

IN THE
SUPREME COURT OF TEXAS
IN THE MATTER OF
WILLIAM WATSON

Misc. Docket No. 94- 9061

ORDER

On this day, the Court considered the Motion for Acceptance of Resignation as Attorney and Counselor at Law of William Watson, together with the Response of the Chief Disciplinary Counsel of the State Bar of Texas regarding William Watson. The Court has reviewed said Motion and Response and finds each to meet 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, 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 William Watson, of Houston, Texas, State Bar Card No. 20963950, heretofore issued by this 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 William Watson immediately surrender his Texas law license and his State Bar Card 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 William Watson, be, and he is hereby permanently prohibited, effective immediately, from practicing law in Texas, holding himself out as an attorney at law, performing any legal services for 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," "attorney at law," "counselor at law," or "lawyer."

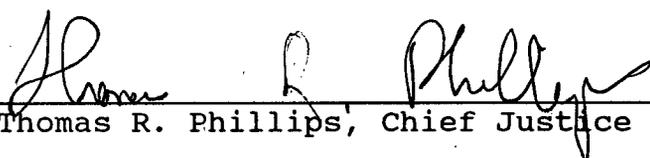
IT IS FURTHER ORDERED that Respondent, shall, within thirty (30) days after the date on which this Order is signed by the Court, notify in writing each and every justice of the peace judge, magistrate, and chief justice of each and every Texas court in which the Respondent may have any client matter pending, advising each court of his resignation in lieu of discipline, of the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notifications to the Office of the General Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

It is further ORDERED that the Respondent, William Watson, notify each of his current clients, in writing, of his resignation in lieu of discipline. In addition to such notification, the Respondent is ORDERED to return all files,

papers, unearned fees paid in advance, and all other monies and other properties which are in his possession but which belong to current or former clients, to those respective clients or former clients within thirty (30) days after the date on which this Order is signed by the Court. Respondent is further ORDERED to file with the Office of the General Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, within the same thirty (30) days, an affidavit stating that all current clients have been notified of his resignation in lieu of discipline, and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return said client any file, papers, money or other property. Respondent is also ORDERED to mail a copy copies of all notification letters to clients, in addition to said affidavits, to the Office of the General Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

By the Court, en banc, in chambers, on this 10th day of _____

May, 1994.



Thomas R. Phillips, Chief Justice



Raul A. Gonzalez, Justice



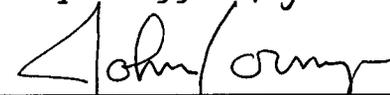
Jack Hightower, Justice



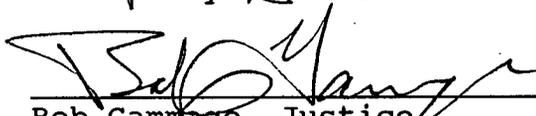
Nathan L. Hecht, Justice



Lloyd Doggett, Justice



John Cornyn, Justice



Bob Gammage, Justice



Craig Enoch, Justice



Rose Spector, Justice

STATE BAR OF TEXAS



Office of the General Counsel

April 19, 1994

Mr. John Adams, Clerk
Supreme Court of Texas
Supreme Court Bldg.
201 W. 14th St., Room 104
Austin, Texas 78701

Re: Resignation of William Watson, State Bar Card No. 20963950

Dear Mr. Adams:

Please find enclosed herewith for filing in the above cause the following documents:

1. Motion for Acceptance of Resignation as Attorney and Counselor at Law of William Watson
2. Response of Chief Disciplinary Counsel to Motion for Acceptance of Resignation as Attorney and Counselor at Law of William Watson
3. Certification of the General Counsel regarding William Watson
4. Order regarding William Watson

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in cursive script, appearing to read "Ann Landeros".

Ann Landeros
Assistant General Counsel

AL/db
Enclosures

cc: William Watson, 4050 Linwood Ave., Shreveport, Louisiana 71108

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

OF

WILLIAM WATSON

Your Applicant, **WILLIAM WATSON**, resigns as an attorney and counselor at law in the State of Texas in lieu of discipline, and submits to the Court his resignation as an attorney and counselor at law, and prays that the Court accepts his resignation.

1. The license and permanent State Bar card have been lost and their whereabouts are unknown to your Applicant. If found, they will be immediately surrendered to this Court.

