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NO. 72059

Before the Board of Disciplinary Appeals Appointed by The Supreme Court of Texas

DAMON ALEXANDER GOFF,
STATE BAR OF TEXAS CARD NO. 24096552,
APPELLANT

V.

COMMISSION FOR LAWYER DISCIPLINE,
APPELLEE

On Appeal from an Evidentiary Panel
For the State Bar of Texas District 9
Nos. 202401064 [Mushtaq]; 202401705 [Allen-Bradley]; 202401773 [Grant];
202401831 [Kim]; 202401948 [Enright]; 202401976 [Omie Abbey];
202403602 [Wages]; 202405503 [Lauletta Caballero] & 202405879 [Fontana]

BRIEF OF APPELLEE COMMISSION FOR LAWYER DISCIPLINE

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BRIEF OF APPELLEE
COMMISSION FOR LAWYER DISCIPLINE

TO THE HONORABLE BOARD OF DISCIPLINARY APPEALS:

Appellee, the Commission for Lawyer Discipline, submits this brief in response to the brief filed by Appellant, Damon Alexander Goff. For clarity, this brief refers to Appellant as "Goff"; Appellee as "the Commission"; and the Board of Disciplinary Appeals as "BODA" or the "Board." References to the record are labeled CR __ (clerk's record); Supp CR __ (supplemental clerk's record); RR Vol.

__, __ (reporter's record of the evidentiary hearing held on October 1, 8, 13 & 16, 2025); RR Pet. Ex. __ (Petitioner's exhibits); RR Resp. Ex. __ (Respondent's exhibits); and App. __ (appendix to this brief). References to Appellant's Brief are labeled Apt. Br. __, with the relevant page(s) and/or appendix item(s). References to rules refer to the Texas Disciplinary Rules of Professional Conduct[1] (the "TDRPCs") or the Texas Rules of Disciplinary Procedure (the "TRDPs"), as appropriate.[2]

[1] *Reprinted in* TEX. GOV'T CODE ANN., tit. 2, subtit. G. app. A (West 2026). The version of the TDRPCs that is relevant to Goff's attorney disciplinary proceeding is the former version in effect after the disciplinary proceeding against him commenced, which included amendments effective as of January 31, 2022. Specifically, former TDRPCs 1.14(a) & (b), regarding safekeeping of client property at issue herein, are now substantially reflected in TDRPCs 1.15(a) & (b).

[2] *Reprinted in* TEX. GOV'T CODE ANN., tit. 2, subtit. G. app. A-1 (West 2026).

STATEMENT OF THE CASE

Type of Proceeding:	Attorney Discipline
Petitioner/Appellee:	The Commission for Lawyer Discipline
Respondent/Appellant:	Damon Alexander Goff
Evidentiary Panel:	9-1
Judgment:	Judgment of Partially Probated Suspension (Judgment as to Professional Misconduct was by default; an evidentiary hearing was held as to the appropriate sanctions) [App 1] [CR 2197-2209]
Violations found (Texas Disciplinary Rules of Professional Conduct):	**Rule 1.01(b)(1):** In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer. *[Enright]*; *[Grant]*. **Rule 1.03(a):** A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information. *[Enright]*; *[Kim]*; *[Bradley]*; *[Mushtaq]*; *[Wages]*; *[Caballero]*; *[Fontana]*. **Rule 1.03(b):** A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation. *[Abbey]*; *[Enright]*. **Rule 1.14(a):** A lawyer shall hold funds and other property belonging in whole or in part to clients or third persons that are in a lawyer's possession in connection with a representation separate from the lawyer's own property. *[Abbey]*; *[Grant]*; *[Kim]*; *[Bradley]*; *[Mushtaq]*; *[Wages]*; *[Caballero]*.

Rule 1.14(b): Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property. *[Abbey]*; *[Grant]*; *[Kim]*; *[Bradley]*; *[Mushtaq]*; *[Wages]*; *[Fontana]*.

Rule 8.04(a)(8): A lawyer shall not fail to timely furnish to the Chief Disciplinary Counsel's office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so. *[Caballero]*; *[Fontana]*.

STATEMENT OF JURISDICTION

The Board of Disciplinary Appeals has jurisdiction over this appeal from the decision of an Evidentiary Panel of the State Bar of Texas District 9 Grievance Committee pursuant to Rules 2.23 and 7.08(D) of the Texas Rules of Disciplinary Procedure.

STATEMENT AS TO ORAL ARGUMENT

Appellant has requested oral argument. Pursuant to Rule 4.06(b) of the Board's Internal Procedural Rules, Appellee believes oral argument is unnecessary in this case as Appellant has failed to sufficiently brief any of his issues, the dispositive issues have been authoritatively decided, the facts and legal arguments are adequately presented in the Appellee's Brief and the record as set forth further herein, and/or the Board's decisional process would not be significantly aided by oral argument. However, should the Board grant oral argument to Appellant, Appellee requests the opportunity to respond.

STATEMENT OF THE ISSUES

1. Goff has waived his issues by failing to brief them properly.

2. Assuming arguendo that Goff's issues were properly briefed, the record still does not support his arguments:

   A. Goff failed to preserve error as to any alleged *ex parte* communication; but even if he had preserved error, the record does not support his arguments.

   B. The panel did not abuse its discretion by partially denying Goff's motion for continuance preceding the second day of the sanctions hearing.

   C. The panel did not abuse its discretion in excluding Goff's first Defense Exhibit 1; but even if it had, Goff fails to establish such error probably caused an improper judgment.

   D. Goff cannot challenge the legal sufficiency of the panel's default finding that he committed professional misconduct by neglecting Enright's matter in the manner suggested; but even if he could, the record does not support his arguments.

   E. Goff's argument claiming he was improperly found to have committed professional misconduct with a "dishonesty" finding under TDRPC "8.04(a)(8)" is inapposite.

   F. Goff's default and failure to present certain witness testimony in mitigation do not establish error in the panel's sanctions decision.

   G. The evidentiary panel acted within its discretion in imposing a partially probated suspension as sanction for Goff's Professional Misconduct.

   H. This case does not implicate the cumulative-error doctrine.

STATEMENT OF FACTS

I. The Commission files its disciplinary proceeding against Goff.

A. The first seven complaints.

On October 9, 2024, the Office of the Chief Disciplinary Counsel (the "CDC") sent Goff a Just Cause and Election letter (the "1st Just Cause Letter") regarding complaints filed against him by seven (7) separate complainants: (1) Iyibi Omie-Abbey ("Abbey"); (2) Richard Enright ("Enright"); (3) Jedidiah Grant ("Grant"); (4) Hyun Kim ("Kim"); (5) Christopher Allen-Bradley ("Bradley"); (6) Zunair Mushtaq ("Mushtaq"); and (7) John Wages ("Wages"). [CR 8-16]. The letter was also personally served on Goff on December 9, 2024. [CR 8]. The 1st Just Cause Letter advised Goff that after the CDC's investigation of the referenced complaints, it had determined there was just cause to believe his conduct, ***in each matter***, had violated one or more provisions of the TDRPCs related to duties owed to his clients, and that he had twenty days from receipt of the letter to elect to proceed before an evidentiary panel, or in District Court. [CR 8-16]. The record does not demonstrate that Goff submitted any written response to the 1st Just Cause Letter.

On January 7, 2025, the CDC sent a request for the appointment of an evidentiary panel to the Chairperson of the District 9 Grievance Committee, to hear the case on those seven complaints; Goff was copied by email. [CR 18-21]. And on January 8, 2025, the Chair of the District 9 Grievance Committee signed an Order

Assigning Evidentiary Panel to hear the disciplinary proceeding against Goff. [CR 23-25]. On January 9, 2025, the CDC e-mailed Goff notice of the Order Assigning Evidentiary Panel along with a copy of such order. [CR 27-31].

On February 5, 2025, the Commission filed its Original Evidentiary Petition and Request for Disclosure with the panel regarding the Abbey, Enright, Grant, Kim, Bradley, Mushtaq, and Wages complaints (the "Original Petition"). [CR 33-43] [App 2]. In relevant part, the Original Petition's factual allegations as to each of the seven complaints were:

Abbey:

1) Abbey hired Goff to represent him for a diminished value claim arising from a motor vehicle collision that took place on or about July 15, 2023.

2) Abbey's claim settled for $7,937.00 on or about February 2, 2024.

3) Goff's firm received the settlement funds but did not tender them promptly or within a reasonable amount of time to Abbey.

4) Goff failed to adequately communicate with Abbey about the status of his case, specifically regarding receipt of the settlement funds.

5) Goff's bank account records demonstrated commingling of client and personal funds.

Enright:

1) Enright hired Goff for a breach of contract matter against Vision Solar, LLC, for unfinished services that were paid for by Enright on April 15, 2022.

2) After he was hired, Goff ceased communication with Enright and failed to provide him any meaningful updates about the status of his legal matter.

Grant:

1) Grant was a former employee and client of Goff.

2) In October of 2022, Grant hired Goff and paid him $2,370.00 to represent him in pursuit of a claim against Liberty Mutual.

3) Goff failed to file suit or pursue Grant's claim against Liberty Mutual.

4) While an employee with Goff's firm, Grant and the firm received settlement funds on behalf of numerous clients.

5) Those funds were not timely distributed to the appropriate clients.

6) Goff's bank account records demonstrated commingling of client and personal funds.

Kim:

1) On or around September 8, 2023, Kim hired Goff to represent him for a diminished value claim against GEICO Insurance arising from a motor vehicle collision.

2) On December 13, 2023, Kim signed a release to settle the claim with GEICO for $7,467.00.

3) GEICO issued a check in the amount of $7,467.00 to Goff's firm and Kim on January 26, 2024.

4) Kim reached out to Goff numerous times regarding his unissued settlement funds.

5) Goff responded on February 29, 2024, stating the funds would be issued "the next day."

6) Goff ceased communications with Kim as of March 5, 2024, and as of the filing of the Original Petition, he had not received any of his settlement funds.

7) Goff's bank account records demonstrated commingling of client and personal funds.

Bradley:

1) Bradley hired Goff to represent him for a diminished value claim arising from a motor vehicle collision that took place in June of 2023.

2) On January 18, 2024, Bradley signed a release to settle the claim for $5,676.00.

3) GEICO issued a check in the amount of $5,676.00 payable to Goff's firm on or around January 16, 2024.

4) Over the next several months, Bradley reached out repeatedly to Goff to request an update as to his unissued settlement funds.

5) Goff responded on February 28, 2024, indicating he would issue payment.

6) As of the filing of the Original Petition, Bradley had not received any of his settlement funds.

7) Goff's bank account records demonstrated commingling of client and personal funds.

Mushtaq:

1) Mushtaq hired Goff in October of 2023 to represent him for a diminished value claim arising from a motor vehicle collision.

2) On November 6, 2023, Goff e-mailed Mushtaq to tell him the insurance company was offering to settle his claim for $6,672.00.

3) Thereafter, an associate of Goff's firm contacted Mushtaq to obtain a notarized form giving the firm permission to collect the insurance payment, which Mushtaq provided.

4) After obtaining the notarized form, Goff and his firm ceased communications with Mushtaq.

5) As of the filing of the Original Petition, Mushtaq had not received any of his settlement funds.

6) Goff's bank account records demonstrated commingling of client and personal funds.

Wages:

1) Wages hired Goff to represent him for a diminished value claim against State Farm arising from a motor vehicle collision.

2) Wages signed a settlement agreement authorizing settlement of his claim for $4,500.00 on January 18, 2024.

3) State Farm confirmed that the settlement check for Wages' matter was deposited in Goff's firm's bank account on or around January 31, 2024.

4) Thereafter, Wages spent several months attempting to contact Goff regarding his outstanding settlement funds, to no avail.

5) On May 8, 2024, Wages received a check from Goff in the insufficient amount of $3,500.00.

6) Goff's bank account records demonstrated commingling of client and personal funds.

-- [App 2].

The Original Petition further alleged that Goff's above-described conduct violated TDRPCs 1.01(b)(1) (*Enright* & *Grant*); 1.03(a) (*Enright*, *Kim*, *Bradley*, *Mushtaq* & *Wages*); 1.03(b) (*Abbey* & *Enright*); 1.14(a) (*Abbey*, *Grant*, *Kim*, *Bradley*, *Mushtaq* & *Wages*); and 1.14(b) (*Abbey*, *Grant*, *Kim*, *Bradley*, *Mushtaq* & *Wages*). [Id.]. The Original Petition was personally served on Goff on February 15, 2025. [CR 77-106].

B. Two more complaints are added.

On March 6, 2025, the CDC sent Goff a second Just Cause and Election letter (the "2nd Just Cause Letter") regarding complaints filed against him by two more

complainants – Nancy Lauletta Caballero ("Caballero") and Michael Fontana ("Fontana"). [CR 108-13]. The letter was also personally served on Goff on March 11, 2025. [CR 108]. Like the 1st Just Cause Letter, the 2nd Just Cause Letter advised Goff that the CDC had determined there was just cause to believe his conduct in these two additional matters, had also violated one or more provisions of the TDRPCs related to duties owed to his clients, and that he had twenty days from receipt of the letter to elect to proceed before an evidentiary panel, or in District Court. [CR 108-13]. On April 1, 2025, Goff *did* file his notice of election responding to the 2nd Just Cause Letter, electing to proceed with those matters before an evidentiary panel.[3] [CR 115-17].

On April 1, 2025, the CDC sent a request for the appointment of an evidentiary panel to the Chairperson of the District 9 Grievance Committee, to hear the case on the Caballero and Fontana complaints, and requesting the chair consider assigning the matter to the same panel that had been assigned the first seven complaints; Goff was again copied by email. [CR 119-22]. That same day the Chair of the District 9 Grievance Committee signed an Order Assigning Evidentiary Panel to hear the additional complaints against Goff, with the same panel. [CR 124-25]. The CDC e-mailed Goff notice of this second Order Assigning Evidentiary Panel along with a copy of the order. [CR 127-30].

[3] Goff submitted his response by e-mail at 11:48 P.M., on March 31, 2025. [Id.].

On April 21, 2025, the Commission filed its First Amended Evidentiary Petition and Request for Disclosure with the panel (the "1st Amended Petition"). [CR 132-45] [App 3]. The 1st Amended Petition made identical allegations to those in the Original Petition with respect to the first seven complaints.[4] [Id.]. In relevant part, the 1st Amended Petition's factual allegations as to the two *added* complaints were:

Caballero:

1) On August 28, 2023, Caballero was involved in a motor vehicle collision that damaged her Tesla.

2) Caballero took her Tesla to Autocraft Bodywerks ("Autocraft") in October of 2023 to be repaired.

3) Though Caballero already had a rental car set up with Enterprise Leasing, Autocraft referred her to Grant to rent a Tesla at no additional cost.

4) When Caballero contacted Grant to set up the rental, he told her she could go through him for a diminished value claim – and when the repairs were completed and the rental returned, Caballero contacted Grant to pursue the diminished value claim.

5) Caballero hired Goff to represent her for the diminished value claim, and she agreed to a contingency fee of 33% for such representation.

6) Grant contacted Caballero in November of 2023 and told her the at-fault party's insurance would settle her claim for $2,000.00, but that they could get more if she did not need the funds immediately.

7) Caballero agreed to let Grant continue to negotiate and was later informed they were able to get **$3,600.00**.

