

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

<b>IN THE MATTER OF</b>	§	
<b>JOSHUA DAVID GORDON,</b>	§	<b>CAUSE NO. <u>71211</u></b>
<b>STATE BAR CARD NO. 24091592</b>	§	

**AGREED JUDGMENT OF PARTIALLY PROBATED SUSPENSION**

On this day the above-styled and numbered reciprocal disciplinary action was called for hearing before the Board of Disciplinary Appeals. The Commission appeared by attorney and Respondent appeared in person and through counsel as indicated by their respective signatures below and announced that they agree to the findings of fact, conclusions of law, and orders set forth below solely for the purposes of this proceeding which has not been fully adjudicated. Respondent waives any and all defenses that could be asserted under Rule 9.04 of the Texas Rules of Disciplinary Procedure. The Board of Disciplinary Appeals, having reviewed the file and in consideration of the agreement of the parties, is of the opinion that the Commission is entitled to entry of the following findings, conclusions, and orders:

**Findings of Fact.** The Board of Disciplinary Appeals finds that:

- (1) Respondent, Joshua David Gordon, Bar Card No. 24091592, is an attorney licensed and authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about May 7, 2025, an Amended Order for Sanctions was entered in Case No. 4:24-MC-01424, in the United States District Court, Southern District of Texas, Laredo Division, which sets forth in pertinent part:

On February 4, 2025, the Court ordered the parties to file their objections, if any, to the Court adopting the facts and analysis laid out in the Special Prosecutor's Report, the revised recommendations for sanctions in the Special Prosecutor's Reply, and the Special Prosecutor's Proposed Order by February 10, 2025. (Dkt. 24.) The Special Prosecutor, Jennifer Hardy, filed a Statement of No

Objection on February 5, 2025. (Dkt. 25.) Attorneys [REDACTED] and Joshua Gordon did not file any objections by the deadline.

After careful review and hearing no objection from the parties, the Court now adopts the facts, analysis, and recommendations set forth in the Special Prosecutor's Report, as amended in the Reply. (Dkts. 21, 23.) The Court issues this Order in accordance with the Agreed Order Regarding the Special Prosecutor's Report and Recommendations Regarding the Conduct of [REDACTED] and Joshua Gordon. (Dkt. 23, Attach. 1.)

**WHEREAS**, on September 4, 2024, the United States Bankruptcy Court for the Southern District of Texas entered that certain *Memorandum Order* [Bankr. Docket No. 87] in the matter of *In re Red Door Management*, Case No. 24-31750 (Bankr. S.D. Tex. 2024), (i) finding that [REDACTED] and Mr. Gordon intentionally made a false statement of material fact and law to the Bankruptcy Court; (ii) requiring disgorgement of fees; (iii) referring [REDACTED] and Mr. Gordon to the Chief Judge of the Southern District of Texas for further discipline; and (iv) recommending a suspension of practice from the Southern District of Texas for a period of 90 to 180 days.

...

**WHEREAS**, on November 30, 2024, the Special Prosecutor filed the *Special Prosecutor's Report and Recommendations Regarding the Conduct of [REDACTED] and Joshua Gordon* (the "Report") detailing the findings of her investigation and recommending certain additional sanctions as requirements for [REDACTED] and Mr. Gordon's continued admittance to practice in the Southern District of Texas.

**WHEREAS**, on December 16, 2024, [REDACTED] and Mr. Gordon, through counsel, filed [REDACTED] and *Joshua Gordon's Response to the Special Prosecutor's Report* (the "Response") accepting the recommendations in the Report except those recommendations imposing additional terms of suspension of practice.

**WHEREAS**, on January 10, 2025, the Special Prosecutor filed the *Reply in Support of the Special*

*Prosecutor's Report and Recommendations "Regarding the conduct of [REDACTED] and Joshua Gordon (the "Reply") recommending that fifty percent of the days spent suspended from appearing before Judge Norman be credited against the Special Prosecutor's recommended Southern District of Texas suspension.*

**WHEREAS**, on February 11, 2025, this Court approved its original Order for Sanctions (Dkt. 26) and the parties subsequently requested that the Court approve this Amended Order for Sanctions to clarify the probated nature of the suspensions set forth in the Order for Sanctions.

**NOW THEREFORE, IT IS HEREBY DETERMINED, FOUND, ADJUDGED, DECREED AND ORDERED THAT:**

1. The foregoing recitals are incorporated herein by reference.
2. The Court has reviewed the Report, including the related exhibits, the Response and the Reply.
3. The Court finds and determines that the recommendations for sanctions set forth in the Reply are reasonable and appropriate under the circumstances and adopts them to the extent set forth herein.
- ...
5. With respect to Mr. Joshua Gordon, it is hereby ordered that:
  - i. Mr. Gordon will complete five (5) total ethics CLE credits each year for the years 2025-2027; and
  - ii. Mr. Gordon is hereby suspended from practice in the Southern District of Texas for one hundred twenty (120) days. Mr. Gordon shall be actively suspended for forty (40) days, and the remaining eighty (80) days of the suspension shall be fully probated. Said partially probated suspension is deemed to be fully satisfied and completed as of March 24, 2025.

