

No. 67843

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FILED  
Nov 02 2023

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

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

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**LAUREN ASHLEY HARRIS**  
*STATE BAR OF TEXAS CARD No. 24080932,*  
**APPELLANT**

**V.**

**COMMISSION FOR LAWYER DISCIPLINE,**  
**APPELLEE**

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*On Appeal from an Evidentiary Panel  
For the State Bar of Texas District 14  
No. 202000647 [North]*

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**APPELLEE'S RESPONSE TO APPELLANT'S EMERGENCY MOTION TO AVERT  
IMPROPER EVIDENTIARY PANEL 14-2 HEARING ON REMAND**

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CHIEF DISCIPLINARY COUNSEL

MICHAEL G. GRAHAM  
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*STATE BAR OF TEXAS CARD NO. 24080932,*  
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TO THE HONORABLE BOARD OF DISCIPLINARY APPEALS:

Appellee, the Commission for Lawyer Discipline (the “Commission”), files this Response to Appellant, Lauren Ashley Harris’s (“Harris”), Emergency Motion to Avert Improper Evidentiary Panel 14-2 Hearing on Remand (“Appellant’s Motion”). Appellant’s Motion misstates and/or omits a number of facts relevant to the hearing on her Bills of Exception that was originally set by the District 14-2 Evidentiary Panel (the “Panel”) for last Friday, October 27, 2023. The purpose of

this response is to assist in providing full context for the Board’s review of this matter. First, a brief explanation of the relationship between the Office of the Chief Disciplinary Counsel (the “CDC”) and evidentiary panels of district grievance committees may be helpful.

### **I. Evidentiary Panels of District Grievance Committees**

Texas Government Code Ch. 81 (the “State Bar Act”) provides, in relevant part, that the Texas Supreme Court will establish both an option for trial in a district court **and** an administrative system for attorney disciplinary and disability proceedings in lieu of district court trials. TEX. GOV’T CODE §81.072(b)(7). The State Bar Act goes on to provide further guidance demonstrating the role of evidentiary panels of district grievance committees in that administrative attorney discipline process. *See e.g.*, TEX. GOV’T CODE §§81.075(b)(1)(B), (D); 81.0751; 81.0752; 81.080; 81.083; 81.084; 81.0884; 81.115(b)(5).

For its part, the Texas Supreme Court has promulgated Part II of the Texas Rules of Disciplinary Procedure (the “TRDPs”), which further describes the role and duties of the district grievance committees and their evidentiary panels in the disciplinary process. TEX. RULES DISCIPLINARY P.R., PART II. There are seventeen (17) geographic districts within the State Bar of Texas and each district has its own grievance committee with at least nine members. *See* TEX. GOV’T CODE §81.025; TEX RULES DISCIPLINARY P.R. 2.01 & 2.02; STATE BAR OF TEXAS BOARD OF

DIRECTORS POLICY MANUAL, RULE 1.01.02. The members of the grievance committees are volunteers nominated by the State Bar Directors and appointed by the State Bar President and include licensed attorneys as well as public members. TEX. RULES DISCIPLINARY P.R. 2.02 & 2.03.<sup>1</sup>

Amongst other things, the district grievance committees act through their panels (made up of the volunteer members of the committees) in conducting investigatory hearings, summary disposition dockets, and as in the instant case – evidentiary hearings. TEX. RULES DISCIPLINARY P.R. 2.06 & 2.07. Evidentiary panel proceedings are focused on the ultimate evidentiary hearing as to whether professional misconduct has occurred, and if so, what disciplinary sanction(s) are appropriate. TEX. RULES DISCIPLINARY P.R. 2.17. But by their nature, evidentiary panel proceedings might also include motion practice and/or settings related to discovery, post-judgment issues, or even bills of exception. *See e.g.*, TEX. RULES DISCIPLINARY P.R. 2.17 & 2.21; TEX. R. APP. P. 33.2.

In practice, the district grievance committee panels (whether investigatory hearing panels, summary disposition panels, or evidentiary panels) act as tribunals at various stages of the administrative disciplinary process that make investigative recommendations or render adjudicative dispositions of grievances that come before

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<sup>1</sup> I.e., at any given time, there are at least 153 volunteer district grievance committee members across Texas, including attorney members and public members, participating in the administrative track of the attorney disciplinary system.

them. But unlike courts, which usually have the separate offices of district and/or county clerks managing the receipt and filing of case documents and pleadings, and court administrative staff (e.g., court coordinators, court clerks, etc...) managing their dockets, settings, and interactions with the parties before them, the district grievance committees do not expressly have dedicated administrative support staffs at all.