[4] STATEMENT OF FACTS, SEC. I(A), *supra*.

8) When Caballero checked the online information for her claim, she learned that a check for $5,471.00 was issued to Goff's firm on December 6, 2023, and cashed on December 22, 2023.

9) Caballero began reaching out to Grant for payment and was told it would probably be delayed due to the holidays.

10) Caballero's attempts to communicate with Goff's firm regarding payment were either ignored or she was given excuses for not getting answers to her questions.

11) Caballero was finally informed that her check would be issued on January 29, 2024; however, as of the filing of the 1st Amended Petition, Caballero had not received any of her settlement funds.

12) Caballero sent a certified letter to Goff stating her concerns on March 22, 2024, but she did not receive a reply and Goff and Grant ceased communications with her.

13) Goff failed to submit a written response to Caballero's grievance to the CDC despite being e-mailed same on September 19, 2024, and then personally served with same on December 9, 2024.

Fontana:

1) Fontana hired Goff in August of 2023 to represent him for a diminished value claim arising from a motor vehicle collision.

2) Goff became non-responsive to all of Fontana's attempts at communication, so on March 19, 2024, Fontana hired new counsel.

3) After he retained new counsel, Fontana learned that Goff had settled his claim and received a settlement check in the amount of $10,500.00 on December 13, 2023 – but Goff had failed to send any payments or information regarding the settlement to Fontana.

4) Fontana's new counsel emailed Goff a letter of representation and demand for payment.

5) On May 9, 2024, Fontana's new counsel received a check from Goff's firm in the amount of $4,690.00.

6) On August 28, 2024, Fontana's new counsel attempted to deposit the check from Goff's firm, but on September 9, 2024, they received a Notice of Insufficient Funds for the check.

7) On September 10, 2024, Goff called Fontana and told him he did not believe that the check did not clear.

8) Goff failed to submit a written response to Fontana's grievance to the CDC despite being e-mailed same on October 10, 2024, and then personally served with same on December 9, 2024.

-- [App 3].

And as to **each** of the two *added* complaints, the 1st Amended Petition further alleged that Goff's above-described conduct violated TDRPCs 1.03(a), 1.14(b) and 8.04(a)(8).[5] [Id.]. The 1st Amended Petition was personally served on Goff on April 30, 2025. [CR 185-219].

II. The Commission moves for default.

On July 17, 2025, the CDC filed and sent to Goff by email to damon@gofflawfirm.com, the Commission's Motion for Default Judgment, and Notice of Setting for a default evidentiary hearing to be held on September 3, 2025, at 9:30 A.M., in person at the Texas Law Center. [CR 221-22; 224-98; 300-01; 303-06; 308-95]. The Commission's motion for default judgment sought entry of an order of default finding professional misconduct by Goff based on the allegations in

[5] The 1st Amended Petition also alleged identical TDRPC violations to those that had been alleged in the Original Petition for the first seven complaints. STATEMENT OF FACTS, SEC. I(A), *supra*.

the 1st Amended Petition, taken as true due to Goff's default, along with a determination of the appropriate sanctions for said professional misconduct. [Id.].

On July 21, 2025, the CDC filed the Commission's Motion for Continuance of the September 3rd setting, noting that it was requesting additional time to ensure Goff was served with its motion for default judgment – Goff was copied by e-mail. [CR 487-95]. That same day, the panel chair issued an Order granting the Commission's continuance request. [CR 497]. The Commission subsequently re-filed, and again sent to Goff by e-mail, its motion for default judgment along with a new Notice of Setting for a default evidentiary hearing to be held on October 1, 2025, at 9:30 A.M., in person at the Texas Law Center. [CR 499-500; 502-76; 578-79; 581-84; 586-673]. Those materials were then personally served on Goff on September 9, 2025. [CR 763-935].

III. The evidentiary hearing, the panel's Judgment and this appeal.

On October 1, 2025, the evidentiary panel convened its evidentiary hearing. [RR Vol. 1]. Goff appeared, representing himself. [RR Vol. 1, 10-12]. First, the panel heard and considered argument and evidence as to the Commission's motion for default pursuant to TRDP 2.17(C), including Goff's concession that he had failed to timely respond to the disciplinary suit against him. [RR Vol. 1, 12-28]. And the panel found Goff in default, determining that his conduct constituted violations of the following TDRPCs with respect to each of the above-described matters:

i) *Abbey:* Violations of TDRPCs 1.03(b), 1.14(a) and 1.14(b);
ii) *Enright:* Violations of TDRPCs 1.01(b)(1), 1.03(a) and 1.03(b);
iii) *Grant:* Violations of TDRPCs 1.01(b)(1), 1.14(a) and 1.14(b);
iv) *Kim:* Violations of TDRPCs 1.03(a), 1.14(a) and 1.14(b);
v) *Bradley:* Violations of TDRPCs 1.03(a), 1.14(a) and 1.14(b);
vi) *Mushtaq:* Violations of TDRPCs 1.03(a), 1.14(a) and 1.14(b);
vii) *Wages:* Violations of TDRPCs 1.03(a), 1.14(a) and 1.14(b);
viii) *Caballero:* Violations of TDRPCs 1.03(a), 1.14(a) and 8.04(a)(8); and
ix) *Fontana:* Violations of TDRPCs 1.03(a), 1.14(a) and 8.04(a)(8).
-- [Id.]; [CR 2108-13] [App 4].[6]

For the remainder of the proceedings on October 1st the panel began hearing additional arguments and evidence to determine the appropriate sanctions for Goff's professional misconduct. [RR Vol. 1, 28-277]; [RR Pet. Exs.]; [RR Resp. Exs.]. However, the hearing did not conclude on October 1st and the chair explained that it would "reconvene at a date to be coordinated further." [RR Vol. 1, 270].

On October 2, 2025, the CDC sent notice to Goff via e-mail that the hearing would resume on October 8th at 12:00 P.M., via Zoom, and provided a link for same. [CR 2115-18]. Roughly an hour and a half before the hearing was to reconvene Goff filed a motion for continuance, and the Commission quickly filed a response in opposition to same. [CR 2126-31 & 2133-39, respectively]. At 11:12 A.M., the panel chair forwarded the parties the panel's Order that granted in part and denied in part Goff's motion for continuance – and Goff acknowledged same. [CR 2141-45 &

[6] See also, STATEMENT OF FACTS, SEC. I(A), (B), *supra*.

2147-49]. That order made clear that the hearing would proceed as noticed, for the purpose of taking the testimony of one witness only, Mushtaq, and that the remainder of the hearing would be rescheduled. [Id.]. Mr. Mushtaq's testimony was then taken on direct by the Commission during the hearing and Goff did not appear. [RR Vol. 2, 281-300].

Later that same day, the CDC sent notice to Goff via e-mail that the hearing would resume on October 13th at 9:30 A.M., via Zoom, and again provided a link for same. [CR 2151-56]. And on October 14, 2025, the CDC sent notice to Goff via e-mail that the hearing would again resume on October 16th at 4:00 P.M., via Zoom, again providing a link. [CR 2166-69]. The sanctions hearing did, in fact, continue on both of those days, with both the Commission and Goff present. [RR Vol. 3, *passim*]; [RR Vol. 4, *passim*].

During the sanctions hearing, several of the underlying complainants testified about their experiences with Goff, and the Commission admitted several exhibits related to the attorney grievances against Goff:

i) *Wages*: Wages identified the attorney grievance he filed against Goff and explained that he filed the grievance after not receiving settlement funds held by Goff for nearly four months. [RR Vol. 1, 32-35]; [RR Pet. Ex. 14]. It was not until after he filed the grievance that he received payment from Goff. [Id.]. Wages testified that his relationship with Goff was easily the worst he had experienced with an attorney and that it shed a poor light on the legal profession. [RR Vol. 1, 47-48].

ii) *Caballero*: Caballero testified Goff received a settlement from State Farm on her behalf in December of 2023, but despite her many efforts to

communicate with Goff and/or his firm she had not received any part of her settlement funds as of the date of the evidentiary hearing (Oct. 1, 2025). [RR Vol. 1, 66-70]. Caballero further testified she felt Goff and "the system" had failed her, and the "almost two years" of dealing with the situation had been "very stressful and time consuming." [Id.]. Caballero's grievance and related documents were also admitted. [RR Pet. Ex. 20].

iii) *Enright*: Enright testified he hired Goff in February of 2023 to pursue contract claims against a solar company, but after Goff accepted the case he never communicated with Enright about the case in any meaningful way. [RR Vol. 1, 100-04]. Enright further testified that his experience with Goff made his view of the legal profession "difficult" to express. [Id.]. Enright's grievance and related documents were also admitted. [RR Pet. Ex. 4].

iv) *Fontana*: Fontana testified he hired Goff after being introduced to the firm after a vehicle accident he had in July of 2023, and that by December of 2023 Goff's firm had received a settlement check from GEICO for Fontana's claim. [RR Vol. 1, 126-30]. However, Goff was nonresponsive when Fontana attempted to communicate regarding the settlement and Fontana ultimately engaged another attorney friend to assist him in trying to get the funds from Goff. [RR Vol. 1, 130-32]. Fontana's grievance and related documents were also admitted. [RR Pet. Ex. 21].

v) *Grant*: Grant testified he met Goff in 2016 and subsequently hired Goff to do some work for his company, "Elektrica Holdings," ("Elektrica") specifically regarding a lawsuit against Liberty Mutual and to do an operating agreement update for Elektrica. [RR Vol. 1, 209-11]. And though Goff was paid for those two matters, he did not provide the services required. [Id.]. Grant also testified regarding his experience working as a paralegal for Goff and the negative impression that experience had left on Grant. [RR Vol. 1, 224-26]. Grant's grievance and related documents were also admitted. [RR Pet. Ex. 6].

vi) *Mushtaq*: Mushtaq testified that he met Goff through Elektrica for the purpose of pursuing a diminished value claim arising from an auto accident he had in October of 2023. [RR Vol. 2, 282-85]. And while the insurance company paid his claim relatively quickly, for months Mushtaq could not get any response from Goff or his firm regarding any settlement funds. [Id.]. Then, the day before Mushtaq testified, Goff's firm reached out to him regarding making a settlement payment. [RR Vol. 2, 285-91]; [RR Pet. Ex. 37]. Mushtaq further testified that he had a "bad" experience with Goff and

would not hire him again. [RR Vol. 2, 293-94]. Mushtaq's grievance and related documents were also admitted. [RR Pet. Ex. 12].

vii) *The Abbey, Kim, and Bradley grievances*: The Abbey, Kim, and Bradley grievances and related documents were also admitted. [RR Pet. Exs. 1, 8, and 10, respectively].

viii) *Goff bank account records*: Bank records for both Goff's IOLTA and business checking accounts, contemporaneous with the client matters at issue, were also admitted. [RR Pet. Ex. 28].

And Goff had the opportunity to cross-examine the Commission's witnesses, as well as to present his own argument and evidence as to the appropriate sanctions. [RR, *passim* & RR Exs.].

At the completion of the hearing the panel determined that a partially probated suspension – 24 months total, with three months active – along with $17,145.83 to the State Bar for attorney's fees and costs incurred in the disciplinary proceeding, were the appropriate sanctions. [RR Vol. 4, 502-04]. Additionally, the panel imposed other terms that included:

(i) 9 hours of CLE to be completed by January 16, 2026, including 3 hours in trust account management, 3 hours in ethics (including 1 in a TLAP course), and 3 hours in law practice management;

(ii) within 30 days of judgment, Goff engages the services of an independent CPA to audit the bank accounts of both his prior firm and current firm from September 19, 2019, to the present, to determine whether any client funds are due to be paid – such audit to be completed within 90 days of the judgment;

(iii) payment of any such client funds within 10 business days of the determination they are owed;

(iv) provision of a report summarizing the audit by the CPA to the State Bar within 30 days of its completion; and

(v) thereafter, completion of similar audits by the CPA every 6 months, with reports provided to the State Bar within 30 days of each such audit;

-- [RR Vol. 4, 504-08].

And on October 23, 2025, the panel issued its Judgment of Partially Probated Suspension in accordance with both its default finding as to Professional Misconduct and its findings as to the appropriate sanctions (the "Judgment"). [App 1].

Goff filed his Notice of Appeal with BODA on November 3, 2025, and this appeal followed.

SUMMARY OF THE ARGUMENT

The Board should affirm the final Judgment of Partially Probated Suspension against Goff. Having failed to sufficiently brief any of his proposed issues, Goff has waived same. But even if his briefing was not deficient, the record does not support any of his arguments.

Goff failed to properly preserve any alleged error as to his first issue, regarding purported *ex parte* communications, by failing to timely raise such issues before the panel and/or request a ruling as to such issues. But even if Goff had preserved his first issue or had not waived one or more of his second through fifth issues through his failures to sufficiently brief them, the record provides no support for any of his arguments. In his sixth and seventh issues, Goff argues he was improperly constrained in presenting mitigating evidence relevant to the appropriate sanction for his professional misconduct and/or that the sanction imposed by the panel was excessive. The record also does not support either of these arguments. Further, the facts established in the case, in light of the sanctioning guidelines set forth in Part XV of the TRDPs, support the panel's sanctions in all respects. Likewise, Goff's final issue, attempting to apply the cumulative-error doctrine to his preceding seven issues, also fails because none of his proposed, accumulating errors were actually error.

ARGUMENT

I. Goff's issues are not properly before the Board.

Goff's brief fails to properly present his issues for the Board's review. BODA's Internal Procedural Rules (the "IPRs") provide specific requirements for briefing. *See* TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.05(c)(7) (requiring "a statement of facts that is without argument, is supported by record references, and details the facts relating to the issues or points relied on in the appeal"); TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.05(c)(8) (requiring an "argument" supported by "authorities"); see also TEX. R. APP. P. 38.1(g), (i).

A. Deficiencies in Goff's Statement of Facts

The majority of statements throughout Goff's Statement of Facts are conclusory factual assertions (and in some cases arguably *legal* conclusions) that are unsupported by **any** reference to the record at all. [Apt. Br. 10-15]. Further, in many of the instances in which Goff does include a record reference, such reference mischaracterizes the record, or the record simply does not support Goff's purported "factual" assertion. The following examples, though not necessarily exhaustive, demonstrate such issues:

i) Goff cites an extended passage from his response to the Commission's opening statement related to what he characterizes as "the default and its context". [Apt. Br. 11, Sec. B]. But that entire passage, which Goff concedes is "sworn", was subject to an objection by the Commission that the panel chair ultimately sustained. [RR Vol. 1, 23-26];

ii) When discussing alleged *ex parte* communications between the Commission's trial counsel and the panel chair that Goff claims affected his presentation related to his prior "disciplinary record" (or lack thereof) he states, "That ruling governed every cross-examination on October 1," while citing multiple passages in the reporter's record. [Apt. Br. 11-12, Sec. C]. But none of those passages demonstrate any "ruling" as no evidence was being offered at that time, nor was any objection being raised. [RR Vol. 1, 88-90]. In fact, the chair later attempted to clarify for Goff stating, "When you provide testimony you can say, I've never had a disciplinary finding against me, as opposed to filing a grievance." [RR Vol. 1, 273];

iii) Goff states he "filed a motion for continuance supported by documentation of his minor child's hospitalization." [Apt. Br. 12, Sec. D]. But the record reference he supplied does not point to any documentation of hospitalization (of anyone); and

iv) Goff indicates that in his closing argument he noted, amongst other things, that "…Grant told each of [Goff's clients who filed grievances] they would not get paid unless they filed – an assertion consistent with Grant's own admissions on the record." [Apt. Br. 13, Sec. E]. But the record passages Goff cites do not cover nearly so much ground (to the extent they cover any at all).