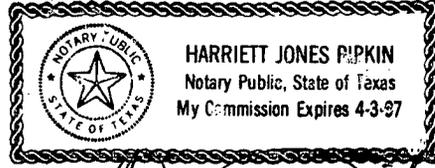
2. Your Applicant is voluntarily resigning and withdrawing from the practice of law; Applicant does so in lieu of discipline for professional misconduct as alleged in the Disciplinary Petition on file in Cause Number 92-27524, pending in the 80th Judicial District Court of Harris County, Texas; and Applicant 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.



WILLIAM WATSON
SBT# 20963950

SUBSCRIBED AND SWORN to before me by WILLIAM WATSON this the

11 day of April, 1994.



Harriett Jones Pipkin
Notary Public in and for the State of Texas

CERTIFICATE OF SERVICE

I certify that on the 11th day of April, 1994, a true and correct copy of this Motion for Resignation was hand-delivered to Ann Landeros, attorney for the State Bar of Texas, at 1111 Fannin, Suite 1370, Houston, Texas, 77002.

Ann Landeros
WILLIAM WATSON

IN THE SUPREME COURT OF TEXAS

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

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, James M. McCormack, Chief Disciplinary Counsel of the State Bar of Texas, in accordance with Part X of the Texas Rules of Disciplinary Procedure, file this 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 William Watson received on or about April 11, 1994. The acceptance of the resignation of William Watson is in the best interest of the public and the profession. A disciplinary action is currently pending against William Watson, which is Cause No. 92-27524, styled *The State Bar of Texas v. William Watson*, before the 80th Judicial District Court of Harris County, Texas ("Disciplinary Action.")

The Disciplinary Action seeks disbarment of William Watson for his actions relating to his representation of Sheila Harris, Alonna Richards, Patricia Harris, Agnes Chatman, Ennis Garnett, Melanie Gibson, Patricia Johnson, Mary Minters, Jacqueline Peyton, Trenessa Sewell, Dorothy Wingfield, Chester Wingfield, Lizzie White, and Lester Anderson, and for the complaints of Dr. Richard Mosby, the State Bar of Texas, and Dr. Nathan Cotlar. Specifically, William Watson committed the following acts:

1. He maintained account number 07453145 in the name William H. Watson and Associates, Attorneys at Law, at First Interstate Bank of Texas (hereafter called "the Watson account") which account he used as his law office operating account.
2. The Watson account was neither a trust nor an escrow account.
3. He was administratively suspended from the practice of law in the State of Texas from 2/20/91 to 2/19/92 for nonpayment of bar dues and failing to comply with the Minimum Continuing Legal Education requirements.
4. On December 7, 1990, while still under administrative suspension, he represented the plaintiff in the case styled Sheila A. Harris v. The Kroger Co., cause no. 529,710 in the County Court at Law No. 4 of Harris County (hereafter called "the Harris lawsuit"), by preparing and signing an "Agreed Motion to Reinstate" and "Final Judgment" which were presented to opposing counsel.
5. While still under administrative suspension, he appeared as counsel for plaintiff in the Harris lawsuit at a deposition held on December 3, 1990, in the offices of Phillips & Akers in Houston, Texas.
6. He represented Agnes Chatman in two claims against Texas A&M University.
7. On or about July 23, 1990, Texas A&M's worker's compensation carrier paid Agnes Chatman's claim with draft #L-200056 for \$4500.00 payable to Chatman and Watson.
8. He caused the draft to be endorsed by someone other than Chatman, cashed the draft without Chatman's knowledge and failed to notify her of the settlement.
9. He failed to respond to Chatman's repeated attempts at contact.
10. He paid Chatman \$500.00 in September 1990 and the balance of the proceeds of the settlement after she filed a grievance with the State Bar of Texas.
11. Chatman requested her file on her personal injury suit be returned. He failed to release her file or relinquish any interest in the lawsuit.
12. Due to Watson's refusal to return Chatman's file or release any interest in the case, Chatman was been unable to settle her personal injury claim with Texas A&M's workers' compensation carrier.