That is, neither the State Bar Act nor the TRDPs expressly address how (or by whom) the administrative/logistical operations of the district grievance committees are to be managed. The closest either authority comes to explaining those operations is by assigning the CDC the role of placing certain matters on “dockets” to go before the various grievance committee panels. *See e.g.*, TEX. GOV’T CODE §81.075(b)(1) & TEX. RULES DISCIPLINARY P.R. 2.13 (dismissal/summary disposition panel dockets); TEX. GOV’T CODE §81.075(b)(2)(B) & TEX. RULES DISCIPLINARY P.R. 2.15 & 2.17 (evidentiary panel dockets); TEX. GOV’T CODE §81.082(a) & TEX. RULES DISCIPLINARY P.R. 2.12 (investigatory hearing panel dockets).

Further, the CDC is responsible for “administer[ing] the attorney discipline and disability system in accordance with the Texas Rules of Disciplinary Procedure and as directed by the Commission.” STATE BAR OF TEXAS BOARD OF DIRECTORS POLICY MANUAL, RULE 1.01.02. Amongst other things, the CDC’s administrative

role in grievance committee proceedings *expressly* includes: notifying respondents and complainants of the disposition of each Complaint presented to a summary disposition panel (TRDP 5.02(D) & (K)); transmitting panel decisions to the Clerk of the Supreme Court (TRDP 2.20); receiving just cause elections from respondents and forwarding those elections to grievance committee chairs for panel assignments (TRDP 2.15 & 2.17); filing evidentiary petitions with panels after just cause determinations (TRDP 2.17(A)); receiving and forwarding disbarred attorneys' bar cards to the Clerk of the Supreme Court, as necessary (TRDP 2.18); and, providing requestors with all documents, statements and other information presented to an evidentiary panel if that panel finds a respondent attorney committed professional misconduct and imposed a sanction other than a private reprimand (TRDP 2.16(A)(3)(b)).

So, as a matter of practicality and necessity, born from the above-referenced authorities, the CDC serves as the *de facto* clerk/court coordinator for all district grievance committee panels. Further, the confidentiality requirements inherent in the administrative track of the attorney disciplinary system would seem to pose a significant obstacle to anyone *other* than the CDC managing the logistics of grievance committee panel proceedings. TEX. GOV'T CODE §81.0752; TEX. RULES DISCIPLINARY P.R. 2.16.

In an effort to maintain separation between the CDC’s legal staff and its investigation of professional misconduct allegations against a respondent attorney and/or representation of the Commission in such matters on the one hand, and the need to provide grievance committee panels with the administrative/logistical support that regularly fall to a clerk and/or court coordinator (which enable the disciplinary process before such panels to *actually function*) on the other, the CDC delegates those administrative/logistical duties to members of her administrative support staff in panel proceedings.

## **II. Appellant’s Bills of Exception**

Bills of Exception are a method of preserving appellate complaints for review when a matter would not otherwise appear in the record. TEX. R. APP. P. 33.2. Texas Rule of Appellate Procedure 33.2(c) provides specific procedural requirements for a bill of exception. *Bishop v. Comm’n for Lawyer Discipline*, No. 01-18-01115-CV, 2020 WL 4983246, at \*12 (Tex.App. – Houston [1<sup>st</sup> Dist.] Aug. 25, 2020, no pet.) (mem. op.) (citing TEX. R. APP. P. 33.2(c); *Lancaster v. Lancaster*, No. 01-12-00909-CV, 2013 WL 3243387, at \*1 (Tex.App. – Houston [1<sup>st</sup> Dist.] June 25, 2013, no pet.) (mem. op.); *In re Estate of Miller*, 243 S.W.3d 831, 837 (Tex.App. – Dallas 2008, no pet.)). When the parties do not agree on the contents of a bill of exception, the trial court must “*after notice and hearing*”: (1) sign and file the bill of exception if it finds it is correct; (2) suggest to the proponent corrections to the bill the court

believes are necessary to accurately reflect the trial court proceedings for that party's agreement with such corrections; or (3) return the bill with the court's refusal written on it if that party does not agree with the corrections, and file a bill that accurately reflects the trial court proceedings. TEX. R. APP. P. 33.2(c).