In short, Goff's Statement of Facts is less a description of information actually in the record, than it is a collection of unsupported conclusions and/or rank speculation he would now like the Board to consider in lieu of the facts established through his default as to professional misconduct, and in the subsequent sanctions hearing.

B. Deficiencies in Goff's Argument

Similarly, Goff's Argument is populated almost exclusively by conclusory legal assertions, with little or no reference to authority that would support his arguments on any particular issue. [Apt. Br. 18-32]. Through 8 claimed issues, Goff's Argument cites only three cases, mainly for the purpose of attempting to

articulate standards of review, and he both miscites ***and*** mischaracterizes the most prominent of those.[7] Goff's only other citations to authority are sporadic, vague references to disciplinary procedural rules, and one reference to "the Fourteenth Amendment and Article I, Section 19 of the Texas Constitution," along with his own conclusory assertions regarding their import. [Apt. Br. 18-32].

To the extent Goff has inadequately briefed any of his issues, they are waived. See e.g., *Izen v. Comm'n for Lawyer Discipline*, 322 S.W.3d 308, 321-22 & 25-26 (Tex.App.-Houston [1st Dist.] 2010, pet. denied); *Bolling v. Farmers Branch Indep. Sch. Dist.*, 315 S.W.3d 893, 895 (Tex.App. – Dallas 2010, no pet.); see also TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.05(c)(7); TEX. R. APP. P. 38.1(g), (i). "When an appellate issue is unsupported by argument or lacks citations to the record or legal authority, nothing is presented for review." *Lohmann v. Sanchez*, No. 01-19-00984-CV, 2021 WL 3043415, at *4 (Tex.App. – Houston [1st Dist.] July 20, 2021, pet. denied) (mem. op.) (citing *Fredonia State Bank v. Gen. Am. Life Ins. Co.*,

[7] Goff cites "Comm'n for Lawyer Discipline v. Schaefer, 345 S.W.3d 297, 301 (Tex. 2012)" for the proposition that "the Texas Supreme Court affirmed BODA's remand of an entire proceeding based on a structural panel-composition defect and separately noted that the CDC's adherence to disciplinary rules 'is essential and must avoid even the appearance of impropriety.' Id. at 301 n. 1 (citing Schaefer v. Comm'n for Lawyer Discipline, BODA No. 44292 (Jan. 28, 2011))." [Apt. Br. 18, Argument Issue 1, A].

In reality: (1) the correct citation is *Comm'n for Lawyer Discipline v. Schaefer*, 364 S.W.3d 831 (Tex. 2012); (2) the Supreme Court's opinion **reversed** BODA's judgment and **reinstated** an evidentiary panel's judgment of disbarment; and (3) the Court expressly did not reach any issue related to the "CDC's adherence to disciplinary rules." *Schaefer*, 364 S.W.3d at 834 n. 1 (citing *Schaefer v. Comm'n for Lawyer Discipline of the State Bar of Tex.*, Bd. of Disciplinary Appeals Case No. 44292 (Jan. 28, 2011) at 8-11) and 837.

881 S.W.2d 279, 284-85 (Tex. 1994)). In such situations a tribunal is placed in the untenable position of having to abandon its position as a neutral arbiter to become an advocate for the party whose briefing is insufficient. *Bolling*, 315 S.W.3d at 895; see also *Plummer v. Reeves*, 93 S.W.3d 930, 931 (Tex.App. – Amarillo 2003, pet. denied). And the Board may affirm the panel's Judgment for this reason alone. TEX. BD. DISCIPLINARY APP. INTERNAL PROC. R. 4.09(c).

II. Even if Goff's issues were properly briefed, the record still does not support his arguments.

Even if Goff's failure to properly brief his issues had not waived one or more of his arguments, the record does not support any of them.

A. Response to Goff's 1st Issue: Any claimed error arising from an alleged ex parte communication was not preserved; and, even if Goff had preserved the issue, it is totally unsupported by the record.

In his first issue, Goff argues that an alleged improper *ex parte* communication between the Commission's trial counsel and the panel chair so "infected" his ability to adduce certain mitigation evidence as to constitute "structural due process" violation. [Apt. Br. 18-20]. This issue fails on multiple fronts.

1. Goff failed to preserve any such issue for review.

To preserve a complaint for appellate review, a party must first present its request, objection, or motion for a ruling to the trial court, and obtain a ruling or have the trial court refuse to make a ruling. TEX. R. APP. P. 33.1(a); see also *Neely v. Comm'n for Lawyer Discipline*, 302 S.W.3d 331, 350-51 (Tex.App. – Houston

[14th Dist.] 2009, pet. denied). Goff does not cite any part of the record that demonstrates he objected to, questioned, or otherwise requested relief from the panel related to **any** allegations of improper *ex parte* communications at **any** time or in **any** fashion. [Apt. Br. 11-12 & 18-20]. And insofar as Goff characterizes this issue as one implicating due process, Texas courts have held that due process claims in attorney disciplinary proceedings **can also be waived**, if not first raised in the trial court. *See State Bar of Texas v. Leighton*, 956 S.W.2d 667, 671 (Tex.App. – San Antonio 1997, pet. denied); *Belt v. Comm'n for Lawyer Discipline*, 970 S.W.2d 571, 574 (Tex.App. – Dallas 1997, no pet.); *Kaufman v. Comm'n for Lawyer Discipline*, 197 S.W.3d 867, 875 (Tex.App. – Corpus Christi 2006, pet. denied). By failing to bring this issue to the attention of the panel, Goff waived any such complaints.

2. Even if Goff had preserved this issue, the record does not support any of his arguments.

Most importantly, Goff doesn't point to any facts in the record that support his allegation there was **any** *ex parte* communication between the Commission's trial counsel and panel chair at all. To the extent he points to anything, it is simply discussion during the sanctions hearing regarding what the TRDPs' Part XV sanctioning guidelines allow in terms of mitigation evidence related to a respondent attorney's "disciplinary record." [Apt. Br. 18-20, citing RR Vol. 1, 88-89 & 271-23]. Throughout such discussion(s), the Commission expressed its position that the TRDPs do not account for a respondent attorney's proposed mitigation allegation

that "this is the first time anybody's filed a grievance against me," or "I've never had anything filed against me before." [RR Vol. 1, 88-90 &]. The panel chair later clarified that was his understanding of what the TRDP sanctioning guidelines would allow as potential mitigation evidence as well:

Panel Chair: …So just to make sure we're all on the same page, as I understand it, maybe it's kind of a choice of words that is key – I'm sorry I'm flipping back and forth here – that for aggravation evidence that you could, for the Commission, admit evidence of a prior disciplinary action as opposed to a grievance being filed.

Commission Counsel: Correct. It would have to be some kind of adjudicated…

Panel Chair: Mr. Goff, in reverse, you can provide evidence of no prior disciplinary action being found against you as mitigation evidence.

Goff: Can I simply testify that no one's ever filed anything or…

Panel Chair: That's different. That's different.

Goff: By different, do you mean that cannot do that?

Panel Chair: Correct.

Goff: I don't want to do the dirty thing.

Panel Chair: All right. When you provide testimony you can say, I've never had a disciplinary finding against me, as opposed to filing a grievance. Okay?

Goff: Right. Okay.

-- [RR Vol. 1, 272-74].

And the Commission's position and the chair's explanation both accord with: (1) the TRDPs' general requirement that the Commission (and the CDC) maintain as confidential all "Disciplinary Proceedings and associated records" for Grievances that do not result in a disciplinary outcome; **and** (2) the panel's consideration of a respondent attorney's "prior disciplinary record" as an aggravating and/or mitigating factor in determining an appropriate sanctions for professional misconduct. See TEX. RULES DISCIPLINARY P.R. 2.16 & 15.09(A), (B), (C).

Further, Goff seems to argue that such discussion somehow limited him from presenting certain evidence. [Apt. Br. 19-20]. But again, Goff does not point to any part of the record that demonstrates he ever complained to the panel about not having an opportunity to present any **specific** evidence or made any offer of proof regarding any such evidence. Nor does Goff explain how, or offer any argument or authority in support of, his claim that witnesses who appeared and presented testimony regarding **their own grievances** against him could possibly provide probative evidence of grievances *not* previously filed against him by others. Here, Goff seems to run into yet another preservation problem. See *Kaufman*, 197 S.W.3d at 873-74.

But notwithstanding all the foregoing, Goff **still** testified (without objection), "…so only the eight people filed a grievance," and "There's a reason why nobody else contacted the CDC." [RR Vol. III, 313 & 412, respectively]. Assertions that, by rule, the Commission could neither confirm nor deny. TEX. RULES DISCIPLINARY

P.R. 2.16. And it does not appear that Goff ever even *testified* that he had not previously been disciplined. It was not until after the ***Commission's*** trial counsel had noted in her own closing statement that the sanction to be issued in the instant case "will be [Goff's] first sanction," that Goff finally even stated expressly, in his own closing statement, the same sentiment, "I have no prior discipline." [RR Vol. III, 476 & 489, respectively].

In these respects, Goff's rank speculation and unsupported conclusory allegations are, at best, an inappropriate and improper *ad hominem* attack on the integrity of both the Commission's trial counsel **and** the panel chair.[8] Further, he offers only his own vague and conclusory allegations regarding the manner(s) in which he might have examined other witnesses, unsupported by any citations to the record. [Apt. Br. 19-20].

In short, Goff failed to properly preserve error as to his 1st issue, but even if he had not, the record does not support his arguments in any respect. As such, the Board should overrule Goff's 1st issue and affirm the evidentiary panel's Judgment in all respects.

B. Response to Goff's 2nd Issue: The panel did not abuse its discretion by partially denying Goff's motion for continuance preceding the second day of the sanctions hearing.

[8] And, in the case of at least the panel chair, arguably another violation of Goff's ethical obligations. See TEX. DISCIPLINARY R. PROF'L CONDUCT 8.02(a) ("A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory official or public legal officer…").

Goff provides little to no relevant authority or argument in support of his assertion that the panel improperly denied his motion for continuance aimed at the proceedings held on October 8, 2025, generally. [Apt. Br. 20-22]. More specifically, he offers no authority whatsoever (legal or factual) in support of his assertion that the panel's partial denial of his motion for continuance resulted in "complete deprivation" of his right to confront an adverse witness. [Id.]. Thus, his briefing on this point is insufficient, waiving same. [See ARGUMENT, SEC. I(B), supra.].

But again, even if Goff had not waived this issue, the record does not support his arguments. The granting or denial of a motion for continuance is within the discretion of the trial court. *Olsen v. Comm'n for Lawyer Discipline*, 347 S.W.3d 876, 885 (Tex.App. – Dallas 2011, pet. denied). And "[t]he exercise of such discretion will not be disturbed on appeal unless the record discloses a clear abuse of discretion." *Id.*, quoting *State v. Wood Oil Distrib., Inc.*, 751 S.W.2d 863, 865 (Tex. 1988). Further, "the test for an abuse of discretion is not whether, in the opinion of the reviewing court, the facts present an appropriate case for the trial court's action, but 'whether the court acted without reference to any guiding rules and principles.'" *Cire v. Cummings*, 134 S.W.3d 835, 838-39 (Tex. 2004) (citing *Downer v. Aquamarine Operators, Inc.*, 701 S.W.2d 238, 241 (Tex. 1985)).

Here, as the proceeding wound down on its first day (**Oct. 1st**) the panel chair explained, "Why don't we go ahead and take a recess, and I know we're still on the

record, but we're going to reconvene at a date to be coordinated further. So we're gonna take a recess at this time and pick it up from the next witness we call." [RR Vol. 1, 270 (emphasis added)]. **The next day**, the CDC sent notice of the next hearing date of Wednesday, October 8, 2025, at 12:00 p.m., via Zoom, to Goff and the panel chair, presumably a result of their ***coordination*** of such date. [CR 2115-18, 2120-24 & 2133-39].

Goff then submitted his motion for continuance for filing with the panel roughly an hour and a half before the hearing was set to reconvene on October 8th. [CR 2126-31]. The motion for continuance was not accompanied by any affidavit(s) nor was it properly verified. [Id.]; TEX. R. CIV. P. 251.[9] And contrary to the representations in Goff's brief, the motion: (1) did not allege the "hospitalization" of any family member; and (2) was not accompanied by any documentation of such. [Apt. Br., 12 & 21]; [CR 2126-31]. Generally, if a motion for continuance does not include an affidavit or verification compliant with Rule 251, there is a presumption that the trial court **did not** abuse its discretion when denying the motion. *Villegas v. Carter*, 711 S.W.2d 624, 626 (Tex. 1986); see also *Taherzadeh v. Ghaleh-Assadi*, 108 S.W.3d 927, 928-29 (Tex.App. – Dallas 2003, pet. denied).

[9] "Verification is '[a] formal declaration made in the presence of an authorized officer, such as a notary public, by which one swears to the truth of the statements in the document.'" *In re S.M.*, 389 S.W.3d 483, 499 (Tex.App. – El Paso 2012, no pet.) (quoting *Andrews v. Stanton*, 198 S.W.3d 4, 8 (Tex.App. – El Paso 2006, no pet.), *citing* Black's Law Dictionary 1556 (7th Ed. 1999)). Further, the "Verification" attendant to Goff's motion did not meet the requirements of TEX. CIV. PRAC. & REM. CODE §132.001 such that it could arguably have served as an unsworn declaration.

Given the foregoing, Goff's further complaint that the panel's moving forward with (only) the testimony of Mr. Mushtaq on October 8th was a violation of his right to due process of law rings hollow. The right to cross-examine adverse witnesses is not without limits, and Goff's failure to establish grounds for a continuance does not excuse his voluntary non-appearance on October 8, 2025.[10] For all of the foregoing reasons, the Board should also overrule Goff's 2nd issue.

C. Response to Goff's 3rd Issue: The panel did not abuse its discretion in excluding Goff's first Defense Exhibit 1; but even if it had, Goff fails to establish such error probably caused an improper judgment.

In his third issue, Goff argues that the evidentiary panel abused its discretion by excluding from evidence during the sanctions hearing, a purported "written fee agreement" between Goff and one of his clients who submitted a grievance, Enright.[11] [Apt. Br. 22-23]. A trial court's ruling on the exclusion of evidence is reviewed for an abuse of discretion. *Thawer v. Comm'n for Lawyer Discipline*, 523 S.W.3d 177, 183 (Tex.App. – Dallas 2017, no pet.) (citing *In re J.P.B.*, 180 S.W.3d 570, 575 (Tex. 2005) (per curiam)). And again, a trial court abuses its discretion

[10] See e.g., *Hodge v. Tex. Dep't of Pub. Safety*, No. 01-12-00259-CV, 2013 WL 4680378, at *3 (Tex.App. – Houston [1st Dist.] Aug. 29, 2013, no pet.) (mem. op.); *Guerrero-Ramirez v. Tex. State Bd. of Med. Examiners*, 867 S.W.2d 911, 915-16 (Tex.App. – Austin 1993, no writ); see also *Bland v. Bland*, 437 S.W.2d 408, 410-11 (Tex.Civ.App. – Corpus Christi 1969, writ dism'd).