13. He sent Dr. Nathan Cotlar letters guaranteeing payment for medical treatment for his clients Alma Watson, Gloria Bolden, Debra Green and Rodney Kirkpatrick.
14. In February 1991, Watson stated in writing that the Watson, Bolden, Green, and Kirkpatrick cases had settled and that Dr. Cotlar was owed \$7260.00 for these four cases.
15. He failed to honor the letters of guarantee given to Dr. Cotlar for Alma Watson, Gloria Bolden, Debra Green or Rodney Kirkpatrick. He did not pay those clients the money owed to Dr. Cotlar but instead used the funds for purposes unrelated to the clients' or Dr. Cotlar's benefit.
16. Ennis Garnett employed Watson to handle a personal injury claim or a 1/3 contingency fee.
17. On December 11, 1990, State Farm Insurance issued draft no. 125350314N in the amount of \$4500.00 payable to Ennis Garnett and Watson and Chappell Dixon, in settlement of Garnett's claim.
18. Watson cashed the draft without Garnett's approval or endorsement. Respondent never paid Garnett his share of the proceeds of the draft despite Garnett's repeated requests for payment.
19. In November 1991, Watson signed a promissory note to Garnett promising to pay the amount of Garnett's portion of the settlement plus 6% interest, on or before August 15, 1992.
20. Watson provided legal services to Garnett while administratively suspended from the practice of law.
21. Melanie Gibson employed Watson to handle a personal injury claim.
22. On February 28, 1991, Allstate Insurance issued draft no.73901548 for \$2832.50 payable to Melanie Gibson in partial settlement of her personal injury claim. Watson did not inform Gibson of the payment.
23. Watson caused Gibson's draft to be negotiated with an endorsement which was purported to be Gibson's but was not. Watson did not pay Gibson her share of the proceeds nor did he pay Gibson's medical providers to whom he had given a letter of guarantee of payment. Watson used the funds for purposes unrelated to the benefit of Gibson or her medical providers.

24. On January 1, 1991, Ranger Insurance issued draft no. 462895 for \$27,500.00 payable to Gibson and Watson in settlement of Gibson's claim. Watson did not inform Gibson of the payment.
25. Watson negotiated the Ranger Insurance draft with an endorsement which was purported to be Gibson's but was not. He did not pay Gibson her share of the proceeds nor did he pay Gibson's medical providers to whom he had given a guarantee of payment. He used the funds for purposes unrelated to the benefit of Gibson or her medical providers.
26. Gibson demanded an accounting of the funds from Watson, which he did not provide. He gave Gibson a check for her portion of the proceeds which was returned twice for "insufficient funds".
27. Watson was provided with proof that Gibson's medical provider, Burns Physical Therapy (hereafter called "Burns"), had provided medical services of \$2678.40 to Gibson. Watson told Gibson that Burns had been paid but did not ever pay Burns' bill for the services provided to Gibson.
28. Sheila Harris rejected a settlement offer on her personal injury case. Thereafter, Watson filed the lawsuit styled Sheila Harris v. the Kroger Co., no. 529710, in the County Court at Law No. 4 of Harris County, Texas.
29. On November 27, 1990, CNA Insurance issued draft no. 6252827 for \$6000.00 payable to Harris and Watson in full and final settlement of Harris' personal injury claim against Kroger. Watson accepted this settlement of Harris' claim without her consent.
30. Watson forged Harris' signature on the release of claim and on the draft which he cashed and used for purposes unrelated to Harris' benefit. He negotiated settlement of Harris' claim while under suspension from the practice of law.
31. Due to Watson's failure to diligently prosecute Harris' claim and to keep the court apprised of his address, the Court dismissed the Harris v. Kroger case on November 8, 1990. Watson failed to inform Harris of the status of the case during its pendency.
32. In December 1990, Watson told Harris she must accept a settlement offer of \$5,000.00, which he knew was unacceptable to Harris.