Harris filed her Verified Motion for Formal Bill of Exception in the underlying case on June 7, 2023. [Supp CR 507-1003]. Harris did not confer with the Commission's trial counsel (or the undersigned) regarding the substance of the request(s) in her Bills of Exception prior to filing same, nor has she conferred regarding same since that time. That is, Harris made no attempt to determine whether the Commission would/could agree on any of the contents of her Bills of Exception. Nevertheless, on August 1<sup>st</sup> the Commission filed its Response to Harris's Bills of Exception, requesting they be denied. [Supp CR 1008-68]. Harris has also made no request for a setting on her Bills of Exception since filing them in June or since the Commission filed its response.

On August 15, 2023, the Board entered its Order Denying the Commission's Motion to Dismiss for Want of Jurisdiction; included in that Order was the Board's instruction that it would reserve setting a briefing schedule in this matter until the



Panel rules on Harris’s Bills of Exception.<sup>2</sup> Harris has not made any request for a setting on her Bills of Exception since the Board’s August 15<sup>th</sup> Order. In fact, Appellant’s Motion confirms that she neither “requested nor scheduled” the October 27<sup>th</sup> hearing on her Bills of Exception. [Apt’s Motion, p. 3].

### **III. The Panel’s Setting**

On September 27, 2023, the administrative support staff for the Dallas Regional Office of the Chief Disciplinary Counsel’s Office (the “Dallas CDC”), e-mailed the members of the Panel regarding the Commission’s request to set a hearing on Harris’s Bills of Exception at the Panel’s next scheduled monthly meeting on October 27<sup>th</sup>. [Exh. 1]. Harris was copied on this e-mail but did not respond or raise any issues with the proposed setting.

Over September 27<sup>th</sup> & 28<sup>th</sup>, each member of the Panel responded and confirmed their availability for the October 27<sup>th</sup> setting. [Exhs. 2, 3, 4 & 5]. Harris was copied on three of the four responses from the panel members but did not respond or raise any issues with the proposed setting.

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<sup>2</sup> Harris also asserted in her “emergency” motion that the Board “has already ruled that the entire cause is abated.” [Apt’s Motion, p. 3]. It is unclear whether Harris believes that the Board has “abated” the panel proceeding entirely, including any hearing on her Bills of Exception. To the best of the undersigned’s knowledge that is not the case. The only Order the Board has entered in this matter, other than its most recent Order staying the Panel hearing on Harris’s Bills of Exception and requesting this response, was its above-referenced Order Denying the Commission’s Motion to Dismiss for Want of Jurisdiction. *That* Order (amongst other things) expressly denied Harris’s request to abate ruling on the Commission’s motion to dismiss and can fairly be read as anticipating a ruling from the Panel, at some point, on Harris’s Bills of Exception.

On September 28<sup>th</sup>, after having received the panel members' responses, the Dallas CDC staff followed up with an e-mail advising that the hearing on Harris's Bills of Exception was scheduled for October 27<sup>th</sup>, at 1:00 P.M., via Zoom, and that all recipients should watch for a Zoom invite the week prior to the hearing. [Exh. 6]. Harris was copied on this e-mail but did not respond or raise any issues with the setting.

And on October 20<sup>th</sup>, one week prior to the scheduled hearing, the Dallas CDC staff sent a Zoom invitation for the hearing to Harris and counsel for the Commission. [Exh. 7]. Again, Harris did not respond or raise any issues with the setting.

Harris's **first** communication regarding the October setting with the Panel, the Dallas CDC, and/or the Commission's trial counsel was an e-mail sent at 5:59 P.M., Wednesday, October 25<sup>th</sup>; less than 48 hours prior to the setting, and nearly a month after she had first been given notice of same. [Exh. 8]. Harris's e-mail consisted of: (1) Dropbox links for a "Verified Motion for Judicial Notice," an exhibit binder, and a Brief regarding TRAP 33.2; (2) a question regarding whether the Dallas CDC would be providing a court reporter; and (3) her assertion that "no controversy exists" regarding her Bills of Exception. [Id.]. Harris did not object to the setting at that time.