[11] As this was the first exhibit Goff offered during the sanctions hearing, Mr. Goff referred to it as "Defendant's Exhibit 1" and it is referred to in the record in that fashion. [See RR Vol. 1, 107-14; RR Resp. Ex. 1 (Vol. 1 – excluded)]. However, as it was not ultimately admitted, it should not be confused with the Defendant's Exhibit 1 that **was** admitted. [See RR Vol. 3, 430-31; RR Resp. Ex. 1 (Vol. 3)].

when it acts "without reference to any guiding rules and principles.'" *Cire*, 134 S.W.3d at 838-39 (Tex. 2004). Further, to reverse an erroneous evidentiary ruling, Goff must both establish error and show that such error probably caused an improper judgment. *Thawer*, 523 S.W.3d at 183.

1. The panel did not abuse its discretion.

As noted above, the Commission served its 1st Amended Petition, which included a Request for Disclosure, on Goff – but Goff never filed a responsive pleading. [STATEMENT OF FACTS, SEC. I(B), *supra*]. And when Goff offered his first Defense Exhibit I during the sanctions hearing, the Commission's counsel indicated it was the first time she had even seen the document. [RR Vol. 1, 108].

The disciplinary rules for panel proceedings allow for the parties' use of requests for disclosure, as well as other limited discovery. TEX. RULES DISCIPLINARY P.R. 2.17(D), (E). With respect to disclosure, the rules provide in relevant part:

> A party who fails to make, amend, or supplement a disclosure in a timely manner may not introduce in evidence the material or information that was not timely disclosed, or offer the testimony of a witness (other than a named party) who was not timely identified, unless the panel finds that there was good cause for the failure to timely make, amend, or supplement the disclosure response; or the failure to timely make, amend, or supplement the discovery response will not unfairly surprise or unfairly prejudice the other party.
>
> -- TEX. RULES DISCIPLINARY P.R. 2.17(D).

And the rules further provide that "all discovery disputes shall be ruled upon by the Evidentiary Panel chair generally in accord with the Texas Rules of Civil Procedure…" TEX. RULES DISCIPLINARY P.R. 2.17(G).

The language of TRDP 2.17(D) largely mirrors the mandatory exclusion rule in the Texas Rules of Civil Procedure. See TEX. R. CIV. P. 193.6. Per that rule, a party's failure to properly respond to discovery requests (including disclosure requests) results in the mandatory exclusion of such evidence. *Castaneda v. Newsom*, No. 05-22-01294-CV, 2024 WL 1190486, at *3 (Tex.App. – Dallas Mar. 20, 2024, no pet.) (mem. op.) (citing *Alvarado v. Farah Mfg. Co.*, 830 S.W.2d 911, 914 (Tex. 1992)). And the burden is on the party seeking to introduce such evidence to establish an exception to the mandatory exclusion rule for good cause, or the lack of unfair surprise or unfair prejudice. *Id.*

Here Goff seems to invite the Board to invert that burden, suggesting there was "[n]o assertion that late production prevented investigation or preparation," and no "concrete prejudice finding." [Apt. Br. 23]. But Goff: (1) does not offer any authority in support of this proposition; and (2) does not point to any part of the record where he even argues good cause, or a lack of unfair surprise or unfair prejudice, that could potentially establish one of the exceptions to mandatory exclusion. As such, the panel's exclusion of such evidence was not only not in error,

but was required, and the Board should decline Goff's invitation to revise the evidentiary burden in this respect.

2. The exclusion of the first Defense Exhibit 1 did not cause an improper judgment.

But even if the panel had erred in the exclusion of Goff's first Defense Exhibit 1, his assertions that the excluded document was his "only documentary evidence on the Enright count," and that it "went directly to the question of whether an enforceable obligation to perform existed – the predicate for any neglect finding under Rule 1.01(b)(1)," demonstrate another flaw in his argument. [Id.]. That is, Goff's professional misconduct with respect to Enright's matter had already been established by his default (along with his professional misconduct for all other charged violations). [RR Vol. 1, 1-27]; [CR 132-45]; [App 4].

In this respect, Goff has not offered any argument, evidence, or authority which supports his idea that the panel's exclusion of his first Defense Exhibit 1, **whether it was error or not**, could have **any** effect on a professional misconduct finding that had already been made. Simply put, Goff completely fails to establish that the exclusion of the exhibit "probably caused an improper judgment" as to his professional misconduct, which is the only part of the Judgment he challenges with such argument. For all of the foregoing reasons, the Board should also overrule Goff's 3rd issue.

D. Response to Goff's 4th Issue: Goff cannot challenge the legal sufficiency of the panel's default finding that he committed professional misconduct by neglecting Enright's matter in this manner; but even if he could, the record does not support his arguments.

In his fourth issue, Goff again fails to offer any relevant authority in support of any of the legal conclusions asserted therein.[12] [Apt. Br. 23-24]. Nevertheless, Goff asserts that "The neglect finding on the Enright matter is legally insufficient…" [Id.].

As noted at length above, Goff's failure to answer the Commission's 1st Amended Petition constituted a default, "[a]nd all facts alleged in the Evidentiary Petition shall be taken as true for the purposes of the Disciplinary Proceeding," and the panel "[s]hall enter an order of default with a finding of Professional Misconduct…" TEX. RULES DISCIPLINARY P.R. 2.17(C); see also *Dolgencorp of Tex., Inc. v. Lerma*, 288 S.W.3d 922, 930 (Tex. 2009) (citing *Holt Atherton Indus., Inc. v. Heine*, 835 S.W.2d 80, 83 (Tex. 1992)).[13] Further, Goff's reference to a document he attempted to offer ***in the sanctions hearing***, which was (as noted above) properly excluded, does nothing to help his cause.

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[12] Though he does cite to TDRPC 1.01(b)(1) regarding his neglect of Enright's matter, as well as TDRPC 1.04(d) – an ethical rule he was neither charged with violating nor found liable for violating. [Id.].

[13] *Cf*, *In re Marriage of Williams*, 646 S.W.3d 542 (Tex. 2022) (citing *Holt*, 835 S.W.2d at 83-84, and TEX. FAM. CODE §6.701) (noting that, with respect to ***unliquidated damages***, *Holt* held that a defaulting defendant admits facts properly pled in the petition except for such damages; and further, reversing a default based on a sufficiency challenge *in a divorce suit* where "the pleadings are not deemed admitted by the defendant's failure to appear, so the plaintiff must present sufficient evidence to support the material allegations in the petition.").

But even if Goff could challenge the sufficiency of the evidence demonstrating his violation of TDRPC 1.01(b)(1) as to the Enright matter in this fashion, the record simply does not support his argument. To be sure, a default judgment must be supported by the pleadings. *Stoner v. Thompson*, 578 S.W.2d 679, 682 (Tex. 1979). And here, it clearly is. In this connection, the Commission's 1st Amended Petition alleged that: (1) Enright hired Goff to take legal action for a breach of contract against Vision Solar, L.L.C., for unfinished services; (2) after being hired, Goff ceased all communication with Enright and failed to provide him any meaningful updates about his case; and (3) that conduct constituted (amongst other violations) neglect of Enright's case under TDRPC 1.01(b)(1). [CR 132-145]. Goff's default established those allegations as true, and they support the judgment of professional misconduct as to neglect in Enright's matter. TEX. RULES DISCIPLINARY P.R. 2.17(C). For all of the foregoing reasons, the Board should also overrule Goff's 4th issue.

E. Response to Goff's 5th Issue: Goff's entire argument on this point is inapposite.

In his fifth issue, Goff complains about the sufficiency of a "finding of dishonesty under Rule 8.04(a)(8)." [Apt. Br. 25-26]. This appears to be a complaint related to the Fontana matter. [Id.]. Again, Goff seems to be challenging the sufficiency of evidence in support of his liability for professional misconduct on one, discrete violation – which would certainly fail in the same fashion as his complaint

regarding the Enright finding, if it even applied here. [See ARGUMENT, SEC. II(D), *supra*]. But most importantly, it does not apply here.

Goff was not charged with, nor found liable for, a "Rule 8.04(a)(8) **dishonesty** finding," that would somehow implicate "an element of intent or knowing misrepresentation." [Apt. Br. 25]. The Commission's 1st Amended Petition alleged, amongst other things, that: (1) Goff was notified of Fontana's grievance on October 10, 2014, via email; (2) while Goff did not acknowledge receipt of such notice, he was personally served with same on December 9, 2024; (3) thereafter Goff failed to submit a written response to the Fontana grievance; and (4) that conduct constituted a violation of Goff's obligation to timely furnish the CDC with a response to a grievance under TDRPC 8.04(a)(8). [CR 132-145]. Goff's default established those allegations as true, and they support the judgment of professional misconduct as to Goff's failure to respond to the grievance in Fontana's matter. TEX. RULES DISCIPLINARY P.R. 2.17(C).

In short, Goff's 5th issue simply presents an argument against a finding that does not exist. And the finding that does exist, as to a TDRPC 8.04(a)(8) violation with respect to the Fontana matter, was established by Goff's default. Thus, the Board should also overrule Goff's 5th issue.

F. Response to Goff's 6th Issue: Goff's default and failure to present certain witness testimony in mitigation as to the appropriate sanctions, do not establish error in the panel's sanctions decision.

Response to Goff's 7th Issue: The evidentiary panel acted within its discretion in imposing a partially probated suspension as sanction for Goff's Professional Misconduct.

Goff's sixth and seventh issues both concern the panel's ultimate sanctions determination and how it got there. As such, the Commission will address those issues (somewhat) in tandem.

1. The Commission was not obliged to present its own case **and** Goff's.

In his sixth issue, Goff complains that the Commission did not present testimony from three of the underlying complainants (Abbey, Kim and Bradley) during the sanctions hearing. [Apt. Br. 26-28]. Thus, in Goff's telling, he was "materially constrained" from addressing the "actual harm" suffered by each such complainant, "a required factor under TDRP Rule 15.02." [Id.]. Goff's sixth issue is without merit for several reasons, including his persistent failure (as noted repeatedly above) to provide **any** relevant authority in support of such arguments.

*a. The Commission was not **required** to call any particular witnesses*

Goff provides no authority in support of his assertion that the Commission was **required** to call Abbey, Kim or Bradley as witnesses regarding the appropriate sanctions for his professional misconduct across nine separate complaints. [Id.]. To the extent Goff wanted to call any such witnesses, he had an equal opportunity to subpoena same as appropriate, and if necessary, compel their attendance at his

evidentiary hearing. See TEX. RULES DISCIPLINARY P.R. 2.17(H), (I) & (L). He apparently chose not to.

*b. The TRDP Part XV sanctioning guidelines do not **require** only "actual" harm for sanctions related to any of Goff's professional misconduct as to Abbey, Kim or Bradley.*

Contrary to Goff's assertions, again unsupported by reference to authority, the TRDP Part XV sanctioning guidelines do not **require** a demonstration of "actual harm" or "current harm" as to **any** of the charges of professional misconduct established by Goff's default, related to Abbey's, Kim's or Bradley's matters. Goff's professional misconduct related to Abbey's, Kim's and Bradley's matters concerned violations of TDRPCs 1.03 (neglect) and 1.14 (failure to properly preserve client property). [App 1]. Pursuant to the sanctioning guidelines suspension is "generally appropriate" for such violations when (amongst other things) such conduct "causes injury or potential injury" to a client. TEX. RULES DISCIPLINARY P.R. 15.04(A), (B). And as is more fully explained below, these guidelines do not establish rigid requirements in the way Goff suggests.

c. Goff's rank speculation is also unavailing

Further, Goff's rank speculation as to how he "would have been positioned to develop" certain alleged facts – if only certain complainants he could have called to testify, but did not, *would* have testified – is argument which, in the end, signifies nothing. Again, at its core, Goff's sixth issue seems to be a complaint that the

Commission did not present Goff's case along with its own. Thus, Goff reasons, he should get a *do-over*. He offers no relevant authority in support of this approach, so the Board should decline this invitation as well.

2. The panel's sanction was not an abuse of discretion.

In his seventh issue, Goff relatedly complains that the panel abused its discretion in imposing a partially probated suspension as sanction for his professional misconduct spanning nine, separate complaints. [Apt. Br. 28-31]. Goff again provides little to no authority in support of this point of error. [Id.]. Instead, he simply offers his own conclusory assertions regarding: (1) the significance of a sanction the panel *did not* issue; (2) evidence he believes demonstrated mitigating factors in his favor (without addressing any potential aggravating factors); (3) the testimony of one witness Goff characterizes as the Commission's "star witness"; and (4) his own subjective belief that a fully probated suspension would have been appropriate. [Id.]. Construing Goff's arguments liberally, he has failed to demonstrate the panel abused its discretion.

Evidentiary panels have broad discretion to impose discipline; nevertheless, disciplinary sanctions may be reviewed for an abuse of discretion, and a sanction may be so light or heavy as to constitute such an abuse. *Molina v. Comm'n for Lawyer Discipline of The State Bar of Texas*, BODA No. 35426, 2006 WL 6242393, at *4 (March 31, 2006) (citing *State Bar of Texas v. Kilpatrick*, 874 S.W.2d 656, 659

(Tex. 1994)); see also, *McIntyre v. Comm'n for Lawyer Discipline*, 169 S.W.3d 803, 807 (Tex.App. – Dallas 2005, no pet.). And, when acting as a factfinder in determining the appropriate sanction for instances of professional misconduct, the evidentiary panel is the sole judge of the credibility of witnesses and the weight to be given their testimony. *Allison v. Comm'n for Lawyer Discipline*, 374 S.W.3d 520, 525 (Tex.App. – Houston [14th Dist.] 2012, no pet.).

A court abuses its discretion only when it acts in an unreasonable and arbitrary manner, or without reference to any guiding principles. *McIntyre*, 169 S.W.3d at 807. A court does not abuse its discretion when some evidence supports its decision. *Davis v. Huey*, 571 S.W.2d 859, 863 (Tex. 1978). Further, the fact that an appellate court might impose a sanction different from that imposed by the trial court does not show an abuse of discretion. *Love v. State Bar of Texas*, 982 S.W.2d 939, 944 (Tex.App. – Houston [1st Dist.] 1998, no pet.).