33. He represented Patricia Johnson and her minor child in a personal injury matter.
34. On August 13, 1991, State Farm issued draft no. 125883649N for \$5250.00 payable to Patricia Johnson and Watson in settlement of Johnson's personal injury claim and draft no. 125883650N for \$2000.00 payable to Johnson and Respondent in settlement of Johnson's child's personal injury claim.
35. He failed to inform Johnson of the settlements and failed to pay Johnson her or her child's share of the proceeds. Respondent used the proceeds for purposes unrelated to the benefit of Johnson or her child.
36. Mary Minters employed Watson in a personal injury matter.
37. On April 4, 1991, Watson gave Mary Minters check no 3847 on account no. 7453145 at Allied Bank of Texas for \$3400.00, which was her share of proceeds from her personal injury and property damage claim. The check was returned for insufficient funds on April 16, 1991, and was not made good for at least 90 days.
38. Jacqueline Peyton employed Watson to represent her in a personal injury matter.
39. In June 1988, Jacqueline Peyton was offered \$10,000.00 by USAA Insurance to settle her personal injury suit. Watson advised Peyton to reject the offer and said he would file a lawsuit.
40. Watson allowed the statute of limitations to run on Peyton's claim without filing suit.
41. Alonna Richard hired Watson to represent her in a personal injury matter.
42. Watson filed the lawsuit styled Alonna C. Richards v. Te Kroger Co. no. 90-003590, in the 189th District Court of Harris County, Texas. Due to Respondent's failure to diligently pursue Richards' case, the Court dismissed the lawsuit for want of prosecution on October 8, 1991.
43. Watson failed to respond to Richards repeated inquiries as to the status of her case and failed to inform Richards that her lawsuit had been dismissed.
44. Watson was hired by Trenessa Sewell in April 1990 to handle her personal injury case and failed to respond to Sewell's repeated inquiries about the status of the case. Sewell wanted to settle the case but could not contact Watson.

45. Dorothy and Chester Wingfield employed Watson to represent them in a personal injury matter.
46. On August 13, 1991, State Farm issued Draft no. 125883648 for \$6250.00 payable to Dorothy Wingfield and Watson in settlement of her claim for damages. Watson failed to inform Dorothy Wingfield that her case had been settled and caused the draft to be endorsed with a signature purported to be Wingfield's but was not.
47. Watson negotiated Dorothy Wingfield's draft and failed to pay Wingfield her share of the proceeds and used the funds for purposes unrelated to the benefit of Dorothy Wingfield.
48. After hiring Watson in April 1990, Chester Wingfield attempted without success to contact him to learn the status of his and his wife's cases. In November 1991, he requested his file back which Watson refused to return. Watson continued to attempt settlement of Chester Wingfield's claim despite the fact that his law license had been suspended September 1, 1991.
49. Watson referred his clients, Sheila Harris and Jacqueline Peyton, to Dr. Richard Mosby for treatment along with letters of guarantee for payment of medical expenses when the clients' cases were settled.
50. Dr. Mosby sent certified letters to Watson requesting information regarding the status of the clients' cases but he neither responded to Dr. Mosby's letters nor paid the clients' bills.
51. Lizzie White hired Watson to represent her in a personal injury lawsuit.
52. On January 31, 1991, Watson settled Lizzie White's personal injury case and withheld \$4209.62 to pay the medical provider.
53. Watson provided to White a copy of the medical bill with his handwritten notation that the bill had been paid. Watson had not paid the bill but used the proceeds for his own benefit.
54. Lester Anderson hired Watson to represent him in a 1987 personal injury case against Burke Plumbing. Watson never responded to White's inquiries about the status of his case.

55. On October 17, 1991, the State Bar of Texas sent a letter to Watson alleging professional misconduct. Respondent's only response was to sign the bottom of the letter and date it "10-17-91" and return it to the State Bar. No grounds for failure to respond were asserted.

By his conduct as described above which occurred before January 1, 1990, Watson violated the following disciplinary rules of the Texas Code of Professional Responsibility: DR 1-102(A)(1) [violating a disciplinary rule]; DR 1-102(A)(5) [engaging in conduct that is prejudicial to the administration of justice]; DR 7-101(A)(1) [failing to seek the lawful objectives of the client]; DR 7-101(A)(2) [failing to carry out a contract of employment]; DR 7-101(A)(3) [prejudicing or damaging his client during the course of the professional relationship].

