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DISCIPLINARY RULES OF PROFESSIONAL CONDUCT; and the TEXAS RULES OF DISCIPLINARY PROCEDURE.

### 3. VENUE

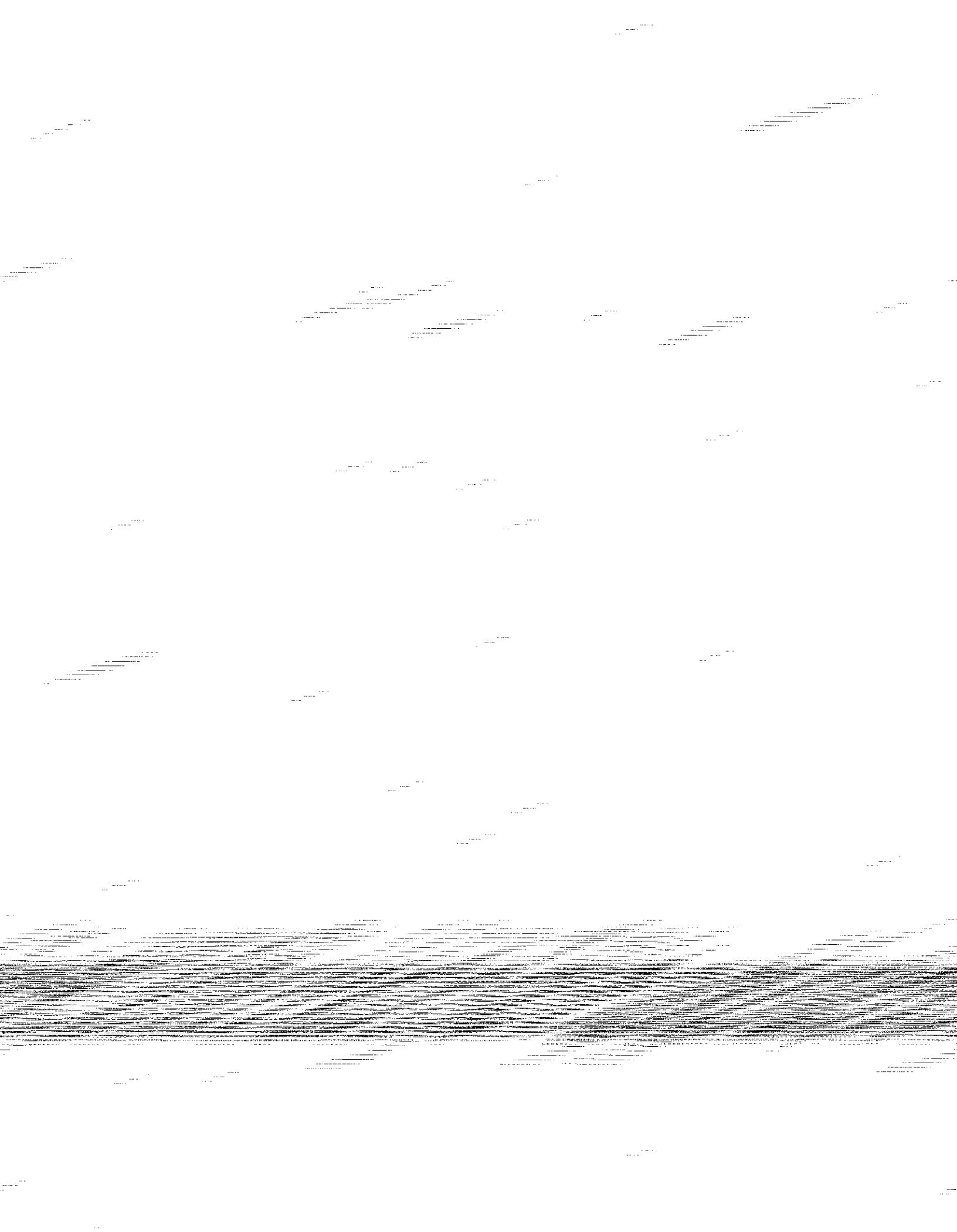
3.1 Respondent is an attorney licensed to practice law in Texas and is a member of the STATE BAR OF TEXAS. Respondent's Texas Bar Card number is 14301600. Respondent's residence and principal place of practice is Harris County, Texas; therefore, venue is appropriate in Harris County, Texas, pursuant to Rule 3.03 of the TEXAS RULES OF DISCIPLINARY PROCEDURE. An officer may serve citation on Respondent by serving him personally at [REDACTED] [REDACTED]