The TRDPs do not mandate consideration by an evidentiary panel of *any* particular factor described in TRDP Part XV when determining an appropriate disciplinary sanction. TEX. RULES DISCIPLINARY P. R. 15.02. Further, the TRDPs do not require an evidentiary panel to explain in detail or specifically state any (or all) of the factors it considered, or the weight it gave any such factors, in imposing a disciplinary sanction. TEX. RULES DISCIPLINARY P. R. 2.17(P), 2.18, 2.19.

a. Guidelines for imposing sanctions in attorney discipline proceedings

For attorney discipline cases involving grievances filed after June 1, 2018 (such as the present case), the Court replaced the mandatory factors set forth in former Rule 2.18 with TRDP Part XV, *Guidelines for Imposing Sanctions* ("Part XV"). See also, *Ponce v. Comm'n for Lawyer Discipline*, No. 04-20-00267-CV, 2022 WL 1652147, at *7 n. 3 (Tex.App. – San Antonio May 25, 2022, no pet.) (mem. op.); TEX. GOV'T CODE §81.083.[14] Part XV embodies the broad discretion granted to evidentiary panels (and trial courts) to fashion sanctions in attorney disciplinary proceedings. The Court explained that the purpose of the guidelines was to:

> "[s]et forth a comprehensive system for determining sanctions, permitting flexibility and creativity in assigning Sanctions in particular cases of lawyer misconduct. They are designed to promote: (1) consideration of all factors relevant to imposing the appropriate level of Sanction in an individual case; (2) consideration of the appropriate weight of such factors in light of the stated goals of lawyer discipline; and (3) consistency in the imposition of disciplinary Sanctions for the same or similar rule violations among the various district grievance committees and district courts that consider these matters."
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> -- TEX. RULES DISCIPLINARY P. R. 15.01(B).

Part XV outlines four "general" factors that should be considered by a disciplinary tribunal: (1) the duty violated; (2) the Respondent's level of culpability; (3) the potential or actual injury created by the misconduct; and (4) the existence of aggravating or mitigating factors. TEX. RULES DISCIPLINARY P. R. 15.02.

[14] Likewise, the analogous factors in former TRDP 3.10 were also eliminated for disciplinary cases tried before a district court, again, in favor of the Part XV sanctioning guidelines.

Next, Part XV sets forth the spectra of "sanctions [that] are generally appropriate" for various categories of professional misconduct roughly corresponding to the TDRPCs relevant to: (1) violations of duties owed to clients; (2) violations of duties owed to the legal system; (3) violations of duties owed to the public; (4) violations of other duties as a professional; and (5) violations of prior discipline orders. TEX. RULES DISCIPLINARY P. R. 15.04, 15.05, 15.06, 15.07 & 15.08, respectively. Each of those sanctioning ranges suggests the level of sanction that is "generally appropriate" for particular types of professional misconduct based on the application of the "general" factors outlined in TRDP 15.02, prior to the consideration of any aggravating or mitigating factors. While Part XV provides the above-described guidelines to consider in determining appropriate sanctions for professional misconduct, those guidelines, "[d]o not limit the authority of a district grievance committee…to make a finding or issue a decision." TEX. RULES DISCIPLINARY P. R. 15.01(B).

Available sanctions are, in descending order of severity: disbarment, suspension (which can be active, probated, or partially probated), public reprimand, and private reprimand. TEX. RULES DISCIPLINARY P. R. 1.06(FF). Sanctions can also include restitution and/or payment of attorney's fees and costs as ancillary requirement(s). *Id*.

Finally, Part XV provides evidentiary panels the discretion to consider aggravating and mitigating circumstances "in deciding what sanction to impose." TEX. RULES DISCIPLINARY P. R. 15.09. "Aggravation" or "aggravating circumstances" being "considerations or factors that may justify an increase in the degree of discipline to be imposed;" and "Mitigation" or "mitigating circumstances" being "considerations or factors that may justify a reduction in the degree of discipline to be imposed." [Id.].

More specifically, TRDP 15.04(A) sets forth guidelines for determining sanctions in circumstances involving an attorney's failure to provide competent and diligent representation and/or to communicate appropriately, which run from private reprimand to disbarment (as to Goff's violations of TDRPCs 1.01(b)(1), and/or 1.03(a), (b), as appropriate, in the Abbey, Enright, Grant, Kim, Bradley, Mushtaq, Wages, Caballero and Fontana matters). TEX. RULES DISCIPLINARY P. R. 15.04(A)(1-4). TRDP 15.04(B) sets forth guidelines for determining sanctions in circumstances involving an attorney's failure to treat property in which a client has an interest appropriately, including funds received in settlement of a client's claims against a third party, which again run from private reprimand to disbarment (as to Goff's violations of TDRPCs 1.14(a) and/or 1.14(b), as appropriate, in the Abbey, Grant, Kim, Bradley, Mushtaq, Wages, Caballero and Fontana matters). TEX. RULES DISCIPLINARY P.R. 15.04(B)(1-4). And TRDP 15.07 sets forth guidelines for

determining appropriate sanctions in circumstances involving an attorney's violation of his duties as a professional, including the duty to respond to a disciplinary agency, also running from private reprimand to disbarment (as to Goff's violations in the Caballero and Fontana matters). TEX. RULES DISCIPLINARY P.R. 15.07(1-4). Additionally, Rule 15.09 provides aggravating and mitigating factors a panel may consider in deciding an appropriate sanction once professional misconduct is established. TEX. RULES DISCIPLINARY P. R. 15.09(A-C).

b. The record supports the panel's sanctions against Goff as to each of his violations of TDRPCs 1.01(b)(1), 1.03(a), 1.03(b), 1.14(a), 1.14(b) and 8.04(a)(8).

The evidentiary panel's Judgment set forth findings that support its sanctions as to each violation of the TDRPCs it found.

- As to the violations of TDRPC 1.01(b)(1) related to the Enright and Grant matters, the panel found that Goff neglected each of those legal matters, essentially by simply failing to pursue them after he was hired. [App 1].
- As to the violations of TDRPCs 1.03(a) and/or (b) related to the Abbey, Enright, Kim, Bradley, Mushtaq, Wages, Caballero and/or Fontana matters, the panel found that Goff frequently failed to carry out completely the obligations he owed to most of those clients and failed to explain matters to the extent necessary for such clients to make informed decisions regarding the representation in at least two such matters. [App 1].
- As to the violations of TDRPCs 1.14(a) & (b) related to the Abbey, Grant, Kim, Bradley, Mushtaq, Wages, Caballero and/or Fontana matters, the panel found that: (1) in several of the matters, Goff failed to timely and/or promptly pay settlement funds to his clients; and (2) Goff's own bank records demonstrate extensive evidence of his commingling of client funds with his own business and/or personal funds. [App 1].

- As to the violations of TDRPC 8.04(a)(8) related to the Caballero and Fontana matters, the panel found that Goff failed to submit a written response to those grievances to the CDC. [App 1].

The facts established by Goff's default, along with the testimony from several complainants during the sanctions hearing and Goff's own bank records admitted during the sanctions hearing, demonstrate: (1) frequent, repeated neglect of several complainants' legal matters by Goff; and (2) a troubling disregard for the proper treatment of settlement funds in which his clients had interests in terms of both the proper distribution of such funds (or lack thereof) and improper commingling of client funds with his own business and/or personal funds. [See STATEMENT OF FACTS, *supra*.]. Arguably, such evidence would have supported **harsher** sanctions than those actually imposed by the panel. The panel acted within its discretion in imposing a partially probated suspension as a sanction for Goff's professional misconduct, and the Board should affirm the panel's Judgment in all respects.

G. Response to Goff's 8th Issue: This case does not implicate the cumulative-error doctrine.

In his final issue, Goff asserts that the cumulative error doctrine should apply in his case so that, even if none of his preceding issues "standing alone," merits reversal, the cumulation of such errors prevented him from "fully presenting his case," and thus warrant reversal when taken together. [Apt. Br. 31-32]. Of course, by association, Goff's final issue suffers from the same deficiencies as his preceding issues.

The cumulative-error doctrine allows a reviewing court to reverse a judgment when the record shows a number of errors, " 'no one instance being sufficient to call for a reversal, yet all the instances taken together may do so.' " *University of Tex. at Austin v. Hinton*, 822 S.W.2d 197, 205 (Tex.App.—Austin 1991, no writ) (quoting *Sproles Motor Freight Lines, Inc. v. Long*, 168 S.W.2d 642, 645 (Tex. 1943)). To show cumulative error, the complaining party must show that the "errors collectively were calculated to cause and probably did cause the rendition of an improper judgment." *Cantu v. Comm'n for Lawyer Discipline*, No. 13-16-00332-CV, 2020 WL 7064806, at *43 (Tex.App. – Corpus Christi Dec. 3, 2020, no pet.) (mem. op.).

Here, Goff argues in broadly conclusory fashion that the errors he alleges require reversal when considered together. [Apt. Br. 31-32]. But once again, his argument is conspicuously devoid of authority in support of such conclusions.

Contrary to Goff's argument, a claim of cumulative error cannot rest on the issues he identifies because, as discussed in this brief, the panel did not err in **any** such respects. And as is also discussed in this brief, many (if not most) of these alleged errors were waived, either by Goff's failure to take proper steps to preserve them before the panel or his failure to sufficiently brief them. Where there are no errors to accumulate, there is nothing to support Goff's cumulative-error argument. *Cantu*, 2020 WL 7064806, at *43 (citing *In re BCH Dev., LLC*, 525 S.W.3d 920,

930 (Tex.App. – Dallas 2017, orig. proceeding); *In re E.R.C.*, 496 S.W.3d 270, 281 (Tex.App. – Texarkana 2016, pet. denied)).

CONCLUSION AND PRAYER

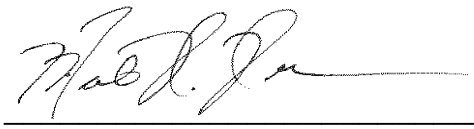
For the foregoing reasons, the Commission prays that the Board affirm the judgment of the District 9-1 Evidentiary Panel of the State Bar of Texas in this matter, in all respects.

RESPECTFULLY SUBMITTED,

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MICHAEL G. GRAHAM
STATE BAR CARD NO. 24113581
ATTORNEY FOR APPELLEE

CERTIFICATE OF COMPLIANCE

Pursuant to the Board of Disciplinary Appeals Internal Procedural Rules, the foregoing brief on the merits contains approximately 11,110 words (total for all sections of brief that are required to be counted), which is less than the total words permitted by the Board's Internal Procedural Rules. Counsel relies on the word count of the computer program used to prepare this petition.



MICHAEL G. GRAHAM
APPELLATE COUNSEL
STATE BAR OF TEXAS

CERTIFICATE OF SERVICE

This is to certify that the above and foregoing brief of Appellee, the Commission for Lawyer Discipline has been served on Appellant, Damon Alexander Goff, via electronic mail to damon@gmtexaslaw.com on the 9th day of July, 2026



MICHAEL G. GRAHAM
APPELLATE COUNSEL
STATE BAR OF TEXAS

NO. 72059

Before the Board of Disciplinary Appeals
Appointed by
The Supreme Court of Texas

DAMON ALEXANDER GOFF,
STATE BAR OF TEXAS CARD NO. 24096552,
APPELLANT

V.

COMMISSION FOR LAWYER DISCIPLINE,
APPELLEE

Nos. 202401064 [Mushtaq]; 202401705 [Allen-Bradley]; 202401773 [Grant]; 202401831 [Kim]; 202401948 [Enright]; 202401976 [Omie Abbey]; 202403602 [Wages]; 202405503 [Lauletta Caballero] & 202405879 [Fontana]

APPENDIX TO BRIEF OF APPELLEE COMMISSION FOR LAWYER DISCIPLINE

APP 1: Judgment of Partially Probated Suspension [CR 2197-2209]

APP 2: CFLD's Original Evidentiary Petition and Request for Disclosure [CR 33-43]

APP 3: CFLD's First Amended Evidentiary Petition and Request for Disclosure [CR 132-45]

APP 4: Order Granting Default [CR 2108-13]

App 1

FILED
10/23/2025
Austin Office
Chief Disciplinary Counsel

BEFORE THE DISTRICT 9 GRIEVANCE COMMITTEE
EVIDENTIARY PANEL 1
STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE,	§	
Petitioner	§	
	§	**Case Nos.**
	§	**202401976-Omie Abbey**
	§	**202401948-Enright**
V.	§	**202401773-Grant**
	§	**202401831-Kim**
	§	**202401705-Allen-Bradley**
	§	**202401064-Mushtaq**
	§	**202403602-Wages**
	§	**202405503-Lauletta**
	§	**202405879-Fontana**
DAMON ALEXANDER GOFF	§	
Respondent	§	

JUDGMENT OF PARTIALLY PROBATED SUSPENSION

Parties and Appearance

On October 1, 2025, October 8, 2025, and October 16, 2025, the above styled and numbered causes came to be heard. Petitioner, Commission for Lawyer Discipline, appeared by and through its attorney of record and announced ready. Respondent, Damon Alexander Goff, Texas Bar Number 24096552, appeared and announced ready.

Jurisdiction and Venue

The Evidentiary Panel 9-1 having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 9, finds that it has jurisdiction over the parties and the subject matter of this action and that venue is proper.

Default

The Evidentiary Panel finds Respondent was properly served with the Evidentiary Petition and the First Amended Evidentiary Petition and that Respondent failed to timely file

a responsive pleading to the Evidentiary Petition and the First Amended Evidentiary Petition as required by Rule 2.17(B) of the Texas Rules of Disciplinary Procedure. Accordingly, the Evidentiary Panel finds Respondent in default and further finds that all facts alleged in the First Amended Evidentiary Petition are deemed true pursuant to Rule 2.17(C) of the Texas Rules of Disciplinary Procedure.

Professional Misconduct

The Evidentiary Panel, having deemed all facts as alleged in the First Amended Evidentiary Petition true, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(CC) of the Texas Rules of Disciplinary Procedure.

Findings of Fact

The Evidentiary Panel, having considered the allegations as deemed true, the pleadings, evidence and argument of counsel, makes the following findings of fact and conclusions of law:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent maintains his principal place of practice in Travis County, Texas.
3. **202401976-Omie Abbey**-Complainant, Iyibi Omie-Abbey, hired Respondent, Damon Goff, to file a claim for diminished value stemming from a motor vehicle collision which occurred on or about July 15, 2023. The claim settled for $7,937.00 on or about February 2, 2024. Thereafter, Respondent's firm received the funds but did not tender the settlement funds promptly or within a reasonable amount of time to Complainant. Respondent also failed to adequately communicate with Complainant about the status of his case, specifically, that the firm was in receipt of the settlement funds. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and Respondent's business operations and/or personal funds.
4. **202401948-Enright-**On or around February 25, 2023, Complainant, Richard Enright, hired Respondent, Damon Goff, to take legal action for a breach of contract against Vision Solar, LLC, for unfinished services paid for by Complainant on April 15, 2022. After hire, Respondent ceased all communication with Complainant and failed to provide Complainant with any meaningful updates about the status of his legal matter.
5. **202401773-Grant**-Complainant, Jedediah Grant, is a former employee and client

of Respondent, Damon Goff. In October 2022, Complainant paid $2,370.00 to hire Respondent to pursue a claim against Liberty Mutual. Thereafter, Respondent failed to file the suit or pursue the claim. Further, while Complainant was an employee of Respondent's firm, Respondent and the firm received settlement funds on behalf of numerous clients. However, the funds were not timely distributed to the clients. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and Respondent's business operations and/or personal funds.