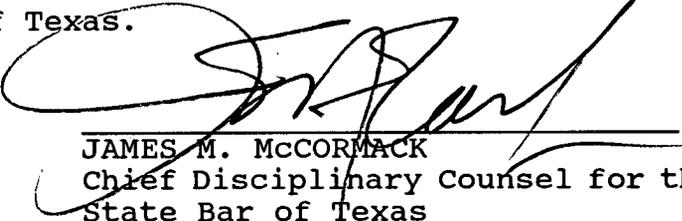
By his conduct as outlined above, Watson violated the following disciplinary rules of the Texas Disciplinary Rules of Professional Conduct: DR 1.01(b)(1) [neglecting a legal matter entrusted to the lawyer]; DR 1.02(a) [failing to abide by a client's decision]; DR 1.03(a) [failing to keep a client reasonably informed about the status of a case]; DR 1.14(a) [failing to hold property belonging in whole or in part to a client or third party separate from the lawyer's own property]; DR 1.14(b) [failing to promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive; failing to promptly render a full accounting for such funds]; DR 1.14(c) [disbursing funds in an escrow or trust account to persons not entitled to receive them]; DR 1.15(a)(3) [failing to withdraw from a case after being discharged by a client]; DR 8.01(b) [knowingly fail to respond to a lawful demand for information from

a disciplinary authority]; DR 8.04(a)(1) [violating a disciplinary rule]; and DR 8.04(a)(3) [engaging in conduct that involves dishonesty, fraud, deceit or misrepresentation].

By his conduct as outlined above, William Watson caused a pecuniary loss to the following persons in the below stated amounts:

| | |
|--|-------------|
| Booker Bonner/Burns Physical Therapy | \$3414.00 |
| Dr. Nathan Cotlar | \$7260.00 |
| Ennis Garnett | \$3000.00 |
| Melanie Gibson/ Burns Physical Therapy | \$2678.40 |
| Sheila Harris | \$6000.00 |
| Patricia Johnson | \$5250.00 |
| Dorothy Wingfield | \$6250.00 |
| Dr. Richard Mosby | \$39,065.00 |
| Lizzie White | \$4209.62 |

In view of William Watson's execution on or about April 11, 1994, of his resignation as an attorney and counselor at law, and in anticipation of the Court's acceptance of his resignation, the Chief Disciplinary Counsel does not anticipate going forward with the pending Disciplinary Action and intends to nonsuit the Disciplinary Action upon entry of an Order by the Supreme Court of Texas deleting William Watson from the list of persons licensed to practice law in the State of Texas.



JAMES M. McCORMACK
Chief Disciplinary Counsel for the
State Bar of Texas

CERTIFICATE OF SERVICE

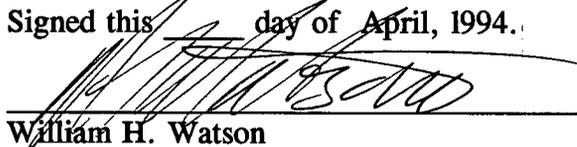
I certify that on the 12th day of April, 1994, a true and correct copy of the Response of the Chief Disciplinary Counsel was delivered to William Watson, Respondent Pro Se, by delivery in hand at 1111 Fannin, Houston, Texas.



Ann Landeros, Assistant General Counsel
State Bar of Texas

I hereby acknowledge receipt of the Response of the Chief Disciplinary Counsel to the Motion for Resignation in Lieu of Discipline of William H. Watson.

Signed this _____ day of April, 1994.



William H. Watson

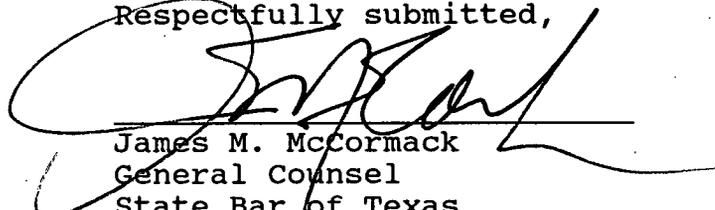
IN THE SUPREME COURT OF THE STATE OF TEXAS

CERTIFICATION OF THE GENERAL COUNSEL
OF THE
STATE BAR OF TEXAS
REGARDING
WILLIAM WATSON

TO THE HONORABLE SUPREME COURT OF TEXAS:

I, James M. McCormack, General Counsel of the State Bar of Texas, in accordance with the Rules Governing the State Bar of Texas art. X, §15, hereby certify that there is currently pending a disciplinary action against William Watson, State Bar Card No. 20963950, styled The State Bar of Texas v. William Watson, No. 92-27524, in the 80th Judicial District Court, Harris County, Texas.

Respectfully submitted,



James M. McCormack
General Counsel
State Bar of Texas