On October 26<sup>th</sup>, the Commission’s trial counsel e-mailed Harris to inform her that if she desired a court reporter for the setting, it would be up to her to provide one.<sup>3</sup> [Exh. 9]. Additionally, the e-mail informed Harris that the hearing would be recorded via Zoom videoconference. [Id.]. Such recording would then be available for *any* party to have transcribed by a certified court reporter if it wished to do so.

On the morning of the scheduled hearing, October 27<sup>th</sup> at 1:15 A.M., Harris sent an e-mail to the Dallas CDC and the Commission’s trial counsel, objecting **for the first time** to the October 27<sup>th</sup> setting on her Bills of Exception. [Exh. 10]. That e-mail also included a Dropbox link to proposed orders on each of Harris’s Bills of Exception and her “Verified Objection to Notice of Hearing.” [Id.]. And later that morning, Harris sent an e-mail to the Dallas CDC, the Commission’s trial counsel, the undersigned, and the Board, which included her “Emergency Motion to Avert Improper Evidentiary Panel 14-2 Hearing on Remand.” [Exh. 11]. *Harris’s “emergency” motion was filed approximately one month after she first received notice regarding the setting of the hearing on her Bills of Exception.*

Upon receiving Harris’s **second** above-referenced October 27<sup>th</sup> e-mail, the undersigned immediately contacted the Commission’s trial counsel to conference

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<sup>3</sup> Similarly, the only disciplinary rule expressly requiring a record in *any* hearing before an evidentiary panel (referring to the ultimate Evidentiary Hearing itself) requires the “party initiating the appeal” to pay for the costs of preparation of a transcript of *that* Hearing. TEX. RULES DISCIPLINARY P.R. 2.17(N).

regarding the substance of Harris's complaints. Before the Board had communicated its issuance of a stay regarding the hearing on Harris's Bills of Exception, the undersigned and the Commission's trial counsel resolved to communicate the Commission's desire to continue the October 27<sup>th</sup> hearing to a later date to Harris and the Panel, in an effort to accommodate Harris's concerns. The Board's subsequent intervention rendered such efforts moot.

While evidentiary panels perform adjudicative functions, working like courts in many respects, the panels are not open for settings on a daily basis like courts. Typically, evidentiary panels meet once a month – this is a function of the need to schedule availability and make quorums involving multiple committee members. The District 14 evidentiary panel in the instant case normally has its regular meetings on the last Friday of each month. The Commission requested the October 27<sup>th</sup> setting on Harris's Bills of Exception, giving Harris a month's notice regarding same, knowing that the subsequent Thanksgiving and Christmas holidays would make setting a hearing on her Bills of Exception prior to 2024, difficult at best. Harris chose not to raise any questions, concerns, or issues regarding that setting until less than 48 hours prior to same.

#### **CONCLUSION AND PRAYER**

The Commission's position is that a hearing on Harris's Bills of Exception is **required** pursuant to Tex. R. App. 33.2(c). Harris has not requested such hearing *at*

*any time*. The Commission requested a setting on Harris's Bills of Exception and Harris was included on the e-mail communications regarding that request, as well as the Panel's response thereto, a month prior to the requested hearing date. Harris raised no issues or concerns regarding that setting, until less than 48 hours prior to same, and did not *object* to the setting until less than 12 hours prior to same.

The Commission prays the Board provide guidance that, at a minimum; (1) indicates whether the hearing on Harris's Bills of Exception may proceed remotely via Zoom, or must proceed in-person; (2) if such hearing may proceed remotely, indicates whether a Zoom recording that can be transcribed will create a sufficient record of that proceeding, or a certified court reporter must be present for such remote hearing to create a contemporaneous reporter's record; and (3) sets a date by which such hearing must be held, subject to extension(s) related to any lack of availability/quorum issues that may arise regarding the availability of the panel members. The Commission further prays for any additional relief to which it has shown itself justly entitled.

RESPECTFULLY SUBMITTED,

SEANA WILLING  
CHIEF DISCIPLINARY COUNSEL

ROYCE LEMOINE  
DEPUTY COUNSEL FOR ADMINISTRATION

MICHAEL G. GRAHAM  
APPELLATE COUNSEL

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

**CERTIFICATE OF SERVICE**

This is to certify that the above and foregoing Appellee's Response to Appellant's Emergency Motion to Avert Improper Evidentiary Panel 14-2 Hearing on Remand has been served on Appellant, Lauren Ashley Harris, by email to [lauren@lahlegal.com](mailto:lauren@lahlegal.com) on the 2<sup>nd</sup> day of November, 2023.



