



No. DC-12-13354-D

IN THE MATTER OF	§	IN THE DISTRICT COURT
	§	
THE LAW PRACTICE OF	§	DALLAS COUNTY, TEXAS
	§	
THOMAS COREA	§	95TH JUDICIAL DISTRICT

**ORDER APPOINTING PERMANENT CUSTODIANS**

On December 17, 2012, the Court conducted a hearing to appoint permanent custodians. Based on the evidence presented at the hearing and the applicable law, the Court enters this Order appointing permanent custodians of the affected files of the law practice of Thomas Corea, last practicing as the Corea Law Group, LLC, as set forth below.

**I. FACTUAL & PROCEDURAL BACKGROUND**

On November 13, 2012, Brad Thomas filed in this Court a Petition for the Assumption of Jurisdiction over the law practice of Thomas Corea. The same day, this Court entered its Order to Show Cause and set a hearing for Monday, November 19, 2012, at 2 p.m., inviting interested persons to appear and show cause why the Court should not assume jurisdiction of Corea's client files. On that date, the Court conducted an evidentiary hearing where Petitioner Thomas and Eric Marye, both members of the State Bar of Texas, each appeared and offered evidence why he should be appointed the permanent custodian of the affected client files. Sworn testimony was taken and a reporter's record was made of the proceedings. At the conclusion of the hearing, the Court orally pronounced its ruling and Order. On November 21, 2012, the Court

memorialized its ruling in its Order Assuming Jurisdiction Over the Law Practice of Thomas Corea and set a hearing for Monday, December 17, 2012, at 9 a.m., inviting all interested persons to appear.

**A. Appointment of Temporary Custodians.**

In its November 21, 2012, Order, the Court appointed the Honorable James M. Stanton to serve as the primary custodian of the client files and related papers of the Corea Law Group, LLC. Judge Stanton's role was limited to providing an inventory of affected client files and providing a report and recommendation to the Court regarding the best person to serve as the permanent custodian of the affected files. He was expressly permitted to have *ex parte* contact with the Court to facilitate the responsibilities of his appointment. Other interested or affected persons, including Petitioner Thomas and Marye, were instructed to afford Judge Stanton complete cooperation.

The November 21, 2012, Order, also appointed Marye as secondary and temporary custodian. Based on the evidence presented at the November 19, 2012, hearing, the Court was unable to conclude that Marye should be appointed permanent custodian; accordingly, the Court instructed Marye that he was prohibited from directly soliciting any affected client. Finally, the Court ordered that no persons other than Judge Stanton or Marye were entitled to custody of the affected files until further Court Order.

## **B. Report & Recommendation of Judge Stanton**

On December 17, 2012, the Court considered the Report and Recommendation submitted by Judge Stanton and it was received and admitted into evidence. Other information was submitted *in camera* for the Court's consideration. The Court then confirmed that Petitioner Thomas and Marye had each withdrawn his request to be appointed permanent custodian, and heard from Judge Stanton that he has identified four attorneys in good standing with the State Bar of Texas who have agreed to serve as permanent custodians for the affected files. Through his efforts, Judge Stanton has identified attorneys who are willing to accept the uncertainty, effort, and expense of serving as a permanent custodians for the affected files.

## **II. APPLICABLE LAW**

Part XIII of the Texas Rules of Disciplinary Procedure<sup>1</sup> sets forth the applicable guidelines for handling the files of a Texas attorney who ceases to practice because of death, resignation, disbarment, or suspension, when the attorney leaves a client matter for which no other attorney has agreed to assume responsibility with the client's consent.

When such an event occurs, Rules 13.01, 13.02, and 13.03 identify the standards a Court must follow before assuming jurisdiction of the affected attorney's law practice. When a Court assumes jurisdiction over an attorney's law practice, a written order must

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<sup>1</sup> In the Court's November 21, 2012, Order Assuming Jurisdiction Over the Law Practice of Thomas Corea the Court inadvertently referred to the Texas Disciplinary Rules of Professional Conduct instead of the Texas Rules of Disciplinary Procedure.

identify one or more attorneys licensed to practice law in Texas to become custodian of the files and set forth the appointed attorney's responsibilities.

### **III. FINDINGS OF FACT**

Based on the evidence presented at the November 19, 2012, and the December 17, 2012, hearings, the Court finds that Thomas Corea has been disbarred by the State of Texas. The Court further finds that court supervision of Corea's client files is necessary because no other attorney licensed to practice law in Texas has, with consent of the clients, agreed to assume responsibility for those files and, if this Court does not assume jurisdiction over the files, there is cause to believe that the interests of one or more clients will be prejudiced. The Court also finds that, to the extent clients have indicated they have retained other counsel, this fact should be confirmed through a disinterested person.

