

2014-06707 / Court: 270

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Chris Daniel - District Clerk Harris County
Envelope No. 457727
By: Sharon Carjton

CAUSE NO. _____

COMMISSION FOR LAWYER DISCIPLINE,	§	IN THE DISTRICT COURT OF
	§	
Petitioner,	§	
	§	
vs.	§	HARRIS COUNTY, TEXAS
	§	
RONALD EUGENE REYNOLDS,	§	
	§	
Respondent.	§	_____ JUDICIAL DISTRICT

ORIGINAL DISCIPLINARY PETITION AND REQUESTS FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Petitioner, the COMMISSION FOR LAWYER DISCIPLINE, a committee of the STATE BAR OF TEXAS, and would respectfully show unto the Court as follows:

I. DISCOVERY CONTROL PLAN

Pursuant to Rules 190.1 and 190.3 of the TEXAS RULES OF CIVIL PROCEDURE, Petitioner intends discovery in this case to be conducted under the Level 2 Discovery Control Plan.

II. PARTIES

Petitioner is the COMMISSION FOR LAWYER DISCIPLINE (hereinafter referred to as "Petitioner"), a committee of the STATE BAR OF TEXAS.

Respondent is RONALD EUGENE REYNOLDS (hereinafter referred to as "Respondent"), Texas Bar Card No. 24025610, a licensed attorney and a member of the STATE BAR OF TEXAS. Respondent may be served at 6565 West Loop South, Suite 115, Bellaire, Texas 77401.

III. NATURE OF PROCEEDING

Petitioner brings this disciplinary action pursuant to the STATE BAR ACT, TEXAS GOVERNMENT CODE ANNOTATED §81.001, *et seq.* (West 2013); the TEXAS DISCIPLINARY RULES

OF PROFESSIONAL CONDUCT; and the TEXAS RULES OF DISCIPLINARY PROCEDURE. The Complaint that forms the basis of this cause of action was filed on or after January 1, 2004.

IV. VENUE

Respondent's principal place of practice is Harris County, Texas; therefore, venue is appropriate in Harris County, Texas, pursuant to Rule 3.03 of the TEXAS RULES OF DISCIPLINARY PROCEDURE.

V. PROFESSIONAL MISCONDUCT

The acts and omissions of Respondent, as hereinafter alleged, constitute professional misconduct as defined by Rule 1.06V of the TEXAS RULES OF DISCIPLINARY PROCEDURE.

VI. CAUSE OF ACTION

1. Over a period of months in 2012-13, Robert Valdez, Sr. ("Valdez") engaged in an ongoing effort to solicit personal injury clients on behalf of and at the direction of Respondent for the sole purpose of obtaining employment for Respondent. On numerous occasions, Valdez, a nonlawyer employed or retained by or associated with Respondent, initiated contact with individuals involved in automobile accidents and recommended that these individuals hire Respondent. None of these individuals had sought Respondent's services or had a family or past or present attorney-client relationship with Respondent. To facilitate Valdez's work on his behalf, Respondent provided Valdez with a "Ronald E. Reynolds, PLLC Attorney-Client Agreement" for potential clients to sign. On more than one occasion, Respondent was hired to represent a person with a personal injury claim as a result of Valdez initially contacting the client and referring the client to Respondent. Valdez received a cash payment from Respondent in return for Valdez's services.

2. Respondent continued to order, encourage or permit the solicitation by Valdez. Respondent consistently compensated or offered to compensate Valdez for soliciting clients. On repeated occasions, Respondent accepted employment which was the result of solicitation by Valdez. This ongoing pattern of solicitation by Valdez on Respondent's behalf included, but is not limited to, the following instances:

KALISHA KELLAR SOLICITATION

3. In or around February 2012, Kalisha Kellar ("Kellar") was involved in an automobile accident in Houston, Texas.
4. In the days immediately following the accident, Valdez, a nonlawyer employed or retained by or associated with Respondent, contacted Kellar and referred her to Respondent.
5. On or about February 14, 2012, Kellar hired Respondent for representation in her accident case.
6. Respondent paid or offered to pay Valdez an amount of money for soliciting Kellar on Respondent's behalf.

GEORGE SANCHEZ SOLICITATION

7. In or around February 2012, George Sanchez ("Sanchez") was involved in an automobile accident in Houston, Texas.
8. In the days immediately following the accident, Valdez, a nonlawyer employed or retained by or associated with Respondent, contacted Sanchez and referred him to Respondent.
9. On or about February 15, 2012, Sanchez hired Respondent for representation in his accident case.

