

3/29/2021

Houston Office

BEFORE EVIDENTIARY PANEL 4-3 OF THE STATE BAR DISTRICT NO. 4 GRIEVANCE COMMITTEE

COMMISSION FOR LAWYER DISCIPLINE, §
Petitioner, §

v. §
GEORGE ANGELO OGGERO, §
Respondent. §

202001338 [SANYOTO] Chief Disciplinary Counsel

HARRIS COUNTY, TEXAS

AGREED JUDGMENT OF PROBATED SUSPENSION

Parties and Appearance

On this day, came to be heard the above styled and numbered cause. Petitioner and Respondent, GEORGE ANGELO OGGERO, Texas Bar Number 24060360, announce that an agreement has been reached on all matters including the imposition of a Probated Suspension.

Jurisdiction and Venue

The Evidentiary Panel 4-3 having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 4, finds that it has jurisdiction over the parties and the subject matter of this action, and that venue is proper.

Professional Misconduct

The Evidentiary Panel, having considered the pleadings, admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Evidentiary Panel finds:

- Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
- 2. Respondent resides in and maintains his principal place of practice in Harris County, Texas.
- 3. In representing a client, Respondent neglected a legal matter entrusted to him.
- 4. Respondent failed to keep the client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.
- 5. Respondent failed to provide a written contingent fee agreement.
- 6. Upon termination of representation, Respondent failed to take steps to the extent reasonably practicable to protect the client's interests.
- 7. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of \$1,500.00.

Conclusions of Law

Petitioner and Respondent agree that, based on the foregoing findings of fact, the following Texas Disciplinary Rules of Professional Conduct have been violated. Accordingly, the Evidentiary Panel concludes that the following Texas Disciplinary Rules of Professional Conduct have been violated: Rule 1.01(b)(1), Rule 1.03(a), Rule 1.04(d) and Rule 1.15(d).

Sanction

It is AGREED and ORDERED that the sanction of a Probated Suspension shall be imposed against Respondent in accordance with the Texas Rules of Disciplinary Procedure.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of two years, with the suspension being

fully probated pursuant to the terms stated below. The period of probated suspension shall begin on April 12, 2021 and shall end on April 11, 2023.

Terms of Probation

It is further ORDERED that during all periods of suspension, Respondent shall be under the following terms and conditions:

- 1. Respondent shall not violate any term of this judgment.
- 2. Respondent shall not engage in professional misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.
- 3. Respondent shall not violate any state or federal criminal statutes.
- Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses, email address and telephone numbers.
- 5. Respondent shall comply with Minimum Continuing Legal Education requirements.
- Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
- Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of professional misconduct.
- 8. Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of \$1,500.00. The payment shall be due and payable on or before April 1, 2021, and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
- 9. Respondent shall take twelve (12) hours of additional accredited hours of Continuing Legal Education classes with six (6) in ethics focusing on avoiding neglect in client matters, appropriate client communications, and limiting of practice of areas of competence, and six (6) in law office management with an emphasis on proper client relations, management of work flow, calendaring and docketing systems, and communication management, and, on or before October 1, 2021, shall send a copy of the Certificate of Compliance to the State Bar of

- Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
- Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Probation Revocation

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Rule 2.22 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex.R.Civ.P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further ORDERED that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

Attorney's Fees and Expenses

It is further ORDERED Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of one

thousand five hundred dollars (\$1,500.00). The payment shall be due and payable on or before [due date], and shall be made by certified or cashier's check or money order. Respondent shall forward the funds, made payable to the State Bar of Texas, to the Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further ORDERED that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(FF) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

Terms of Probation Additional CLE

In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete twelve (12) additional hours of continuing legal education classes with six (6) hours in the area of Ethics focusing on avoiding neglect in client matters, appropriate client communications, and limiting of practice of areas of competence and six (6) hours in Law Practice Management with an emphasis on proper client relations, management of work flow, calendaring and docketing systems, and communication management. These additional hours of CLE are to be completed between March 23, 2021 and October 1, 2021. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course to the State Bar of Texas, via USPS: Office of the CDC, State Bar of Texas, P.O. Box

12487, Austin, TX 78711-2487; or via Delivery: Office of the CDC, State Bar of Texas,

1414 Colorado St., Suite 200, Austin, TX 78701.

Respondent shall make contact with the Chief Disciplinary Counsel's Office's Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, not later than seven (7) days after receipt of a copy of this judgment to coordinate

Respondent's compliance.