- (3) Respondent, Joshua David Gordon, is the same person as the Joshua Gordon, who is the subject of the Amended Order for Sanctions entered by

the United States District Court, Southern District of Texas, Laredo Division.

- (4) The Amended Order for Sanctions entered by the United States District Court, Southern District of Texas, Laredo Division, is final.
- (5) Mr. Gordon's conduct that led to the Amended Order for Sanctions entered by the U.S. District Court for the Southern District of Texas occurred on August 20-21, 2024.
- (6) Mr. Gordon was disciplined under the U.S. District Court for the Southern District of Texas's original Order for Sanctions of February 11, 2025. Mr. Gordon notified the Office of the Chief Disciplinary Counsel of the federal court's discipline on February 13, 2025.
- (7) The underlying matter, *In re Red Door Management*, Case No. 24-31750 (Bankr. S.D. Tex. 2024), was filed with the United States Bankruptcy Court for the Southern District of Texas, Houston Division, on or about April 19, 2024.

**Conclusions of Law.** Based upon the foregoing findings of facts, the Board of Disciplinary Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. TEX. RULES DISCIPLINARY P. R. 7.08(H).
- (2) Reciprocal discipline identical, to the extent practicable, to that imposed by the United States District Court, Southern District of Texas, Laredo Division, is warranted in this case.
- (3) Respondent should be suspended from the practice of law for a period of one hundred twenty (120) days, consisting of forty (40) days active suspension followed by eighty (80) days of probation.
- (4) This Board retains jurisdiction during the full term of probation imposed by this judgment to hear a motion to revoke probation. TEX. RULES DISCIPLINARY P. R. 2.22.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Joshua David Gordon, State Bar Card No. 24091592, is hereby **SUSPENDED** from the practice of law for a period of one hundred twenty (120) days. Respondent shall be actively suspended from the

practice of law for a period of forty (40) days beginning June 26, 2025, and extending through August 5, 2025. The eighty (80) day period of probated suspension shall begin on August 6, 2025, and shall extend through October 25, 2025, under the following terms and conditions.

**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 Respondent, within thirty (30) days of the signing of this judgment, shall notify each of his current clients and opposing counsel in writing, if any, of this suspension. In addition to such notification, Respondent is **ORDERED** to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in his possession but which belong to current or former clients, if any, to those respective clients or former clients, or to another attorney designated by such client or former client, within thirty (30) days of the date of this judgment, if requested.

It is further **ORDERED** Respondent shall file with the State Bar of Texas, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the date of this judgment, an affidavit stating all current 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 Respondent should be unable to return any file, papers, money or other property requested by any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of his inability to return to said client any file, paper, money or other property.

It is further **ORDERED** that Respondent within thirty (30) days of the signing of this judgment, shall notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer, and chief justice of each and every court, if any, in which Respondent has any matter pending, of his suspension, of the style and cause number of the pending matter(s), and the name, address, and telephone number of the client(s) Respondent is representing. Respondent is also **ORDERED** to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further **ORDERED** that Respondent shall file with the State Bar of Texas, Statewide Compliance Monitor, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701), within thirty (30) days of the signing of this judgment, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, administrative judge or officer, 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.

It is further **ORDERED** that Respondent shall, within thirty (30) days of the signing of this judgment, surrender his law license and permanent State Bar Card to the Statewide

Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

### **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.

### **Probation Revocation**

Upon determination that Respondent has violated any term or condition of this judgment, or of the Amended Order for Sanctions entered in the United States District Court, Southern District of Texas, Laredo Division, the Chief Disciplinary Counsel may, in addition to all other remedies available, file a motion to revoke probation pursuant to Texas Rule of Disciplinary Procedure 2.22 with this Board and serve a copy of the motion on Respondent pursuant to Texas Rule of Civil Procedure 21a.

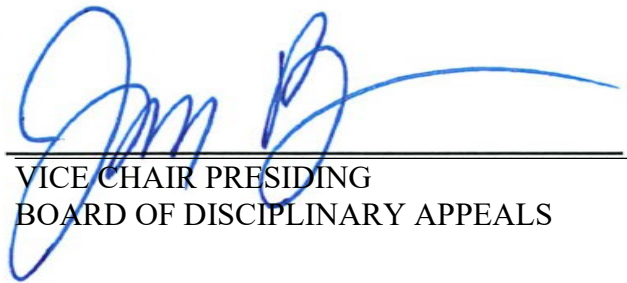
Should a motion to revoke probation be filed, this Board will conduct an evidentiary hearing to determine by a preponderance of the evidence whether Respondent has violated any

term or condition or requirement of any applicable disciplinary judgment. If this Board finds grounds for revocation, it will enter an order revoking probation and placing Respondent on active suspension from the date of such revocation order without 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.

It is further **ORDERED** that this Judgment of Partially Probated Suspension shall be made a matter of public record and be published in the *Texas Bar Journal*.

Signed this 26th day of June 2025.



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VICE CHAIR PRESIDING  
BOARD OF DISCIPLINARY APPEALS



APPROVED AS TO FORM AND CONTENT:



Joshua David Gordon  
Bar No. 24091592  
Respondent



Tom Kirkendall  
Bar No. 11517300  
Counsel for Respondent



Amanda M. Kates  
Bar No. 24075987  
Attorney for the Commission