

ORDER OF THE SUPREME COURT OF TEXAS

Misc. Docket No. 01-----**9018**

Appointment of a District Judge to Rule on a Motion
to Recuse filed in a State Bar Disciplinary Action

The Supreme Court of Texas hereby appoints the Honorable Scott McCown, Judge of the
345th District Court of Travis County, Texas, to preside in the Disciplinary Action styled:

The Commission for Lawyer Discipline v. Steven Eason

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 the Disciplinary Petition and this Order for filing and service pursuant to
Rule 3.03, Texas Rules of Disciplinary Procedure.

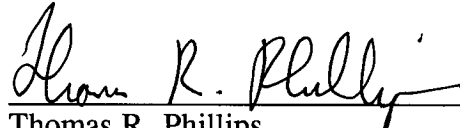
As ordered by the Supreme Court of Texas, in chambers,

With the Seal thereof affixed at the City
Of Austin, this 23rd day of January, 2001.


JOHN T. ADAMS, CLERK
SUPREME COURT OF TEXAS

This assignment, made by Misc. Docket No. 01-9018, is also an assignment by the Chief Justice of the Supreme Court pursuant to Texas Government Code §74.057.

Signed this 26 day of January, 2001.



Thomas R. Phillips
Chief Justice

NO. _____

COMMISSION FOR LAWYER DISCIPLINE § IN THE DISTRICT COURT OF
V. §
STEVEN EASON § DALLAS COUNTY, TEXAS
§ _____ JUDICIAL DISTRICT

DISCIPLINARY PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Petitioner, the Commission for Lawyer Discipline, a committee of the State Bar of Texas (hereinafter called "Petitioner"), complains of Respondent, Steven Eason, (hereinafter called "Respondent"), showing the Court:

I.

Discovery Control Plan

Pursuant to Rules 190.1 and 190.3, 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 his principal place of practice in Dallas County, Texas. An officer may serve citation on Respondent's attorney, Steve Lee, 3921 Steck Avenue, Suite A-119,

Austin, Texas 78759.

IV.

On or about January 4, 1997, the minor son of Harold Bryant ("Bryant"), Jason Bryant, was injured in an automobile accident. On or about January 17, 1997, Respondent was hired to represent Jason Bryant in a personal injury matter arising out of this automobile accident. Respondent's legal assistant, J.W. Grigsby, ("Grigsby"), sent Jason Bryant to Oak Cliff Physiotherapy, ("Oak Cliff"), where Grigsby's daughter, Shelly Kemp ("Kemp"), handles medical claims. Jason Bryant was treated one time by Oak Cliff. On or about April 2, 1997, Respondent reached a settlement with the insurance carrier of Jason Bryant's claims. Bryant was subsequently advised by his medical provider that a bill was presented by Respondent's office for \$2,775.10 for repeated treatment of Jason Bryant by Oak Cliff. Bryant contacted Grigsby regarding the Oak Cliff bill and requested the bill be removed from the settlement. Jason Bryant's personal injury matter was to have been proved up on October 21, 1997. On October 20, 1997, Grigsby assured Bryant that the Oak Cliff bill would be removed from the settlement. At the settlement prove-up hearing, Bryant insisted to Respondent that the false bill from Oak Cliff be corrected before finalizing the settlement. Respondent told Bryant it would be taken care of later. Due to the Oak Cliff bill, Bryant refused to settle the claim on October 21, 1997.

V.

On or about October 23, 1997, Bryant fired Respondent due, at least in part, to Respondent's handling of the Oak Cliff bill. An Order granting Respondent's Motion to Withdraw was signed by the court on December 12, 1997. On or about April 21, 1998, Bryant confronted Kemp (employee at Oak Cliff Physiotherapy) about the fraudulent bill for treatment of Jason Bryant. Kemp gave

the court on December 12, 1997. On or about April 21, 1998, Bryant confronted Kemp (employee at Oak Cliff Physiotherapy) about the fraudulent bill for treatment of Jason Bryant. Kemp gave Bryant a note with a "confidentiality notice" stating "there are no charges owed on Jason Bryant."

VI.