Publication

This suspension shall be made a matter of record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 29th day of March, 2021.

EVIDENTIARY PANEL 4-3 DISTRICT NO. 4 STATE BAR OF TEXAS

JEFFREY B. VADEN

District 4-3 Presiding Member

AGREED AS TO BOTH FORM AND SUBSTANCE:

GEORGE ANGELO OSOERO

State Bar No. 24060360

Respondent

STEVEN L LEE

State Bar No. 12137400 Counsel for Respondent

JOHN S. BRANNON State Bar No. 02895500 Counsel for Petitioner

FILE NO. 202004382

IN THE MATTER OF:	§	INVESTIGATORY PANEL 4-2
GEORGE ANGELO OGGERO, BAR NO. 24060360	8	DISTRICT 4
	9 §	GRIEVANCE COMMITTEE

AGREED JUDGMENT OF PROBATED SUSPENSION

Parties and Appearance

Chief Disciplinary Counsel and Respondent, George Angelo Oggero, Texas Bar Number 24060360, announce that an agreement has been reached on all matters including the imposition of a Probated Suspension.

Jurisdiction and Venue

The Investigatory Panel 4-2, having conducted an Investigatory Hearing on April 6, 2021 on the Complaint filed by Jack Wilson Butler, finds that it has jurisdiction over the parties and the subject matter of this action, and that venue is proper.

Professional Misconduct

The Investigatory Panel, having considered the admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Investigatory Panel finds:

- Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
- Respondent's Professional Misconduct occurred, in whole or in part, in Harris County, Texas.

- 3. Respondent accepted and continued employment in a legal matter, which Respondent knew or should have known, was beyond Respondent's competence.
- 4. In representing a client, Respondent neglected a legal matter entrusted to him.
- 5. The Chief Disciplinary Counsel of the State Bar of Texas has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of one thousand dollars (\$1,000).

Conclusions of Law

Based on the agreed foregoing findings of fact, the Investigatory Panel finds that the following Texas Disciplinary Rules of Professional Conduct have been violated: 1.01(a) and 1.01(b)(1).

Sanction

It is AGREED and ORDERED that the sanction of a Probated Suspension shall be imposed against Respondent and is in accordance with Part XV of the Texas Rules of Disciplinary Procedure.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of two (2) years, with the suspension being fully probated pursuant to the terms stated below. The period of probated suspension shall begin on May 12, 2021 and shall end on May 11, 2023.

Terms of Probation

It is further ORDERED that during all periods of suspension, Respondent shall be under the following terms and conditions:

- 1. Respondent shall not violate any term of this judgment.
- 2. Respondent shall not engage in Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.
- 3. Respondent shall not violate any state or federal criminal statutes.

- Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business addresses, email addresses and telephone numbers.
- 5. Respondent shall comply with Minimum Continuing Legal Education requirements.
- 6. Respondent shall comply with Interest on Lawyers Trust Account (IOLTA) requirements.
- 7. Respondent shall promptly respond to any request for information from the Chief Disciplinary Counsel in connection with any investigation of any allegations of Professional Misconduct.
- 8. Respondent shall pay all reasonable and necessary attorney's fees and direct expenses, on or before April 30, 2021, to the State Bar of Texas in the amount of one thousand dollars \$(1,000.00). The payment shall be by certified or cashier's check or money order, made payable to the State Bar of Texas and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).
- 9. Respondent shall complete six (6) additional hours of continuing legal education classes with three (3) hours in ethics focusing on avoiding neglect in client matters, appropriate client communications, and limiting practice of areas of competence, and three (3) hours in the area of law practice management with an emphasis on proper client relations, management of work flow, calendaring and docketing systems, and communication management These additional hours of CLE are to be completed between May 12, 2021 and November 30, 2021.
- 10. Respondent shall make contact with the Texas Lawyers' Assistance Program (TLAP) at its hotline number, 800-343-8527, not later than ten (10) days after receipt of a copy of this judgment to inquire as to services and referrals offered by that program to aid in Respondent's rehabilitation. Respondent shall additionally send verification of contact with TLAP to the Chief Disciplinary Counsel's Office within fifteen (15) days of such contact.
- 11. Respondent shall make contact with the Chief Disciplinary Counsel's Offices' Compliance Monitor at 877-953-5535, ext. 1334 and Special Programs Coordinator at 877-953-5535, ext. 1323, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Probation Revocation

Upon information that Respondent has violated a term of this judgment, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke

probation pursuant to Rule 2.22 of the Texas Rules of Disciplinary Procedure with the Board of Disciplinary Appeals ("BODA") and serve a copy of the motion on Respondent pursuant to Tex. R. Civ. P. 21a.

BODA shall conduct an evidentiary hearing. At the hearing, BODA shall determine by a preponderance of the evidence whether Respondent has violated any term of this Judgment. If BODA finds grounds for revocation, BODA shall enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order. Respondent shall not be given credit for any term of probation served prior to revocation.

It is further ORDERED that any conduct on the part of Respondent which serves as the basis for a motion to revoke probation may also be brought as independent grounds for discipline as allowed under the Texas Disciplinary Rules of Professional Conduct and Texas Rules of Disciplinary Procedure.

Attorney's Fees

It is further ORDERED Respondent shall pay all reasonable and necessary attorney's fees and direct expenses, on or before April 30, 2021, to the State Bar of Texas in the amount of one thousand dollars \$1,000.00. The payment shall be made by certified or cashier's check or money order, made payable to the State Bar of Texas and delivered to the State Bar of Texas, Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701).

It is further ORDERED that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(FF) of the Texas Rules of Disciplinary Procedure. Any amount not paid shall accrue interest at the

maximum legal rate per annum until paid and the State Bar of Texas shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

Additional CLE

In addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete six (6) additional hours of continuing legal education in the area of Ethics and Law Practice Management. These additional hours of CLE are to be completed between May 12, 2021 and November 30, 2021. Within ten (10) days of the completion of these additional CLE hours, Respondent shall verify completion of the course to the State Bar of Texas, via USPS: Office of the CDC, State Bar of Texas, P.O. Box 12487, Austin, TX 78711-2487; or via Delivery: Office of the CDC, State Bar of Texas, 1414 Colorado St., Suite 200, Austin, TX 78701.

Respondent shall make contact with the Chief Disciplinary Counsel's Office's Compliance Monitor at 512-427-1334 and Special Programs Coordinator at 512-427-1343, not later than seven (7) days after receipt of a copy of this judgment to coordinate Respondent's compliance.

Publication

This suspension shall be made a matter of public record and appropriately published in accordance with the Texas Rules of Disciplinary Procedure.

Other Relief

All requested relief not expressly granted herein is expressly DENIED.

SIGNED this 23rd day of April, 2021.

INVESTIGATORY PANEL 4-2 DISTRICT 4

SAVVAS WSTEFANIDES PRESIDING MEMBER

AGREED AS TO FORM AND SUBSTANCE:

George Angelo Oggerd State Bar No. 24060360

RESPONDENT

Steven L. Lee

State Bar No. 12137400

COUNSEL FOR RESPONDENT

John S. Brannon

State Bar No. 02895500

ASSISTANT CHIEF DISCIPLINARY COUNSEL