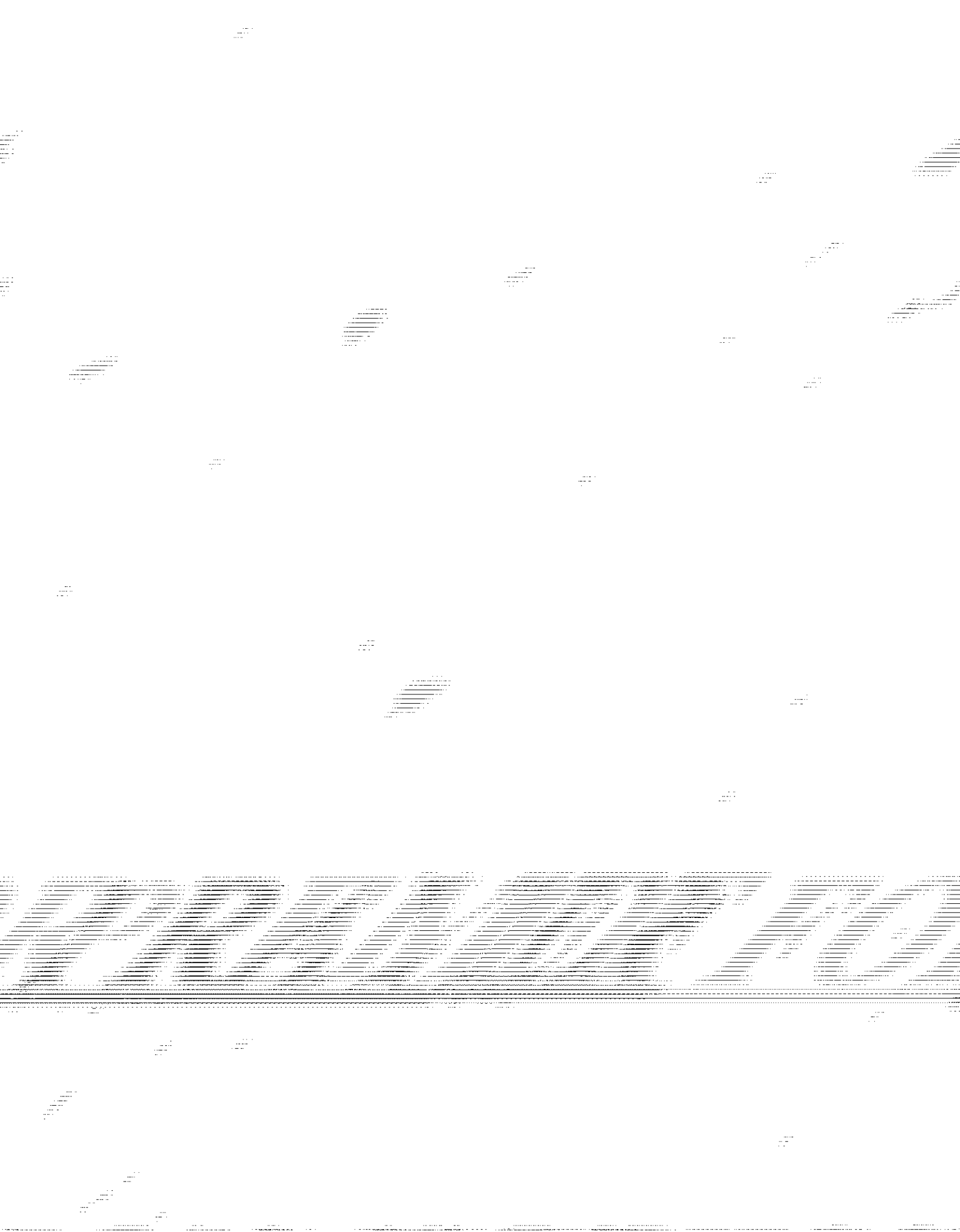
### 4. CAUSE OF ACTION

4.1 Respondent was hired to assist attorney Adolph Uzick in a matter styled; Samuel Spritzer Furs, Inc. v. Lewter Brollier Contractors, Inc. and Willie Mata d/b/a Drywall Concepts, Inc., Cause No. 92-013754, In the 234th Judicial District Court, Houston, Harris County, Texas. Respondent and Mr. Uzick agreed that Respondent would bill at an hourly rate for his legal work. During the course of representation of the case, Mr. Uzick was hospitalized and Respondent was permitted to act as Co-Counsel representing Samuel Spritzer Furs, Inc.