On or about September 15, 1999, Bryant called the insurance carrier's office and learned that Respondent, through Grigsby, had settled the case without Bryant's knowledge or authority. Although Bryant had terminated the representation, Respondent and Grigsby continued to correspond with State Farm regarding Jason Bryant's claim identifying Jason Bryant as "our client." Further, Grigsby, on September 15, 1999, resubmitted the Oak Cliff invoice to the carrier as part of the settlement knowing that the invoice was disputed by Bryant. On September 20, 1999, Grigsby forwarded a draft from the carrier for the entire \$2,775.10 to Oak Cliff even though Respondent and Grigsby knew the bill was disputed by Bryant and even though Bryant had not agreed to settle the case. Respondent failed to keep Bryant informed of the negotiations with the carrier or the distribution of the settlement proceeds.

VII.

Such acts and/or omissions on the part of Respondent as are described in Paragraphs IV, V, and VI, hereinabove, which occurred on or after January 1, 1990, constitute conduct which violates Rules 1.02(a)(2), 1.15(a)(3), 5.03(a)(b)(1), 8.04(a)(1) and 8.04(a)(3) of the Texas Disciplinary Rules of Professional Conduct.

VIII.

The complaint which forms the basis of the Cause of Action hereinabove set forth was

PRAYER

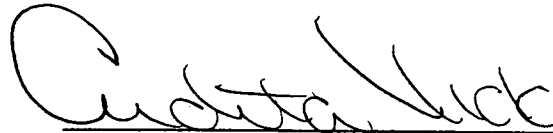
WHEREFORE, PREMISES CONSIDERED, Petitioner prays for judgment that Respondent be disciplined as the facts shall warrant; and that Petitioner have such other relief to which entitled, including costs of Court and attorney's fees.

Respectfully submitted,

Dawn Miller
Chief Disciplinary Counsel

Ardita Vick
Assistant Disciplinary Counsel

State Bar of Texas
Litigation - Dallas
3710 Rawlins
Suite 800
Dallas, Texas 75219
(214) 559-4353
FAX (214) 559-4335



Ardita Vick
State Bar Card No. 00786311

ATTORNEYS FOR PETITIONER

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

November 13, 2000

CMRRR NO. 7099 3220 0005 9143 5119

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

RE: Commission for Lawyer Discipline v. Steven Eason

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 Steven Eason. Mr. Eason has designated Dallas 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 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:

**Steven Eason
c/o Steve Lee
3921 Steck Avenue - Suite A-119
Austin, Texas 78759**

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

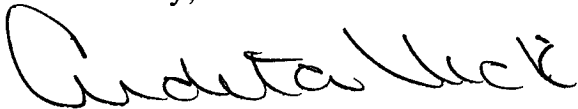
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Once a trial judge has been appointed, please forward the original and two (2) copies of the Disciplinary Petition, the filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Dallas County, Texas, with the 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 "Ardita Vick". The signature is written in a cursive, flowing style.

Ardita Vick
Assistant Disciplinary Counsel

Enclosures



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 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 ASSISTANT
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

JAN 30 2007

Honorable Scott McCown
Judge, 345th District Court
P.O. Box 1748
Austin, Texas 78711-1748

Dear Judge McCown:

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. Eason and Ms. Vick, 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,

A handwritten signature in cursive script that reads "John T. Adams".

John T. Adams
Clerk



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
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EXECUTIVE ASSISTANT
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

JAN 30 2001

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. Steven Eason*, and a copy of the Supreme Court's order appointing the Honorable Scott McCown, Judge of the 345th District Court of Austin, Texas, to preside in this Disciplinary Action.

Sincerely,

A handwritten signature in cursive script that reads "John T. Adams".

John T. Adams
Clerk

cc: Honorable Scott McCown
Ms. Ardita Vick
Mr. Steven Eason



The Supreme Court of Texas

CHIEF JUSTICE
THOMAS R. PHILLIPS

201 West 14th Street Post Office Box 12248 Austin TX 78711
Telephone: 512/463-1312 Facsimile: 512/463-1365

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JIM HUTCHESON

ADMINISTRATIVE ASSISTANT
NADINE SCHNEIDER

JAN 30 2001

Ms. Ardita Vick
Assistant General Counsel, State Bar of Texas
3710 Rawlins, Suite 800
Dallas, Texas 75219

Mr. Steven Eason
c/o Steve Lee
3921 Steck Avenue, Suite A-119
Austin, Texas 78759

Dear Ms. Vick and Mr. Eason:

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 Scott McCown, Judge of the 345th District Court, Austin, Texas to preside in

Commission for Lawyer Discipline v. Steven Eason

Sincerely,

A handwritten signature in black ink that reads "John T. Adams". The signature is written in a cursive style with a large, looping initial "J".

John T. Adams
Clerk