10. Respondent paid or offered to pay Valdez an amount of money for soliciting Sanchez on Respondent's behalf.

KUH TAW SOLICITATION

11. In or around February 2012, Kuh Taw ("Taw") was involved in an automobile accident in Houston, Texas.

12. In the days immediately following the accident, Valdez, a nonlawyer employed or retained by or associated with Respondent, contacted Taw and referred him to Respondent.

13. On or about February 22, 2012, Taw hired Respondent for representation in his accident case.

14. Respondent paid or offered to pay Valdez an amount of money for soliciting Taw on Respondent's behalf.

JOSE TREVINO SOLICITATION

15. In or around March 2012, Jose Trevino ("Trevino") was involved in an automobile accident in Houston, Texas.

16. In the days immediately following the accident, Valdez, a nonlawyer employed or retained by or associated with Respondent, contacted Trevino and referred him to Respondent.

17. On or about March 15, 2012, Trevino hired Respondent for representation in his accident case.

18. Respondent paid or offered to pay Valdez an amount of money for soliciting Trevino on Respondent's behalf.

CAROLINA CASTELAN SOLICITATION

19. In or around March 2012, Carolina Castelan ("Castelan") was involved in an automobile accident in Houston, Texas.

20. In the days immediately following the accident, Valdez, a nonlawyer employed or retained by or associated with Respondent, contacted Castelan and referred her to Respondent.
21. On or about March 21, 2012, Castelan hired Respondent for representation in her accident case.
22. Respondent paid or offered to pay Valdez an amount of money for soliciting Castelan on Respondent's behalf.

VII. RULE VIOLATIONS

The acts and/or omissions of Respondent described above constitute conduct in violation of the following Rules of the TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT:

- | | |
|------------|---|
| 5.03(b)(1) | With respect to a nonlawyer employed or retained by or associated with a lawyer: a lawyer shall be subject to discipline for the conduct of such a person that would be a violation of these rules if engaged in by a lawyer if: the lawyer orders, encourages, or permits the conduct involved. |
| 7.03(b) | A lawyer shall not pay, give, or offer to pay or give anything of value to a person not licensed to practice law for soliciting prospective clients for, or referring clients or prospective clients to, any lawyer or firm, except that a lawyer may pay reasonable fees for advertising and public relations services rendered in accordance with this Rule and may pay the usual charges of a lawyer referral service that meets the requirements of Occupational Code Title 5, Subtitle B, Chapter 952. |
| 7.06(a) | A lawyer shall not accept or continue employment in a matter when that employment was procured by conduct prohibited by any of Rules 7.01 through 7.05, 8.04(a)(2), or 8.04(a)(9), engaged in |

by that lawyer personally or by any other person whom the lawyer ordered, encouraged, or knowingly permitted to engage in such conduct.

- 8.04(a)(2) A lawyer shall not commit a serious crime or commit any other criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects.
- 8.04(a)(3) A lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation.
- 8.04(a)(9) A lawyer shall not engage in conduct that constitutes barratry as defined by the law of this state.

VIII. COMPLAINT

The Complaint that forms the basis of this cause of action was brought to the attention of the Office of the Chief Disciplinary Counsel of the STATE BAR OF TEXAS by the State Bar of Texas' filing of a grievance on or about May 22, 2013.

IX. REQUESTS FOR DISCLOSURE

Pursuant to Rule 194 of the TEXAS RULES OF CIVIL PROCEDURE (TRCP), you are requested to disclose, within 50 days of service of this request, the information or material described in **TRCP Rule 194.2(a); 194.2 (b); 194.2(c); 194.2(e); 194.2(f); and 194.2(i).**

These *Requests for Disclosure* shall be deemed continuing so as to require supplemental responses if Respondent or Respondent's counsel obtains further information between the time the responses are served and the time of trial. Respondent's responses and documents should be delivered to **Alison K. Elam, Assistant Disciplinary Counsel, Office of the Chief Disciplinary**

Counsel, STATE BAR OF TEXAS, 600 Jefferson, Suite 1000, Houston, Texas, 77002, within fifty (50) days of service of these *Requests for Disclosure*.

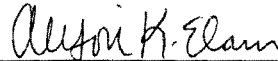
PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Petitioner, the COMMISSION FOR LAWYER DISCIPLINE, respectfully prays that this Court discipline Respondent, RONALD EUGENE REYNOLDS, by reprimand, suspension or disbarment, as the facts shall warrant; order restitution to Complainant, if applicable; and grant all other relief, general or specific, at law or in equity, to which Petitioner may show itself to be justly entitled including, without limitation, expenses, costs of court, and attorneys' fees.

Respectfully submitted,

STATE BAR OF TEXAS

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