4.2 A court-ordered mediation resulted in a settlement between Samuel Spritzer Furs, Inc. and one of the parties in the underlying litigation, Willie Mata d/b/a Drywall Concepts, Inc. The settlement totaled Forty Thousand Dollars and 00/100 (\$40,000.00). On or about August 9, 1993, the Burlington Insurance Company issued a check payable to Samuel Spritzer Furs, Inc. and their Attorney of Record, Adolph Uzick. The check was forwarded to the law firm of Giessel, Stone, Barker & Lyman, (hereinafter "Giessel"), a Houston based law firm representing one of the parties







# STATE BAR OF TEXAS



Office of the General Counsel

April 30, 2001

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

*Re: Commission for Lawyer Discipline v. William S. Montgomery*

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 S. Montgomery. Mr. Montgomery has designated Harris 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 through his attorney of record, Ann Montgomery, at the address shown below and the undersigned of the identity and address of the judge assigned:

William S. Montgomery  
c/o Ann Montgomery

[REDACTED]  
[REDACTED]

OR

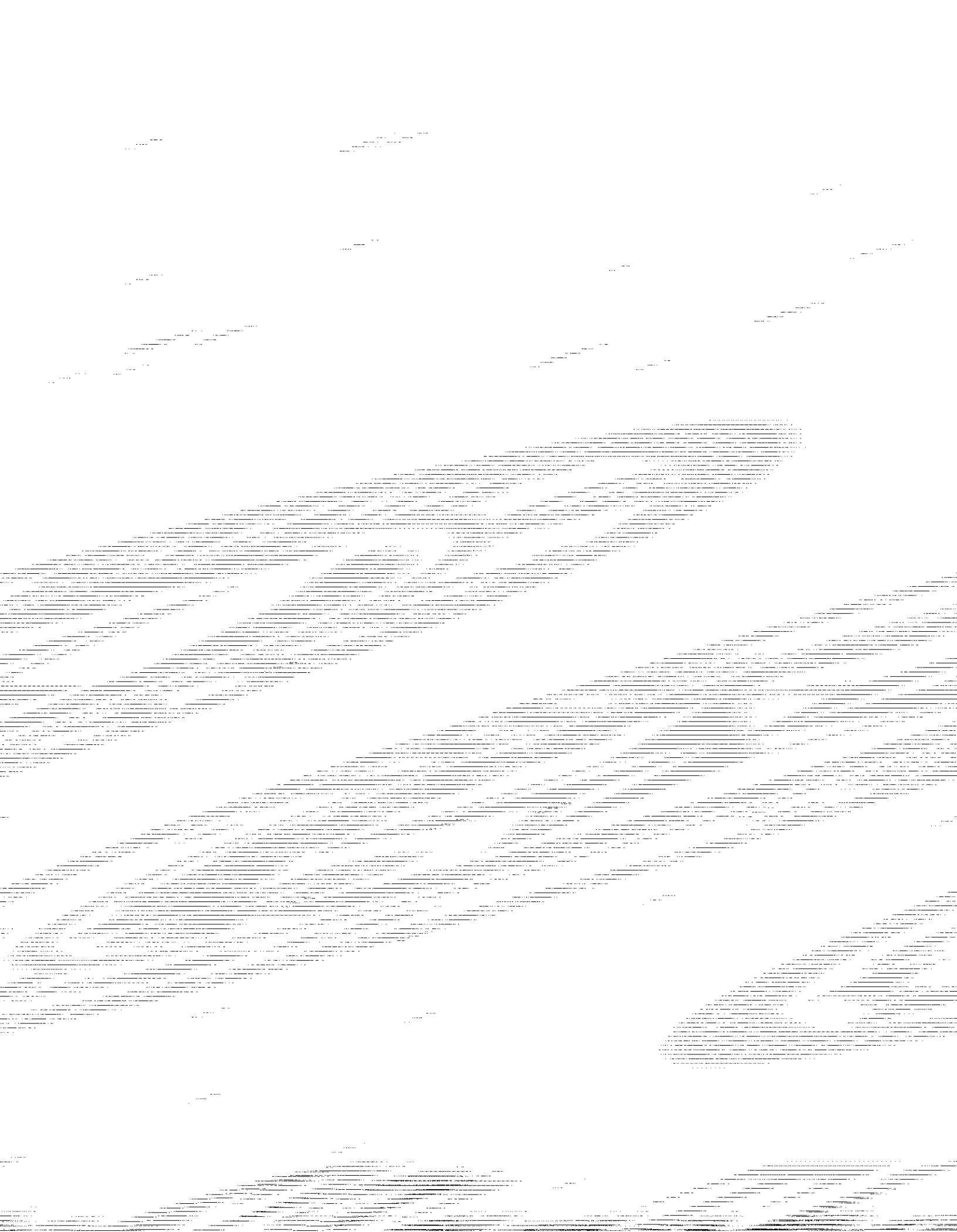
P.O. Box 56147  
Houston, Texas 77256-6147