---

MICHAEL G. GRAHAM  
APPELLATE COUNSEL  
STATE BAR OF TEXAS

# **Exh. 1**

**From:** [Brittany Paynton](#)  
**To:** [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com); [Peace \(LA\)](#); [Jane Gekhman](#); [Matt Forman](#); [Daphne Zollinger](#)  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); [Laurie Guerra](#)  
**Subject:** Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Date:** Wednesday, September 27, 2023 3:14:29 PM  
**Attachments:** [image001.png](#)

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Dear Panel Members,

If you recall, you attended an evidentiary hearing styled *Commission for Lawyer Discipline v. Lauren Ashley Harris*, Case No. 20200647, on January 27, 2023. A judgment was entered on February 7, 2023.

Respondent has filed *Respondent's Verified Motion for Formal Bill of Exceptions*, along with 6 different Indexes. Petitioner has filed a response. Also, since Respondent has filed an appeal, BODA has issued an Order informing the parties that BODA will wait until the evidentiary panel has ruled on the Bill of Exception, before BODA moves forward with appellate matters. I have created a link: [☐ 202000647 - Hearing](#) with this material.

Your next meeting date will be **October 27, 2023**. Petitioner respectfully requests that the Bill of Exception matter be added to your docket. We will need all four of you in attendance, as you are part of the original panel who heard this case at trial.

Brittany Paynton  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office  
972-383-2912 - Direct Dial  
972-383-2935-Fax  
[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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## **Exh. 2**

**From:** [Jane Gekhman](#)  
**To:** [Brittany Paynton](#); [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com); [Peace \(LA\)](#); [Matt Forman](#); [Daphne Zollinger](#)  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); [Laurie Guerra](#)  
**Subject:** RE: Case No. 20200647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Date:** Wednesday, September 27, 2023 3:17:59 PM  
**Attachments:** [image001.png](#)

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I am able to attend 10-27-23.

Thanks,  
Jane

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**From:** Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>  
**Sent:** Wednesday, September 27, 2023 3:14 PM  
**To:** [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com); [Peace \(LA\)](#) <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; [Jane Gekhman](#) <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>; [Matt Forman](#) <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; [Daphne Zollinger](#) <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); [Laurie Guerra](#) <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** Case No. 20200647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

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Your next meeting date will be **October 27, 2023**. Petitioner respectfully requests that the Bill of Exception matter be added to your docket. We will need all four of you in attendance, as you are part of the original panel who heard this case at trial.

Brittany Paynton  
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State Bar of Texas  
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[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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# **Exh. 3**

**From:** [Matt Forman](#)  
**To:** [Brittany Paynton](#)  
**Subject:** Re: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Date:** Wednesday, September 27, 2023 3:21:45 PM  
**Attachments:** [image001.png](#)

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I can be available

Best Regards,

**Matt Forman**

**Local Circuit | I.T. Service & Security**

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---

**From:** Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>

**Sent:** Wednesday, September 27, 2023 3:14 PM

**To:** Amie Peace <amie@peacefamilylaw.com>; Peace (LA) <marion@peacefamilylaw.com>; Jane Gekhman <jane@jmglegaltx.com>; Matt Forman <matt@thelocalcircuit.com>; Daphne Zollinger <daphne@daphnerealestate.net>

**Cc:** lauren@lahlegal.com <lauren@lahlegal.com>; Laurie Guerra <Laurie.Guerra@TEXASBAR.COM>

**Subject:** Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

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Brittany Paynton  
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# **Exh. 4**

**From:** [Daphne Zollinger; Daphne Real Estate](#)  
**To:** [Brittany Paynton](#)  
**Cc:** [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com); [Peace \(LA\)](#); [Jane Gekhman](#); [Matt Forman](#); [lauren@lahlegal.com](mailto:lauren@lahlegal.com); [Laurie Guerra](#)  
**Subject:** Re: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Date:** Wednesday, September 27, 2023 3:53:25 PM  
**Attachments:** [image001.png](#)

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I'll be there

Daphne :)

On Sep 27, 2023, at 3:14 PM, Brittany Paynton  
<[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)> wrote:

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State Bar of Texas  
14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office  
972-383-2912 - Direct Dial  
972-383-2935-Fax  
[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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you for your cooperation.

