



F I L E D

Aug 15 2025

**BEFORE THE BOARD OF DISCIPLINARY APPEALS
APPOINTED BY
THE SUPREME COURT OF TEXAS**

THE BOARD of DISCIPLINARY APPEALS
Appointed by the Supreme Court of Texas

**IN THE MATTER OF
ALFONSO KENNARD, JR.
STATE BAR CARD NO. 24036888**

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CAUSE NO. 71282

RESPONSE TO POST-HEARING BRIEF

TO THE BOARD OF DISCIPLINARY APPEALS:

1. The Board heard testimony and counsel cites to none of it.
2. Mr. Kennard waived privilege—he has nothing to hide. The testimony from Mr. Kennard’s lawyers was clear: Mr. Kennard acted on advice of counsel. His lawyers testified that they believed these matters were the subject of the state court proceedings. They testified that they represented Kennard in all matters—including these—prior to the payment deadline. They made clear they advised Kennard that he did not need to pay the fines for that reason.
3. The state court proceedings are necessary. Tim Soefje, an attorney with over 35 years of professional liability defense, stated on the record regarding the Bar’s attempts to remove Kennard from the active roster: “I’ve never seen anything like this—and especially not with the ticky tack things they are alleging.” Gabriel Canto and Tim Soefje testified the state claims are necessary, brought in good faith, and still active. They testified that they understand from the Bar—via Melisa Jordan—that her marching orders are to take away his license somehow.
4. Now, counsel is also alleging, without any support on the record, that he misused IOLTA to pay the fines once Kennard’s counsel advised that immediate payment should be made and prior to the hearing. Kennard did not use client funds. He used his own funds to put into IOLTA because those monies were for the benefit of the Bar and a former client. No rule was violated.
5. The Board directed Mr. Kennard to pay the fines within fourteen days at the conclusion of the

hearing. It is undisputed that he did. He complied.

6. To now assert that Kennard still acted in bad faith, despite the clear and convincing testimony that his counsel advised him not to pay the fine originally and that they represented him on these particular matters prior to the original deadline, is disingenuous in and of itself.
7. Kennard re-urges, having satisfied the payments as directed by the Board, that the motion to revoke be denied.
8. And should Kennard be suspended for an issue where he heeded the advice of his counsel at the time, that would leave 80+ clients with no lawyer. That is certainly not in the public interest. Kennard is actively working to settle cases that can be settled and find good, competent homes for others, as he stated on the record, since he is retiring soon regardless of all this anyway. But he will not retire until his clients and their cases are properly placed in good hands, which he is actively doing. If he is suspended, that leaves the Bar responsible for handling these cases, and there are few attorneys qualified to handle employment law on the plaintiff-side. This is not in the public interest.

Respectfully submitted,

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