6. **202401831-Kim**-On or around September 8, 2023, Complainant, Hyun Kim, hired Respondent, Damon Goff, to pursue a diminished value claim against Geico Insurance stemming from a motor vehicle collision which occurred in October of 2023. On December 15, 2023, Complainant signed a release to settle the claim with Geico for $7,467.00. A check in the amount of $7,467.00 was issued to Goff Law Firm PLLC and Complainant on January 26, 2024.Thereafter, Complainant reached out to Respondent numerous times regarding his unissued settlement funds. Respondent initially responded on February 29, 2024, saying that the funds would be issued "the next day." However, Respondent ceased all communications as of March 5, 2024, and to date, Complainant has not received any of his settlement funds. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and Respondent's business operations and/or personal funds.
7. **202401705-Allen-Bradley**-On or around November 22, 2023, Complainant, Christopher Allen-Bradley, hired Respondent, Damon Goff, to pursue a diminished value claim stemming from a motor vehicle collision which occurred in June of 2023. On January 18, 2024, Complainant signed a release settling the claim for $5,676.00. Thereafter, on or around January 16, 2024, Geico issued and mailed a settlement check to Respondent's firm in the amount of $5,676.00 made payable to Goff Law Firm, PLLC. Over the next several months, Complainant reached out repeatedly to Respondent requesting an update of the unissued funds. Initially, Respondent responded on February 28, 2024, indicating that he would issue the payment. However, to date, Complainant has not received any of his settlement funds. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and Respondent's business operations and/or personal funds.
8. **202401064-Mushtaq**-On or around October 13, 2023, Complainant, Zunair Mushtaq, hired Respondent, Damon Goff, to pursue a diminished value claim stemming from a motor vehicle collision. On November 6, 2023, Respondent emailed Complainant and indicated that the insurance company was offering to settle the claim for $6,672.00. Shortly thereafter, Complainant was contacted by an associate of the firm who requested a notarized form giving the firm permission to collect the insurance payment, which Complainant provided. After providing the notarized form, Respondent and his firm ceased all communications with Complainant. To date, Complainant has not received his settlement funds. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and Respondent's business operations and/or personal funds.

9. **202403602-Wages**-On or around June 20, 2023, Complainant, John Wages, hired Damon Goff, to file a claim for diminished value against State Farm stemming from a motor vehicle collision. Ultimately, the case settled for $4,500.00, and Complainant signed the settlement release authorizing said settlement on January 18, 2024. The settlement check was deposited into Respondent's bank account on or around January 31, 2024, as confirmed by State Farm. Thereafter, Complainant spent several months attempting to contact Respondent regarding the outstanding settlement funds, to no avail. Finally, May 8, 2024, Complainant received a check from Respondent in the amount of $3,500.00, which Complainant states is an incorrect and insufficient amount. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and Respondent's business operations and/or personal funds.
10. **202405503- Lauletta-**On August 28, 2023, Complainant, Nancy Caballero, was involved in a motor vehicle collision which resulted in property damage to her Tesla. Complainant then took her Tesla to be repaired at Autocraft Bodywerks ("Autocraft") in October of 2023. Despite already having a rental car set up with Enterprise Leasing, Autocraft referred Complainant to an individual named Jed Grant ("Grant") to rent a Tesla at no additional cost. When Complainant contacted Grant to set up the rental car, Grant mentioned she could go through him for a diminished value claim. Once the repairs were completed and the rental car returned, Complainant contacted Grant to pursue the diminished value claim. Complainant states that she hired Respondent, Damon Alexander Goff, on October 27, 2023, and agreed to a contingency fee of 33% of the money received from the diminished value claim.

    Grant contacted Complainant in November 2023, and indicated that the at-fault party's insurance would settle the diminished value claim for around $2,000.00, but stated they could get more if she did not need the funds immediately. Complainant agreed to allow Grant to continue to negotiate, and was later informed that Respondent's firm was able to get $3,600.00. However, when Complainant checked the online information for her claim, she learned that a check for $5,471.00 was issued to the Goff Law Firm on December 6, 2023, and cashed on December 22, 2023. Following receipt of this information, Complainant began reaching out to Grant for payment and was told that it would probably be delayed because of the holidays.

    In the following months, Complainant continued to follow up by email about the status of the overdue check from Respondent's firm. Complainant's attempts to communicate were either ignored or she was given excuses for not getting answers to her questions. Complainant was finally informed that her check would be issued on January 29, 2024. However, to date, Complainant has still not received her funds. Complainant also sent a certified letter to Respondent on March 22, 2024, and stated her concerns but, to date, has not received a reply and both Respondent and Grant have ceased all communications.

Further, Respondent was initially notified of this grievance matter on September 19, 2024, via email. When Respondent did not acknowledge receipt of the grievance, Respondent received a copy of the grievance via personal service by private process server on December 9, 2024. Thereafter, Respondent failed to submit a written response to this grievance matter.

11. **202405879- Fontana-**Complainant, Michael Fontana, hired Respondent, Damon Alexander Goff, on August 17, 2023, to collect damages and diminished value of his vehicle incurred in a motor vehicle collision. However, when Respondent became non-responsive to all attempts at communication by Complainant, Complainant was forced to hire subsequent counsel on March 19, 2024.

    Following the hire of his new attorneys, Complainant learned that Respondent settled and received a settlement check on December 13, 2023, in the amount of $10,500, but failed to send any payments or information regarding the settlement to Complainant. Accordingly, Complainant's new attorneys emailed a Letter of Representation and a Demand Letter for payment of the settlement funds to Respondent.

    On May 09, 2024, the Batrice Law Firm received a handwritten check for $4,690.00 from Goff Law Firm, PLLC. On August 28, 2024, the Batrice Law Firm attempted to deposit the check from Goff Law Firm, PLLC. However, on September 09, 2024, Batrice Law Firm received a Notice of Insufficient Funds for the check. On September 10, 2024, Respondent called Complainant and told Complainant he did not believe that check was hot and did not believe that the check did not clear.

    Further, Respondent was initially notified of this grievance matter on October 10, 2024, via email. When Respondent did not acknowledge receipt of the grievance, Respondent received a copy of the grievance via personal service by private process server on December 9, 2024. Thereafter, Respondent failed to submit a written response to this grievance matter.

12. 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 $20,020.18.
13. As ordered in the CPA Audit requirement below, if it is found that any client is owed restitution, Respondent shall pay said restitution to those clients within 10 business days of the determination by the CPA.

Conclusions of Law

The Evidentiary Panel concludes that, based upon the foregoing findings of fact, and the Order Granting Default, the following Texas Disciplinary Rules of Professional Conduct have been violated:

1. 202401976 Iyibi Omie-Abbey complaint: 1.03(b), 1.14(a) and 1.14(b)
2. 202401948 Richard Enright complaint: 1.01(b)(1), 1.03(a) and 1.03(b)
3. 202401773 Jedediah Grant complaint 1.01(b)(1), 1.14(a) and 1.14(b)
4. 202401831 Hyun Kim complaint Rules 1.03(a), 1.14(a) and 1.14(b)
5. 202401705 Christopher Allen Bradley complaint 1.03(a), 1.14(a) and 1.14(b)
6. 202401064 Zunair Mushtaq complaint 1.03(a), 1.14(a) and 1.14(b)
7. 202403602 John Wages complaint 1.03(a), 1.14(a) and 1.14(b)
8. 202405503 Nancy Lauletta Caballero complaint 1.03(a), 1.14(a) and 8.04(a)(8)
9. 202405879 Michael Fontana complaint 1.03(a), 1.14(b) and 8.04(a)(8)

Sanction

The Evidentiary Panel, having found Respondent has committed Professional Misconduct, heard and considered additional evidence regarding the appropriate sanction to be imposed against Respondent. After hearing all evidence and argument, the Evidentiary Panel finds that the proper discipline of the Respondent for each act of Professional Misconduct is a Partially Probated Suspension.

Accordingly, it is ORDERED, ADJUDGED and DECREED that Respondent be suspended from the practice of law for a period of twenty-four (24) months, beginning October 16, 2025, and ending October 15, 2027. Respondent shall be actively suspended from the practice of law for a period of three (3) months beginning October 16, 2025, and ending January 15, 2026. The twenty-one (21) month period of probated suspension shall begin on January 16, 2026, and shall end on October 15, 2027.

Terms of Active Suspension

It is further ORDERED that during the term of active suspension ordered herein, or that may be imposed upon Respondent by the Board of Disciplinary Appeals as a result of a probation revocation proceeding, Respondent shall be prohibited from practicing law in Texas; holding himself out as an attorney at law; performing any legal services for others; accepting any fee directly or indirectly for legal services; appearing as counsel or in any representative capacity in any proceeding in any Texas or Federal court or before any administrative body; or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further ORDERED that, within 15 days of the signing of this judgment, Respondent shall notify each of Respondent's current clients, including clients jointly represented by Respondent, and opposing counsel in writing of this suspension.

In addition to such notification, it is further ORDERED Respondent shall return any files, papers, unearned monies and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further ORDERED Respondent shall file with the State Bar of Texas, Chief Disciplinary Counsel’s Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) within 15 days from the signing of this judgment, an affidavit stating all current clients, including jointly represented clients, and opposing counsel have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein. If it is Respondent’s assertion that at the time of suspension he possessed no current clients and/or Respondent was not in possession of any files, papers, monies or other property belonging

to clients, Respondent shall submit an affidavit attesting that, at the time of suspension, Respondent had no current clients and did not possess any files, papers monies and other property belonging to clients.

It is further ORDERED Respondent shall, within 15 days from the signing of this judgment, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing.

It is further ORDERED Respondent shall file with the State Bar of Texas**,** Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within 15 days from the signing of this judgment, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in Court. If it is Respondent's assertion that at the time of suspension he was not currently listed as counsel or co-counsel in any matter pending before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice of any court or tribunal, Respondent shall submit an affidavit attesting to the absence of any such pending matter before any justice of the peace, judge, magistrate, administrative judge or officer, or chief justice.

It is further ORDERED that, within 15 days from the signing of this judgment,

Respondent shall surrender his law license and permanent State Bar Card 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), to be forwarded to the Supreme Court of Texas.

Additional CLE During Active Suspension

It is further ORDERED that, in addition to complying with the Minimum Continuing Legal Education (MCLE) requirements of the State Bar of Texas, Respondent shall complete nine (9) additional hours of continuing legal education: three (3) in the areas of Trust Account Management, three (3) in Ethics, with one (1) hour of which is a Texas Lawyer's Assistance Program course, and three (3) hours in Law Office Management. These additional hours of CLE are to be completed by January 16, 2026. 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.

Should Respondent fail to comply with any of the above terms and conditions timely, Respondent shall remain actively suspended until the date of compliance or until October 15, 2027, whichever occurs first.

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.
4. Respondent shall keep State Bar of Texas membership department notified of current mailing, residence and business 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 to the State Bar of Texas in the amount of $20,020.18. The payment shall be due and payable on or before April 16, 2026, 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).
9. As ordered in the CPA Audit requirement, if it is found that any client is owed restitution, Respondent shall pay said restitution to those clients within 10 business days of the determination by the CPA. Respondent shall pay the restitution by certified check, cashier's check, or money order made payable to any such client as determined by the CPA, and copies of any such payment shall be 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).
10. Not later than thirty (30) days after entry of the judgment, Respondent shall engage the services of an independent Certified Public Accountant (the CPA), approved by the State Bar of Texas, to audit all Goff Law Firm, PLLC bank accounts (both IOLTA and "Operating" accounts) from September 19, 2019 to the date of the signing of this judgment, and Goff and Metyko Law Firm, PLLC bank accounts (both IOLTA and "Operating" accounts) from January 1, 2024 to the date of the signing of this judgment to determine whether any client funds are due to be paid to clients. Any such client funds that are determined by the CPA as due to be paid to a client shall be paid within 10 business days of that determination. The CPA shall also assist Respondent in implementing an accounting method to properly maintain trust account records, and to properly balance any and all of Respondent's trust accounts. Respondent shall ensure that written confirmation of the implementation of such accounting method is provided directly by the CPA to the State Bar of Texas not later than ninety (90) days after entry of the judgment. Respondent shall take all necessary action, including the execution of a valid release of information, to allow and direct the CPA to provide such confirmation. Additionally, the CPA's above-described audit shall be complete not later than ninety (90) days after entry of the judgment. Not later than 30 days after completion of the audit, Respondent shall insure that a report summarizing the results of the audit that specifically notes any irregularities in Respondent's handling of trust account funds is provided by the CPA directly to the State Bar of Texas. Thereafter, the CPA audits shall be completed every six (6) months, with reports provided by the CPA directly to the State Bar of Texas within thirty (30) days of the completion of each audit. Respondent shall take all necessary action, including the execution of a valid

release of information, to allow and direct the CPA to provide such reports. Respondent shall be responsible for all costs and expenses incurred in completing these terms and shall pay all reasonable costs and expenses to the CPA in the manner determined by the CPA. Respondent shall make contact with the Office of the Chief Disciplinary Counsel's 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. All reports and verifications of compliance with the above shall be sent to the State Bar of Texas via USPS to: 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, or via FAX to: 512-427-4253. The above requirements expire upon successful completion of the probationary period 24 months after entry of the judgment. 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.

11. In addition to the nine (9) total of CLE hours that are a condition of the Active Suspension period, during the probationary period, Respondent shall also participate in a second set of CLE courses. Respondent shall complete nine (9) additional hours of continuing legal education: three (3) in the areas of Trust Account Management, three (3) in Ethics, and three (3) in Law Office Management. These additional hours of CLE are to be completed by January 16, 2027. 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**.

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.

Restitution, Attorney's Fees and Expenses

It is further ORDERED that as part of the CPA Audit requirement, if it is found that any client is owed restitution, Respondent shall pay said restitution to those clients within 10 business days of the determination by the CPA. Respondent shall pay the restitution by certified check, cashier's check, or money order made payable to any such client as determined by the CPA, and copies of any such payment, 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 Respondent shall pay all reasonable and necessary attorney's fees and direct expenses to the State Bar of Texas in the amount of $20,020.18. The payment shall be due and payable on or before April 16, 2026, 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.

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 23rd day of October, 2025.

EVIDENTIARY PANEL 1
DISTRICT NO. 9
STATE BAR OF TEXAS



William G. Rossick
District 9-1 Presiding Member

App 2

FILED
02/05/2025
Austin Office
Chief Disciplinary Counsel

BEFORE THE EVIDENTIARY PANEL FOR
STATE BAR DISTRICT NO. 9-1 STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE,	§	
Petitioner	§	**Case Nos.**
	§	**202401976-Omie Abbey**
	§	**202401948-Enright**
V.	§	**202401773-Grant**
	§	**202401831-Kim**
	§	**202401705-Allen-Bradley**
	§	**202401064-Mushtaq**
	§	**202403602-Wages**
	§	
DAMON ALEXANDER GOFF	§	
Respondent	§	

PETITIONER'S ORIGINAL EVIDENTIARY PETITION AND REQUEST FOR DISCLOSURE

COMES NOW, the Commission for Lawyer Discipline, a committee of the State Bar of Texas, and would respectfully show unto the Evidentiary Panel as follows:

I.

PARTIES

Petitioner is the Commission for Lawyer Discipline, a committee of the State Bar of Texas. Respondent, Damon Alexander Goff, State Bar No. 24096552, is an attorney licensed to practice law in the State of Texas. Respondent may be served with process at:

Damon Alexander Goff
4020 Castle Creek Cove
Round Rock, Texas 78681

II.