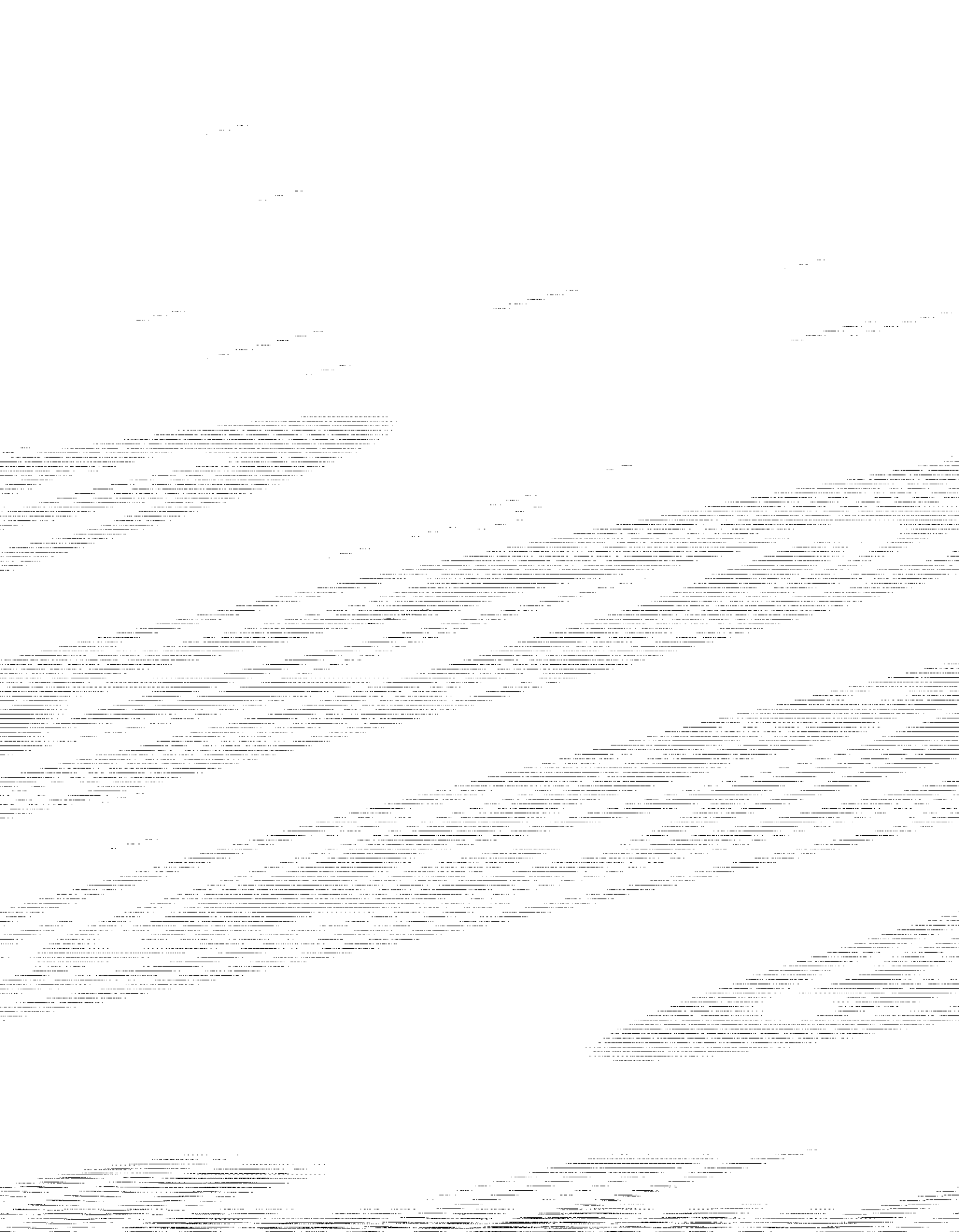
As a practical matter, I would respectfully suggest that you inquire with the judge to be appointed as to: (1) whether she will be able to comply with the 180 day deadline by which the case must be set for trial set forth in Section 3.07 of the Texas Rules of Disciplinary Procedure. If not, I would respectfully 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 filing fee check, also enclosed herewith, and the Court's appointing order to the District Clerk of Harris 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.











# 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  
DEBORAH G. HANKINSON  
HARRIET O'NEILL  
WALLACE B. JEFFERSON

EXECUTIVE ASSISTANT  
WILLIAM L. WILLIS

DEPUTY EXECUTIVE ASST  
JIM HUTCHESON

ADMINISTRATIVE ASSISTANT  
NADINE SCHNEIDER

JUL 19 2001

Ms. Leigh Arnemann  
Assistant General Counsel, State Bar of Texas  
1111 Fannin, Suite 1370  
Houston, Texas 77002

Mr. William S. Montgomery  
c/o Ann Montgomery

Dear Ms. Arnemann and Mr. Montgomery:

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 James R. Wilson, Judge of the 371<sup>st</sup> District Court, Fort Worth, to preside in

*Commission for Lawyer Discipline v. William S. Montgomery*

Sincerely,

**SIGNED**

John T. Adams  
Clerk