# **Exh. 5**

**From:** [Amie Peace](#)  
**To:** [Jane Gekhman](#); [Brittany Paynton](#); [Marion Wilson](#); [Matt Forman](#); [Daphne Zollinger](#)  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); [Laurie Guerra](#)  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Date:** Thursday, September 28, 2023 2:11:38 PM  
**Attachments:** [image002.jpg](#)  
[image003.jpg](#)  
[image004.png](#)  
[image005.jpg](#)  
[image006.png](#)

---

I will be there.

*Amie S. Peace*

**Attorney at Law**

**Peace & Associates, PLLC**

**3212 Long Prairie Road, Ste. 200**

**Flower Mound, Texas 75022**

**Email: [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)**

***\*Please copy my paralegal on all emails\****

**Telephone (940) 591-6006**

**Fax (940) 241-0404**



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---

**From:** Jane Gekhman <jane@jmglegaltx.com>  
**Sent:** Wednesday, September 27, 2023 3:18 PM  
**To:** Brittany Paynton <Brittany.Paynton@TEXASBAR.COM>; Amie Peace <amie@peacefamilylaw.com>; Marion Wilson <marion@peacefamilylaw.com>; Matt Forman <matt@thelocalcircuit.com>; Daphne Zollinger <daphne@daphnerealestate.net>  
**Cc:** lauren@lahlegal.com; Laurie Guerra <Laurie.Guerra@TEXASBAR.COM>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

**Notice:** External Sender

I am able to attend 10-27-23.

Thanks,  
Jane

---

**From:** Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>  
**Sent:** Wednesday, September 27, 2023 3:14 PM  
**To:** [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com); Peace (LA) <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Jane Gekhman <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

Dear Panel Members,

If you recall, you attended an evidentiary hearing styled *Commission for Lawyer Discipline v. Lauren Ashley Harris, Case No. 20200647*, on January 27, 2023. A judgment was entered on February 7, 2023.

Respondent has filed *Respondent's Verified Motion for Formal Bill of Exceptions*, along with 6 different Indexes. Petitioner has filed a response. Also, since Respondent has filed an appeal, BODA has issued an Order informing the parties that BODA will wait until the evidentiary panel has ruled on the Bill of Exception, before BODA moves forward with appellate matters. I have created a link: [202000647 - Hearing](#) with this material.

Your next meeting date will be **October 27, 2023**. Petitioner respectfully requests that the Bill of Exception matter be added to your docket. We will need all four of you in attendance, as you are part of the original panel who heard this case at trial.

Brittany Paynton  
Office of the Chief Disciplinary Counsel  
State Bar of Texas

14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office  
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[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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# **Exh. 6**

**From:** [Brittany Paynton](#)  
**To:** [Amie Peace](#); [Jane Gekhman](#); [Marion Wilson](#); [Matt Forman](#); [Daphne Zollinger](#)  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); [Laurie Guerra](#)  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Date:** Thursday, September 28, 2023 2:30:34 PM  
**Attachments:** [image003.png](#)  
[image005.png](#)

---

Good Afternoon,

Thank you for everyone's responses. The hearing has been scheduled for **October 27, 2023, at 1:00 p.m.** via zoom. Please watch for the zoom invite a week prior.

Thank you!

Brittany Paynton  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office  
972-383-2912 - Direct Dial  
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[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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**Sent:** Thursday, September 28, 2023 2:11 PM  
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**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

I will be there.

*Amie S. Peace*

**Attorney at Law**  
**Peace & Associates, PLLC**  
**3212 Long Prairie Road, Ste. 200**  
**Flower Mound, Texas 75022**  
**Email: [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)**

***\*Please copy my paralegal on all emails\****

**Telephone (940) 591-6006**

**Fax (940) 241-0404**



PEACE & ASSOCIATES  
PLLC



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**Sent:** Wednesday, September 27, 2023 3:18 PM

**To:** Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>; Amie Peace <[amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)>; Marion Wilson <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>

**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>

**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

**Notice:** External Sender

I am able to attend 10-27-23.

Thanks,  
Jane

---

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**Sent:** Wednesday, September 27, 2023 3:14 PM



**To:** [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com); Peace (LA) <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Jane Gekhman <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>

**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>

**Subject:** Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

Dear Panel Members,

If you recall, you attended an evidentiary hearing styled *Commission for Lawyer Discipline v. Lauren Ashley Harris, Case No. 20200647*, on January 27, 2023. A judgment was entered on February 7, 2023.