JURISDICTION & VENUE

This Disciplinary Proceeding is brought pursuant to the State Bar Act, Tex. Gov't. Code Ann. Sec. 81.001, et seq., the Texas Disciplinary Rules of Professional Conduct, and the Texas Rules of Disciplinary Procedure. The complaints which form the basis of this Disciplinary

Proceeding were filed by Iyibi Omie-Abbey, Richard Enright, Jedidiah Grant, Hyun Kim, Christopher Allen-Bradley, Zunair Mushtaq, and John Wages respectively, on or after June 1, 2018. Venue is proper in Travis County, Texas, pursuant to Rule 2.11(C) of the Texas Disciplinary Rules of Procedure, because Travis is the county of Respondent's principal place of practice.

III.

PROFESSIONAL MISCONDUCT

The acts and omissions of Respondent, as hereinafter alleged, constitute professional misconduct.

IV.

FACTUAL ALLEGATIONS

202401976 Iyibi Omie-Abbey Complaint

Complainant, Iyibi Omie-Abbey, hired Respondent, Damon Goff, to file a claim for diminished value stemming from a motor vehicle collision which occurred on or about July 15, 2023. The claim settled for $7,937.00 on or about February 2, 2024. Thereafter, Respondent's firm received the funds but did not tender the settlement funds promptly or within a reasonable amount of time to Complainant. Respondent also failed to adequately communicate with Complainant about the status of his case, specifically, that the firm was in receipt of the settlement funds. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

202401948 Richard Enright Complaint

On or around February 25, 2023, Complainant, Richard Enright, hired Respondent, Damon Goff, to take legal action for a breach of contract against Vision Solar, LLC, for unfinished services paid for by Complainant on April 15, 2022. After hire, Respondent ceased all communication with

Complainant and failed to provide Complainant with any meaningful updates about the status of his legal matter.

202401773 Jedidiah Grant Complaint

Complainant, Jedediah Grant, is a former employee and client of Respondent, Damon Goff. In October 2022, Complainant paid $2,370.00 to hire Respondent to pursue a claim against Liberty Mutual. Thereafter, Respondent failed to file the suit or pursue the claim.

Further, while Complainant was an employee of Respondent's firm, Respondent and the firm received settlement funds on behalf of numerous clients. However, the funds were not timely distributed to the clients. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

202401831 Hyun Kim Complaint

On or around September 8, 2023, Complainant, Hyun Kim, hired Respondent, Damon Goff, to pursue a diminished value claim against Geico Insurance stemming from a motor vehicle collision which occurred in October of 2023. On December 15, 2023, Complainant signed a release to settle the claim with Geico for $7,467.00. A check in the amount of $7,467.00 was issued to Goff Law Firm PLLC and Complainant on January 26, 2024.

Thereafter, Complainant reached out to Respondent numerous times regarding his unissued settlement funds. Respondent initially responded on February 29, 2024, saying that the funds

would be issued “the next day.” However, Respondent ceased all communications as of March 5, 2024, and to date, Complainant has not received any of his settlement funds.

Additionally, after reviewing Respondent’s bank accounts, there is ample evidence of comingling of client and personal funds.

202401705 Christopher Allen-Bradley Complaint

On or around November 22, 2023, Complainant, Christopher Allen-Bradley, hired Respondent, Damon Goff, to pursue a diminished value claim stemming from a motor vehicle collision which occurred in June of 2023. On January 18, 2024, Complainant signed a release settling the claim for $5,676.00. Thereafter, on or around January 16, 2024, Geico issued and mailed a settlement check to Respondent’s firm in the amount of $5,676.00 made payable to Goff Law Firm, PLLC. Over the next several months, Complainant reached out repeatedly to Respondent requesting an update of the unissued funds. Initially, Respondent responded on February 28, 2024, indicating that he would issue the payment. However, to date, Complainant has not received any of his settlement funds.

Additionally, after reviewing Respondent’s bank accounts, there is ample evidence of comingling of client and personal funds.

202401064 Zunair Mushtaq Complaint

On or around October 13, 2023, Complainant, Zunair Mushtaq, hired Respondent, Damon Goff, to pursue a diminished value claim stemming from a motor vehicle collision. On November 6, 2023, Respondent emailed Complainant and indicated that the insurance company was offering to settle the claim for $6,672.00. Shortly thereafter, Complainant was contacted by an associate of the firm who requested a notarized form giving the firm permission to collect the insurance payment, which Complainant provided. After providing the notarized form, Respondent and his

firm ceased all communications with Complainant. To date, Complainant has not received his settlement funds.

Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

202403602 John Wages Complaint

On or around June 20, 2023, Complainant, John Wages, hired Respondent, Damon Goff, to file a claim for diminished value against State Farm stemming from a motor vehicle collision. Ultimately, the case settled for $4,500.00, and Complainant signed the settlement release authorizing said settlement on January 18, 2024. The settlement check was deposited into Respondent's firm's bank account on or around January 31, 2024, as confirmed by State Farm. Thereafter, Complainant spent several months attempting to contact Respondent regarding the outstanding settlement funds, to no avail. Finally, on May 8, 2024, Complainant received a check from Respondent in the amount of $3,500.00, which Complainant states is an incorrect and insufficient amount.

Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

DISCIPLINARY RULES OF PROFESSIONAL CONDUCT

The conduct described above is in violation of the following Texas Disciplinary Rules of Professional Conduct:

202401976 Iyibi Omie-Abbey Complaint

1.03(b)	A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.
1.14(a)	A lawyer shall hold funds and other property belonging in whole or in part to clients or third persons that are in a lawyer's possession in

connection with a representation separate from the lawyer's own property. Such funds shall be kept in a separate account, designated as a “trust” or “escrow” account, maintained in the state where the lawyer's office is situated, or elsewhere with the consent of the client or third person. Other client property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.

1.14(b) Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.

202401948 Richard Enright Complaint

1.01(b)(1) In representing a client, a lawyer shall not neglect a legal matter entrusted to the lawyer.

1.03(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

1.03(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

202401773 Jedidiah Grant Complaint

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202401831 Hyun Kim Complaint

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202401705 Christopher Allen-Bradley Complaint

1.03(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

1.14(a) A lawyer shall hold funds and other property belonging in whole or in part to clients or third persons that are in a lawyer's possession in connection with a representation separate from the lawyer's own property. Such funds shall be kept in a separate account, designated

as a “trust” or “escrow” account, maintained in the state where the lawyer's office is situated, or elsewhere with the consent of the client or third person. Other client property shall be identified as such and appropriately safeguarded. Complete records of such account funds and other property shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.

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202401064 Zunair Mushtaq Complaint

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V.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that a judgment of professional misconduct be entered against Respondent and that this Evidentiary Panel impose an appropriate sanction against Respondent as warranted by the facts. Petitioner further prays to recover all reasonable and necessary attorney fees and all costs associated with this proceeding. Petitioner further prays for such other and additional relief, general or specific, at law or in equity, to which it may show itself entitled.

VI.

REQUEST FOR DISCLOSURE

Pursuant to Rule 2.17(D) of the Texas Rules of Disciplinary Procedure, Petitioner request that Respondent disclose, within fifty (50) days of the service of this request, the following information or material:

1. The correct names of the parties to the Disciplinary Proceeding.
2. In general, the factual bases of the responding party's claims or defenses (the responding party need not marshal all evidence that may be offered at trial).
3. The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the disciplinary matter.
4. For any testifying expert, the expert's name, address, and telephone number; the subject matter on which the expert will testify, and the general substance of the expert's mental impressions and opinions and a brief summary of the basis of them.
5. Any witness statements.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Amanda M. Kates
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
STATE BAR OF TEXAS
P.O. Box 12487
Austin, Texas 78750
(512) 427-1350 Phone
(512) 453-6667 Fax
akates@texasbar.com Email



_____

Amanda M. Kates
State Bar Card No. 24075987
ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon Respondent, Damon Alexander Goff, *via personal service at 4020 Castle Creek Cove, Round Rock, Texas 78681*, in accordance with Rule 21a Tex.R.Civ.P. on this 5th day of February, 2025.



_____

Amanda M. Kates

App 3

FILED
04/21/2025
Austin Office
Chief Disciplinary Counsel

BEFORE THE EVIDENTIARY PANEL FOR
STATE BAR DISTRICT NO. 9-1 STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE,	§	
Petitioner	§	**Case Nos.**
	§	**202401976-Omie Abbey**
	§	**202401948-Enright**
V.	§	**202401773-Grant**
	§	**202401831-Kim**
	§	**202401705-Allen-Bradley**
	§	**202401064-Mushtaq**
	§	**202403602-Wages**
	§	**202405503- Lauletta**
	§	**202405879- Fontana**
	§	
DAMON ALEXANDER GOFF	§	
Respondent	§	

PETITIONER'S FIRST AMENDED EVIDENTIARY PETITION AND REQUEST FOR DISCLOSURE

COMES NOW, the Commission for Lawyer Discipline, a committee of the State Bar of Texas, and would respectfully show unto the Evidentiary Panel as follows:

I.

PARTIES

Petitioner is the Commission for Lawyer Discipline, a committee of the State Bar of Texas. Respondent, Damon Alexander Goff, State Bar No. 24096552, is an attorney licensed to practice law in the State of Texas. Respondent may be served with process at:

Damon Alexander Goff
4020 Castle Creek Cove
Round Rock, Texas 78681

II.

JURISDICTION & VENUE

This Disciplinary Proceeding is brought pursuant to the State Bar Act, Tex. Gov't. Code Ann. Sec. 81.001, et seq., the Texas Disciplinary Rules of Professional Conduct, and the Texas

Rules of Disciplinary Procedure. The complaints which form the basis of this Disciplinary Proceeding were filed by Iyibi Omie-Abbey, Richard Enright, Jedidiah Grant, Hyun Kim, Christopher Allen-Bradley, Zunair Mushtaq, John Wages, Nancy Lauletta Caballero and Michael Fontana, respectively, on or after June 1, 2018. Venue is proper in Travis County, Texas, pursuant to Rule 2.11(C) of the Texas Disciplinary Rules of Procedure, because Travis is the county of Respondent's principal place of practice.

III.

PROFESSIONAL MISCONDUCT

The acts and omissions of Respondent, as hereinafter alleged, constitute professional misconduct.

IV.

FACTUAL ALLEGATIONS

202401976 Iyibi Omie-Abbey Complaint

Complainant, Iyibi Omie-Abbey, hired Respondent, Damon Goff, to file a claim for diminished value stemming from a motor vehicle collision which occurred on or about July 15, 2023. The claim settled for $7,937.00 on or about February 2, 2024. Thereafter, Respondent's firm received the funds but did not tender the settlement funds promptly or within a reasonable amount of time to Complainant. Respondent also failed to adequately communicate with Complainant about the status of his case, specifically, that the firm was in receipt of the settlement funds. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

202401948 Richard Enright Complaint

On or around February 25, 2023, Complainant, Richard Enright, hired Respondent, Damon Goff, to take legal action for a breach of contract against Vision Solar, LLC, for unfinished services paid for by Complainant on April 15, 2022. After hire, Respondent ceased all communication with Complainant and failed to provide Complainant with any meaningful updates about the status of his legal matter.

202401773 Jedidiah Grant Complaint

Complainant, Jedediah Grant, is a former employee and client of Respondent, Damon Goff. In October 2022, Complainant paid $2,370.00 to hire Respondent to pursue a claim against Liberty Mutual. Thereafter, Respondent failed to file the suit or pursue the claim.

Further, while Complainant was an employee of Respondent's firm, Respondent and the firm received settlement funds on behalf of numerous clients. However, the funds were not timely distributed to the clients. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

202401831 Hyun Kim Complaint

On or around September 8, 2023, Complainant, Hyun Kim, hired Respondent, Damon Goff, to pursue a diminished value claim against Geico Insurance stemming from a motor vehicle collision which occurred in October of 2023. On December 15, 2023, Complainant signed a release to settle the claim with Geico for $7,467.00. A check in the amount of $7,467.00 was issued to Goff Law Firm PLLC and Complainant on January 26, 2024.

Thereafter, Complainant reached out to Respondent numerous times regarding his unissued settlement funds. Respondent initially responded on February 29, 2024, saying that the funds

would be issued “the next day.” However, Respondent ceased all communications as of March 5, 2024, and to date, Complainant has not received any of his settlement funds.

Additionally, after reviewing Respondent’s bank accounts, there is ample evidence of comingling of client and personal funds.

202401705 Christopher Allen-Bradley Complaint

On or around November 22, 2023, Complainant, Christopher Allen-Bradley, hired Respondent, Damon Goff, to pursue a diminished value claim stemming from a motor vehicle collision which occurred in June of 2023. On January 18, 2024, Complainant signed a release settling the claim for $5,676.00. Thereafter, on or around January 16, 2024, Geico issued and mailed a settlement check to Respondent’s firm in the amount of $5,676.00 made payable to Goff Law Firm, PLLC. Over the next several months, Complainant reached out repeatedly to Respondent requesting an update of the unissued funds. Initially, Respondent responded on February 28, 2024, indicating that he would issue the payment. However, to date, Complainant has not received any of his settlement funds.

Additionally, after reviewing Respondent’s bank accounts, there is ample evidence of comingling of client and personal funds.

202401064 Zunair Mushtaq Complaint

On or around October 13, 2023, Complainant, Zunair Mushtaq, hired Respondent, Damon Goff, to pursue a diminished value claim stemming from a motor vehicle collision. On November 6, 2023, Respondent emailed Complainant and indicated that the insurance company was offering to settle the claim for $6,672.00. Shortly thereafter, Complainant was contacted by an associate of the firm who requested a notarized form giving the firm permission to collect the insurance payment, which Complainant provided. After providing the notarized form, Respondent and his

firm ceased all communications with Complainant. To date, Complainant has not received his settlement funds.

Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

202403602 John Wages Complaint

On or around June 20, 2023, Complainant, John Wages, hired Respondent, Damon Goff, to file a claim for diminished value against State Farm stemming from a motor vehicle collision. Ultimately, the case settled for $4,500.00, and Complainant signed the settlement release authorizing said settlement on January 18, 2024. The settlement check was deposited into Respondent's firm's bank account on or around January 31, 2024, as confirmed by State Farm. Thereafter, Complainant spent several months attempting to contact Respondent regarding the outstanding settlement funds, to no avail. Finally, on May 8, 2024, Complainant received a check from Respondent in the amount of $3,500.00, which Complainant states is an incorrect and insufficient amount.

Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

202405503 -Nancy Lauletta Caballero Complaint

On August 28, 2023, Complainant, Nancy Caballero, was involved in a motor vehicle collision which resulted in property damage to her Tesla. Complainant then took her Tesla to be repaired at Autocraft Bodywerks ("Autocraft") in October of 2023. Despite already having a rental car set up with Enterprise Leasing, Autocraft referred Complainant to an individual named Jed Grant ("Grant") to rent a Tesla at no additional cost.

When Complainant contacted Grant to set up the rental car, Grant mentioned she could go through him for a diminished value claim. Once the repairs were completed and the rental car returned, Complainant contacted Grant to pursue the diminished value claim. Complainant states that she hired Respondent, Damon Alexander Goff, on October 27, 2023, and agreed to a contingency fee of 33% of the money received from the diminished value claim.