The Court also finds that Judge Stanton conducted an investigation in order to create as accurate as possible an inventory of the affected client files of Thomas Corea, last practicing as the Corea Law Group, LLC. The investigation included interviews of former Corea Law Group, LLC, staff and attorneys, Petitioner Thomas, and Marye. Judge Stanton, with Marye's assistance, identified 219 discrete client matters.

Judge Stanton mailed a notice letter to the affected clients, alerting them that the Court had assumed jurisdiction over the client files of Thomas Corea, last practicing as the Corea Law Group, LLC, informing them of the December 17, 2012, hearing, and requesting that they contact his firm if they had been contacted about their client file. Judge Stanton's law firm fielded numerous calls from affected clients, some of which

indicated they may have hired alternative counsel. Judge Stanton provided a log of client calls to the Court for *in camera* review. Throughout the process, Judge Stanton was regularly in touch with this Court for the purpose of providing the Court with regular updates. Finally, Judge Stanton contacted the federal bankruptcy trustee for the Corea bankruptcy and provided him with the Court's Order Assuming Jurisdiction Over the Law Practice of Thomas Corea.<sup>2</sup>

#### **IV. APPOINTMENT OF PERMANENT CUSTODIANS**

The Court appoints the following attorneys as the permanent custodians of the identified client files and related papers of Thomas Corea, last practicing as the Corea Law Group, LLC, as set forth in the redacted file inventory attached as Exhibit A:

- \* Mr. Ben Frank Abbott (Texas Bar Number 07363030) is appointed permanent custodian over the files identified by Index Number 1 through 87;
- \* The Honorable Joe Kendall (Texas Bar Number 11260700) is appointed permanent custodian over the files identified by Index Number 175 through 210;
- \* Mr. Shahin Shamseddin Modjarrad (Texas Bar Number 24027398) is appointed permanent custodian over the files identified by Index Number 88 through 174; and

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<sup>2</sup> The intense work and dedication of Judge Stanton, his colleague-assistants Mark Mutschink and Nicole Kamprath, and their law firm, Andrews Kurth, LLP, in dealing with this distressing matter cannot go without mention. This was an arduous task, undertaken without compensation, involving an investment of countless hours, and fraught with frustration. Judge Stanton and his colleagues' performance here exemplifies the very best of the legal profession—a refreshing contrast to the actions of Corea, which exemplify the very worst.

\* Mr. Michael George Sawicki (Texas Bar Number 17692500) is appointed permanent custodian over the files identified by Index Number 211 through 219.

For each assigned client file, the permanent custodian is instructed to (1) prepare and send a client notification letter to each client, enclosing this Order, and informing each client that he has been appointed as the permanent custodian of the client's file; (2) inquire with each client whether substitute counsel has been retained and offer his services while communicating that clients are free to collect their file and seek alternative representation; and (3) file a copy of this Order in the court of record for each active litigation matter informing the court he has been appointed permanent custodian of record.

Each of the permanent custodians shall have all rights, powers, responsibilities and duties permitted or imposed by Part XIII of the Texas Rules of Disciplinary Procedure. The Rules make clear that appointment as a custodian does not create an attorney-client relationship. Accordingly, the permanent custodians are not required to enter an appearance as an attorney for the affected clients unless such a relationship is subsequently created in accordance with the Texas Disciplinary Rules of Professional Conduct.

Finally, each of the appointed permanent custodians, and any attorneys at their firms working under their supervision, shall serve without bond or other security and, except for intentional misconduct or gross negligence, shall not incur any liability by reason of their service to this Court, pursuant to Texas Rule of Disciplinary Procedure

13.03. The permanent custodians shall enjoy such other rights and immunities as are afforded them by Texas law.

## **V. FUTURE RESPONSIBILITY OF TEMPORARY CUSTODIANS**

The Court finds that Judge Stanton fulfilled all the responsibilities required of him by the Court's Order Assuming Jurisdiction Over the Law Practice of Thomas Corea. Judge Stanton is instructed to provide the portion of the unredacted file inventory of affected client files and related papers of Thomas Corea, last practicing as the Corea Law Group, LLC, to each respective appointed permanent custodian identified above, including any publicly available case information he may have collected regarding those files. Judge Stanton is further instructed to provide the entire unredacted file inventory of affected client files and related papers of Thomas Corea, last practicing as the Corea Law Group, LLC, to Marye. Judge Stanton is relieved of other responsibility on this matter except to facilitate the orderly transfer of files to the permanent custodians, or as otherwise instructed by the Court. Neither Judge Stanton, his assistants nor his law firm shall incur any liability for any of their actions taken in this matter pursuant to or within the scope of this Court's orders or directives.

The Court instructs Marye, the secondary and temporary custodian of the client files and related papers of the Corea Law Group, LLC, and any of his employees, agents, partners, or anyone in active participation with him to transfer all affected client files, as identified on Exhibit A to this Order, and cross-referenced against the unredacted inventory provided by Judge Stanton, to the respective appointed permanent custodian

identified above by December 21, 2012, at 5 p.m. The Court further instructs Marye to provide written certification that he has complied with this Order's instruction to transfer the affected files.


