP), Petitioner intends discovery in this case to be conducted under the Level II Discovery Control Plan.

II.

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 Disciplinary Petition was filed on or after May 1, 1992.

III.

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 and has her principal place of practice in Dallas County,

Texas. An officer may serve citation on Respondent's attorney, L. Vance Stanton, at 8330 Meadow Road, Suite 226, Dallas, Texas 75231.

IV.

In or around September of 1997, Respondent was employed to represent L.R. Stow's ("Stow") ex-wife in a post-divorce matter. A mediation occurred on or about January 21, 1998, at the offices of R.B. Pool in Dallas. A proposed Mediation Settlement Agreement was prepared and distributed to the attorneys at or near the conclusion of the mediation session. Thereafter, upon request from Stow's attorney, the mediator sent Stow's attorney a copy of the Mediation Settlement Agreement, which did not include the changes made by Respondent and Respondent's client after the mediator left his office.

V.

Respondent and Stow's attorney communicated in order to draft an agreement. Respondent worked from the copy of changes made by her and her client, while Stow's attorney worked from the copy provided by the mediator. Respondent failed to provide Stow's attorney with a copy of the agreement before she filed it with the court. As a result, the agreement Respondent filed with the court contained provisions which neither Stow nor his attorney had agreed.

VI.

Stow's attorney communicated with Respondent on several occasions in an attempt to have the Medication Settlement Agreement corrected to delete the changes made by Respondent and Respondent's client after the mediator left his office, which were not approved by Stow and his

attorney. Respondent refused to delete the changes made in the Mediation Settlement Agreement which were made by Respondent and Respondent's client after the mediator left his office, and which were not approved by Stow and his attorney. As a result, Stow was required to hire additional counsel to prosecute Stow's Motion to Sign Orders on Mediation Settlement Agreement and Motion to Strike and Motion for Sanctions. Stow's new attorney noticed Respondent for deposition. On or about April 17, 1998, the day Respondent's deposition was to be taken, Respondent entered into an agreement correcting the Mediation Settlement Agreement.

VII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs IV, V, VI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rule 3.02 of the Texas Disciplinary Rules of Professional Conduct.

VIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was brought to the attention of the Office of General Counsel of the State Bar of Texas by L.R. Stow filing a complaint on or about August 4, 1998.

PRAYER

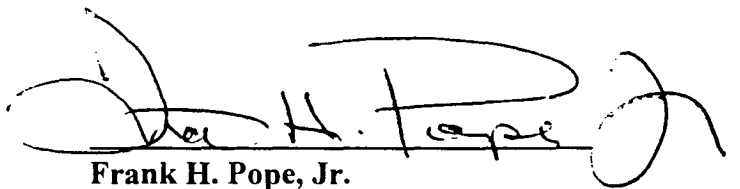
WHEREFORE, PREMISES CONSIDERED. Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

Respectfully submitted.

Dawn Miller
Acting General Counsel
and Chief Disciplinary Officer

Frank H. Pope, Jr.
Assistant General Counsel

State Bar of Texas
Litigation - Dallas
3710 Rawlins
Suite 800
Dallas, Texas 75219
(214) 559-4997
FAX (214) 559-4335

A handwritten signature in black ink, appearing to read "Frank H. Pope, Jr.", written over a horizontal line.

Frank H. Pope, Jr.
State Bar Card No. 16136000

ATTORNEYS FOR PETITIONER

STATE BAR OF TEXAS



Office of the General Counsel

October 14, 1999

CMRRR NO. Z 359 598 090

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

RE: Commission for Lawyer Discipline v. Linda B. Aland

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 Linda B. Aland. Ms. Aland has designated Dallas County, Texas, as her 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:

**Linda B. Aland
C/O L. Vance Stanton
8330 Meadow Road
Suite 226
Dallas, Texas 75231**

As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to: (1) 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.

John T. Adams, Clerk

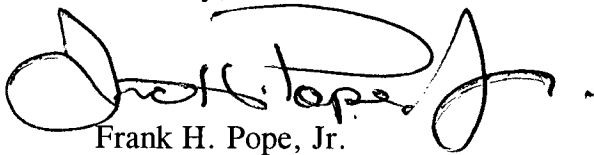
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Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Dallas County, Texas, with the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

Also enclosed are a pre-addressed envelope for your use in transmitting the petition, etc., to the District Clerk of Dallas County, Texas, and a return envelope to be sent to the District Clerk of Dallas County, Texas, for the Clerk's use in returning a file-marked copy of the Petition to the undersigned.

Thank you for your courtesies in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank H. Pope, Jr.", with a large, stylized flourish extending from the end of the signature.

Frank H. Pope, Jr.
Assistant General Counsel

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

CLERK
JOHN T. ADAMS

JUSTICES
NATHAN L. HECHT
CRAIG T. ENOCH
PRISCILLA R. OWEN
JAMES A. BAKER
GREG ABBOTT
DEBORAH G. HANKINSON
HARRIET O'NEILL
ALBERTO R. GONZALES

EXECUTIVE ASS'T
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASS'T
JIM HUTCHESON

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

DEC 10 1999

Honorable Lisa Ann Millard
Judge, 310th District Court
1115 Congress Street, 3rd Floor
Houston, Texas 77002

Dear Judge Millard:

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. Pope and Ms. Aland, and a copy of the letter to the District Clerk of Dallas County.

We then recommend that, either before or immediately after you set the case for trial, the Dallas County District Court Administrative Office (214-653-6510) be contacted 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 (214-653-2943) 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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EXECUTIVE ASS'T
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JIM HUTCHESON

ADMINISTRATIVE ASS'T
NADINE SCHNEIDER

DEC 10 1999

Mr. Frank H. Pope, Jr.
Assistant General Counsel, State Bar of Texas
3710 Rawlins, Suite 800
Dallas, Texas 75219

Ms. Linda B. Aland
c/o L. Vance Stanton
8330 Meadow Road, Suite 226
Dallas, Texas 75231

Dear Mr. Pope and Ms. Aland:

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 Lisa Ann Millard, Judge of the 310th District Court, Houston, Texas to preside in

Commission for Lawyer Discipline v. Linda B. Aland

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
DEBORAH G. HANKINSON
HARRIET O'NEILL
ALBERTO R. GONZALES

DEC 10 1999

The Honorable Jim Hamlin
District Clerk of Dallas County
George L. Allen Courts Building
600 Commerce Street
Dallas, Texas 75202

Dear Mr. Hamlin:

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. Linda B. Aland* and a copy of the Supreme Court's order appointing the Honorable Lisa Ann Millard, Judge of the 310th District Court of Houston, Texas, to preside in this Disciplinary Action.

Sincerely,

SIGNED

John T. Adams
Clerk

cc: Honorable Lisa Ann Millard
Mr. Frank H. Pope, Jr.
Ms. Linda B. Aland