Grant contacted Complainant in November 2023, and indicated that the at-fault party's insurance would settle the diminished value claim for around $2,000.00, but stated they could get more if she did not need the funds immediately. Complainant agreed to allow Grant to continue to negotiate, and was later informed that Respondent's firm was able to get $3,600.00. However, when Complainant checked the online information for her claim, she learned that a check for $5,471.00 was issued to the Goff Law Firm on December 6, 2023, and cashed on December 22, 2023. Following receipt of this information, Complainant began reaching out to Grant for payment and was told that it would probably be delayed because of the holidays.

In the following months, Complainant continued to follow up by email about the status of the overdue check from Respondent's firm. Complainant's attempts to communicate were either ignored or she was given excuses for not getting answers to her questions. Complainant was finally informed that her check would be issued on January 29. 2024, however, to date, Complainant has still not received her funds. Complainant also sent a certified letter to Respondent on March 22, 2024, and stated her concerns but, to date, has not received a reply and both Respondent and Grant have ceased all communications.

Further, Respondent was initially notified of this grievance matter on September 19, 2024, via email. When Respondent did not acknowledge receipt of the grievance, Respondent received

a copy of the grievance via personal service by private process server on December 9, 2024. Thereafter, Respondent failed to submit a written response to this grievance matter.

202405879 – Michael Fontana Complaint

Complainant, Michael Fontana, hired Respondent, Damon Alexander Goff, on August 17, 2023, to collect damages and diminished value of his vehicle incurred in a motor vehicle collision. However, when Respondent became non-responsive to all attempts at communication by Complainant, Complainant was forced to hire subsequent counsel on March 19, 2024.

Following the hire of his new attorneys, Complainant learned that Respondent settled and received a settlement check on December 13, 2023, in the amount of $10,500, but failed to send any payments or information regarding the settlement to Complainant. Accordingly, Complainant's new attorneys emailed a Letter of Representation and a Demand Letter for payment of the settlement funds to Respondent.

On May 09, 2024, the Batrice Law Firm received a handwritten check for $4,690.00 from Goff Law Firm, PLLC. On August 28, 2024, the Batrice Law Firm attempted to deposit the check from Goff Law Firm, PLLC. However, on September 09, 2024, Batrice Law Firm received a Notice of Insufficient Funds for the check. On September 10, 2024, Respondent called Complainant and told Complainant he did not believe that check was hot and did not believe that the check did not clear.

Further, Respondent was initially notified of this grievance matter on October 10, 2024, via email. When Respondent did not acknowledge receipt of the grievance, Respondent received a copy of the grievance via personal service by private process server on December 9, 2024. Thereafter, Respondent failed to submit a written response to this grievance matter.

DISCIPLINARY RULES OF PROFESSIONAL CONDUCT

The conduct described above is in violation of the following Texas Disciplinary Rules of Professional Conduct:

202401976 Iyibi Omie-Abbey Complaint

1.03(b)	A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.
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202401064 Zunair Mushtaq Complaint

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202405503 -Nancy Lauletta Caballero Complaint

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1.14(b) Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver

to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.

8.04(a)(8) A lawyer shall not fail to timely furnish to the Chief Disciplinary Counsels office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so.

202405879 – Michael Fontana Complaint

1.03(a) A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

1.14(b) Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as stated in this rule or otherwise permitted by law or by agreement with the client, a lawyer shall promptly deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.

8.04(a)(8) A lawyer shall not fail to timely furnish to the Chief Disciplinary Counsels office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so.

V.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that a judgment of professional misconduct be entered against Respondent and that this Evidentiary Panel impose an appropriate sanction against Respondent as warranted by the facts. Petitioner further prays to recover all reasonable and necessary attorney fees and all costs associated with this proceeding.

Petitioner further prays for such other and additional relief, general or specific, at law or in equity, to which it may show itself entitled.

VI.

REQUEST FOR DISCLOSURE

202405503 -Nancy Lauletta Caballero Complaint &

202405879 – Michael Fontana Complaint

Pursuant to Rule 2.17(D) of the Texas Rules of Disciplinary Procedure, Petitioner request that Respondent disclose, within fifty (50) days of the service of this request, the following information or material:

1. The correct names of the parties to the Disciplinary Proceeding.
2. In general, the factual bases of the responding party's claims or defenses (the responding party need not marshal all evidence that may be offered at trial).
3. The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the disciplinary matter.
4. For any testifying expert, the expert's name, address, and telephone number; the subject matter on which the expert will testify, and the general substance of the expert's mental impressions and opinions and a brief summary of the basis of them.
5. Any witness statements.

Respectfully submitted,

Seana Willing
Chief Disciplinary Counsel

Amanda M. Kates
Assistant Disciplinary Counsel

Office of the Chief Disciplinary Counsel
STATE BAR OF TEXAS
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Amanda M. Kates
State Bar Card No. 24075987
ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served upon Respondent, Damon Alexander Goff, *via personal service at 4020 Castle Creek Cove, Round Rock, Texas 78681*, in accordance with Rule 21a Tex.R.Civ.P. on this 21st day of April, 2025.



Amanda M. Kates

App 4

FILED

OCT 0 1 2025

Austin Office
Chief Disciplinary Counsel
State Bar of Texas

BEFORE THE EVIDENTIARY PANEL FOR STATE BAR DISTRICT NO. 9-1 STATE BAR OF TEXAS

COMMISSION FOR LAWYER DISCIPLINE,	§	
Petitioner	§	**Case Nos.**
	§	**202401976-Omie Abbey**
	§	**202401948-Enright**
V.	§	**202401773-Grant**
	§	**202401831-Kim**
	§	**202401705-Allen-Bradley**
	§	**202401064-Mushtaq**
	§	**202403602-Wages**
	§	**202405503- Lauletta**
	§	**202405879- Fontana**
	§	
DAMON ALEXANDER GOFF	§	
Respondent	§	

ORDER GRANTING DEFAULT

ON THIS DAY CAME ON TO BE HEARD, Commission for Lawyer Discipline's Motion for Default Judgment, in the above entitled and numbered cause. After hearing the evidence submitted, the Evidentiary Panel is of the opinion that the Motion for Default Judgment should be, and is hereby **GRANTED.**

IT IS ACCORDINGLY ORDERED, ADJUDGED AND DECREED that the following findings of fact and conclusions of law are deemed as true:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.

202401976-Omie Abbey

2. Complainant, Iyibi Omie-Abbey, hired Respondent, Damon Goff, to file a claim for diminished value stemming from a motor vehicle collision which occurred on or about July 15, 2023. The claim settled for $7,937.00 on or about February 2, 2024. Thereafter, Respondent's firm received the funds but did not tender the settlement funds promptly or within a reasonable amount of time to Complainant. Respondent also failed to adequately communicate with Complainant about the status of his case, specifically, that the firm was in receipt of the settlement funds. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

1. Respondent, by his conduct in connection with the grievance initiated by Iyibi Omie-Abbey, has violated Rules 1.03(b), 1.14(a) and 1.14(b) of the Texas Disciplinary Rules of Professional Conduct.

202401948-Enright

3. On or around February 25, 2023, Complainant, Richard Enright, hired Respondent, Damon Goff, to take legal action for a breach of contract against Vision Solar, LLC, for unfinished services paid for by Complainant on April 15, 2022. After hire, Respondent ceased all communication with Complainant and failed to provide Complainant with any meaningful updates about the status of his legal matter.

5. Respondent, by his conduct in connection with the grievance initiated by Richard Enright, has violated Rules 1.01(b)(1), 1.03(a) and 1.03(b) of the Texas Disciplinary Rules of Professional Conduct.

202401773-Grant

6. Complainant, Jedediah Grant, is a former employee and client of Respondent, Damon Goff. In October 2022, Complainant paid $2,370.00 to hire Respondent to pursue a claim against Liberty Mutual. Thereafter, Respondent failed to file the suit or pursue the claim.

   Further, while Complainant was an employee of Respondent's firm, Respondent and the firm received settlement funds on behalf of numerous clients. However, the funds were not timely distributed to the clients. Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

7. Respondent, by his conduct in connection with the grievance initiated by Jedediah Grant, has violated Rules 1.01(b)(1), I.14(a) and 1.14(b) of the Texas Disciplinary Rules of Professional Conduct.

202401831-Kim

8. On or around September 8, 2023, Complainant, Hyun Kim, hired Respondent, Damon Goff, to pursue a diminished value claim against Geico Insurance stemming from a motor vehicle collision which occurred in October of 2023. On December 15, 2023, Complainant signed a release to settle the claim with Geico for $7,467.00. A check in the amount of $7,467.00 was issued to Goff Law Firm PLLC and Complainant on January 26, 2024.

   Thereafter, Complainant reached out to Respondent numerous times regarding his unissued settlement funds. Respondent initially responded on February 29, 2024, saying that the funds would be issued "the next day." However, Respondent ceased all communications as of March 5, 2024, and to date, Complainant has not received any of his settlement funds.

Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

9. Respondent, by his conduct in connection with the grievance initiated by Hyun Kim, has violated Rules 1.03(a), 1.14(a) and 1.14(b) of the Texas Disciplinary Rules of Professional Conduct.

202401705-Allen-Bradley

10. On or around November 22, 2023, Complainant, Christopher Allen-Bradley, hired Respondent, Damon Goff, to pursue a diminished value claim stemming from a motor vehicle collision which occurred in June of 2023. On January 18, 2024, Complainant signed a release settling the claim for $5,676.00. Thereafter, on or around January 16, 2024, Geico issued and mailed a settlement check to Respondent's firm in the amount of $5,676.00 made payable to Goff Law Firm, PLLC. Over the next several months, Complainant reached out repeatedly to Respondent requesting an update of the unissued funds. Initially, Respondent responded on February 28, 2024, indicating that he would issue the payment. However, to date, Complainant has not received any of his settlement funds.

Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

11. Respondent, by his conduct in connection with the grievance initiated by Christopher Allen Bradley, has violated Rules 1.03(a), 1.14(a) and 1.14(b) of the Texas Disciplinary Rules of Professional Conduct.

202401064-Mushtaq

12. On or around October 13, 2023, Complainant, Zunair Mushtaq, hired Respondent, Damon Goff, to pursue a diminished value claim stemming from a motor vehicle collision. On November 6, 2023, Respondent emailed Complainant and indicated that the insurance company was offering to settle the claim for $6,672.00. Shortly thereafter, Complainant was contacted by an associate of the firm who requested a notarized form giving the firm permission to collect the insurance payment, which Complainant provided. After providing the notarized form, Respondent and his firm ceased all communications with Complainant. To date, Complainant has not received his settlement funds.

Additionally, after reviewing Respondent's bank accounts, there is ample evidence of comingling of client and personal funds.

13. Respondent, by his conduct in connection with the grievance initiated by Zunair Mushtaq, has violated Rules 1.03(a), 1.14(a) and 1.14(b) of the Texas Disciplinary Rules of Professional Conduct.

202403602-Wages

14. On or around June 20, 2023, Complainant, John Wages, hired Damon Goff, to file a claim for diminished value against State Farm stemming from a motor vehicle collision. Ultimately, the case settled for $4,500.00, and Complainant signed the settlement release authorizing said settlement on January 18, 2024. The settlement check was deposited into Respondent's bank account on or around January 31, 2024, as confirmed by State Farm. Thereafter, Complainant spent several months attempting to contact Respondent regarding the outstanding settlement funds, to no avail. Finally, May 8, 2024, Complainant received a check from Respondent in the amount of $3,500.00, which Complainant states is an incorrect and insufficient amount.

    Additionally, after reviewing Respondent's bank accounts, there is ample evident of comingling of client and personal funds.

15. Respondent, by his conduct in connection with the grievance initiated by John Wages, has violated Rules 1.03(a), 1.14(a) and 1.14(b) of the Texas Disciplinary Rules of Professional Conduct.

202405503- Lauletta

16. On August 28, 2023, Complainant, Nancy Caballero, was involved in a motor vehicle collision which resulted in property damage to her Tesla. Complainant then took her Tesla to be repaired at Autocraft Bodywerks ("Autocraft") in October of 2023. Despite already having a rental car set up with Enterprise Leasing, Autocraft referred Complainant to an individual named Jed Grant ("Grant") to rent a Tesla at no additional cost.

    When Complainant contacted Grant to set up the rental car, Grant mentioned she could go through him for a diminished value claim. Once the repairs were completed and the rental car returned, Complainant contacted Grant to pursue the diminished value claim. Complainant states that she hired Respondent, Damon Alexander Goff, on October 27, 2023, and agreed to a contingency fee of 33% of the money received from the diminished value claim.

    Grant contacted Complainant in November 2023, and indicated that the at-fault party's insurance would settle the diminished value claim for around $2,000.00, but stated they could get more if she did not need the funds immediately. Complainant agreed to allow Grant to continue to negotiate, and was later informed that Respondent's firm was able to get $3,600.00. However, when Complainant checked the online information for her claim, she learned that a check for $5,471.00 was issued to the Goff Law Firm on December 6, 2023, and cashed on December 22, 2023. Following receipt of this information, Complainant began reaching out to Grant for payment and was told that it would probably be delayed because of the holidays.

In the following months, Complainant continued to follow up by email about the status of the overdue check from Respondent's firm. Complainant's attempts to communicate were either ignored or she was given excuses for not getting answers to her questions. Complainant was finally informed that her check would be issued on January 29. 2024, however, to date, Complainant has still not received her funds. Complainant also sent a certified letter to Respondent on March 22, 2024, and stated her concerns but, to date, has not received a reply and both Respondent and Grant have ceased all communications.

Further, Respondent was initially notified of this grievance matter on September 19, 2024, via email. When Respondent did not acknowledge receipt of the grievance, Respondent received a copy of the grievance via personal service by private process server on December 9, 2024. Thereafter, Respondent failed to submit a written response to this grievance matter.

17. Respondent, by his conduct in connection with the grievance initiated by Nancy Lauletta Caballero, has violated Rules 1.03(a), 1.14(a) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

202405879- Fontana

18. Complainant, Michael Fontana, hired Respondent, Damon Alexander Goff, on August 17, 2023, to collect damages and diminished value of his vehicle incurred in a motor vehicle collision. However, when Respondent became non-responsive to all attempts at communication by Complainant, Complainant was forced to hire subsequent counsel on March 19, 2024.

Following the hire of his new attorneys, Complainant learned that Respondent settled and received a settlement check on December 13, 2023, in the amount of $10,500, but failed to send any payments or information regarding the settlement to Complainant. Accordingly, Complainant's new attorneys emailed a Letter of Representation and a Demand Letter for payment of the settlement funds to Respondent.

On May 09, 2024, the Batrice Law Firm received a handwritten check for $4,690.00 from Goff Law Firm, PLLC. On August 28, 2024, the Batrice Law Firm attempted to deposit the check from Goff Law Firm, PLLC. However, on September 09, 2024, Batrice Law Firm received a Notice of Insufficient Funds for the check. On September 10, 2024, Respondent called Complainant and told Complainant he did not believe that check was hot and did not believe that the check did not clear.

Further, Respondent was initially notified of this grievance matter on October 10, 2024, via email. When Respondent did not acknowledge receipt of the grievance, Respondent received a copy of the grievance via personal service by private process server on December 9, 2024. Thereafter, Respondent failed to submit a written response to this grievance matter.

19. Respondent, by his conduct in connection with the grievance initiated by Michael Fontana, has violated Rules 1.03(a), 1.14(b) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct.

SIGNED this 1ST day of October 2025.

William Rossick
Presiding Member 9-1