Except to the extent set forth above, or as otherwise hereafter ordered, Marye is hereby discharged as custodian.

The Clerk of the Court is directed to administratively close this file and remove it from the Court's active docket. The Court retains jurisdiction to enter such other and further orders in this matter as the Court deems warranted.

Costs are taxed against the party incurring same.

**IT IS SO ORDERED.**

Signed this 18<sup>th</sup> day of December 2012.

  
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**KEN MOLBERG**  
**Judge, 95TH District Court**



# **EXHIBIT “A”**

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
1	Ada					
2	Agu					
3	Aka					
4	Alc					
5	Alv					
6	Alz					
7	Ama					
8	And					
9	Ard					
10	Ash					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
11	Avd					
12	Avi					
13	Bai					
14	Bal					
15	Ban					
16	Boe					
17	Bol					
18	Bon					
19	Boo					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
20	Bos					
21	Bra					
22	Bra					
23	Bro					
24	Bur					
25	Bus					
26	Byr					
27	Cam					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
28	Can					
29	Car					
30	Cha					
31	Cho					
32	Cis					
33	Col					
34	Con					
35	Cor					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
36	Cor					
37	Cor					
38	Cor					
39	Cor					
40	Cun					
41	Dav					
42	Dav					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
43	Del					
44	Del					
45	Dom					
46	Dou					
47	Dru					
48	Edw					
49	Edw					
50	Esc					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
51	Est					
52	Fai					
53	Flo					
54	Flo					
55	Flo					
56	Flo					
57	For					
58	Gal					



<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
59	Gar					
60	Gar					
61	Gar					
62	Gar					
63	Ged					
64	Geo					
65	Gho					
66	Gil					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
67	Gip					
68	Gom					
69	Gon					
70	Gon					
71	Gre					
72	Gre					
73	Gre					
74	Gua					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
75	Gua					
76	Har					
77	Har					
78	Hea					
79	Hen					
80	Her					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marye</u>	<u>Case Information</u>
81	Her					
82	Her					
83	Hil					
84	Hin					
85	Hor					
86	How					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
87	Ivi					
88	Jac					
89	Jac					
90	Jac					
91	Jon					
92	Jon					
93	Jon					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
94	Jon					
95	Ken					
96	Kin					
97	Kin					
98	Lan					
99	Lov					
100	Luc					
101	Mac					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marye</u>	<u>Case Information</u>
102	Mac					
103	Mag					
104	Mal					
105	Mar					
106	Mar					
107	Mar					
108	McC					
109	Med					
110	Mel					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
111	Mil					
112	Mor					
113	Mos					
114	Niz					
115	Och					
116	Oje					
117	Oli					
118	Oli					



<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
119	Ord					
120	Par					
121	Pas					
122	Pat					
123	Pay					
124	Phe					
125	Phi					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
126	Plo					
127	Poo					
128	Pri					
129	Pri					
130	Ram					
131	Ram					
132	Ran					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
133	Red					
134	Riv					
135	Riv					
136	Riv					
137	Rob					
138	Rob					
139	Rod					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marye</u>	<u>Case Information</u>
140	Rod					
141	Rod					
142	Rol					
143	Rop					
144	Ros					
145	Rub					
146	Rui					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
147	Sal					
148	Sal					
149	Sal					
150	San					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
151	She					
152	Sil					
153	Sil					
154	Sim					
155	Smi					
156	Smi					
157	Smi					
158	Smi					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
159	Sta					
160	Str					
161	Tov					
162	Wal					
163	Wal					
164	War					
165	Whi					
166	Wil					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
167	Wil					
168	Wit					
169	Woo					
170	Yba					
171	You					
172	You					
173	You					



<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
174	Zer					
175	Adu					
176	Blo					
177	Bus					
178	Can					
179	Cla					
180	Cur					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
181	DeL					
182	Dur					
183	Flo					
184	Flo					
185	Fos					
186	Fox					
187	Gar					
188	Gon					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
189	Joh					
190	Jon					
191	Luc					
192	Mac					
193	McG					
194	Mil					
195	Plo					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
196	Ras					
197	Red					
198	Rey					
199	Rob					
200	Rob					
201	Rod					
202	Rod					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
203	Sho					
204	Smi					
205	Spe					
206	Ste					
207	Tho					
208	Tho					
209	Wal					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
210	Wil					
211	Bar					
212	Bat					
213	Cai					
214	Dut					
215	Fox					
216	Hur					
217	Mar					

<u>Index Number</u>	<u>Last Name</u>	<u>First Name</u>	<u>Addressees for Notice Letter</u>	<u>Other Contact Information</u>	<u>File Status per Marve</u>	<u>Case Information</u>
218	Odo					
219	Sch					