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Your next meeting date will be **October 27, 2023**. Petitioner respectfully requests that the Bill of Exception matter be added to your docket. We will need all four of you in attendance, as you are part of the original panel who heard this case at trial.

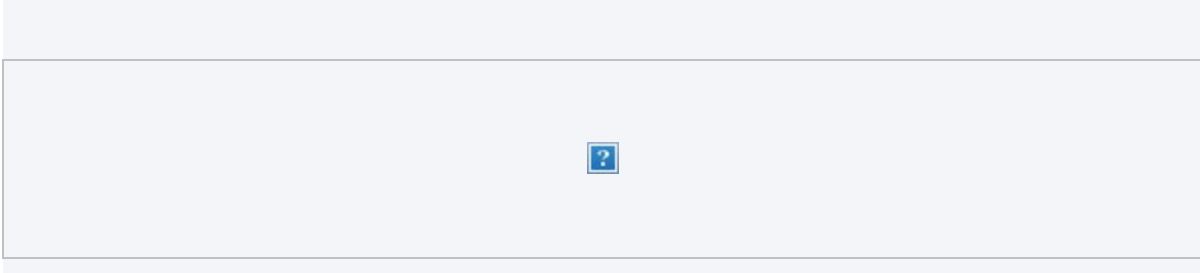
Brittany Paynton  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925  
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# **Exh. 7**

**From:** [Brittany Paynton](#)  
**To:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); [info@lahlegal.com](mailto:info@lahlegal.com)  
**Cc:** [Laurie Guerra](#)  
**Subject:** ZOOM INVITE: October 27, 2023 at 1:00 p.m. - File No. 202000647; Commission for Lawyer Discipline vs. Lauren Ashely Harris  
**Date:** Friday, October 20, 2023 1:11:01 PM  
**Attachments:** [Zoom Protocol Guidelines - EVIDENTIARY.pdf](#)

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**PLEASE READ THE ATTACHED GUIDELINES BEFORE JOINING THE MEETING**

Greetings,

Brittany Paynton is inviting you to a State Bar of Texas Zoom Video meeting.

**Meeting Information: Friday, October 27, 2023 at 1:00 p.m. (C.S.T.)**

## [Join Meeting](#)

Meeting URL: <https://texasbar.zoom.us/j/81729467193?pwd=5IMMtssOG7whS5dgx7xqSTppVXbuoG.1>  
Meeting ID: 817 2946 7193  
Password: 830065

## Telephone Audio or Audio-Only

Dial: US: +1 346 248 7799 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 689 278 1000 or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free)

Meeting ID: 817 2946 7193

Phone one-tap: US: [+13462487799](tel:+13462487799), [81729467193#](tel:+181729467193) or [+16694449171](tel:+16694449171), [81729467193#](tel:+181729467193)

[International numbers](#)

## **About the Videoconference:**

You may join the video conference from your computer even if you do not have a webcam. To be heard in the conference, you must either have a microphone and choose computer audio, or you must call the designated audio conference bridge.

## **Quick Tips:**

- Mute your microphone/webcam at any time using the buttons in the lower left.
- Choose "Gallery View" from the upper right for a grid view of all the participants.
- Toggle between "full screen" mode and "window" mode in the upper right.
- If your webcam faces a window or bright light, you may be difficult to see.
- To make one participant's video window the largest, click the "... " in the upper right of their window and choose "pin video"

# **Exh. 8**

From: [Lauren Harris](#)  
To: [Laurie Guerra](#)  
Cc: [Brittany Paynton](#); [travis](#); [filing](#)  
Subject: RE: Case No. 20200647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
Date: Wednesday, October 25, 2023 5:59:37 PM  
Attachments: [1.jpg](#)  
[2.jpg](#)  
[3.png](#)  
[4.jpg](#)  
[5.png](#)  
Importance: High

---

**Ms. Guerra, Panel Chair, and by way of status update/copy, to BODA:**  
*pursuant to the June 9, 2023 and August 15, 2023 BODA Orders remanding this cause before the Panel, and as directed to keep BODA informed:*

Please find below a dropbox link to a shared file including the following items which I submit for filing before the Evidentiary Panel:

- 1. Respondent's Verified Motion for Judicial Notice** and
  - a. *Exhibit Binder #3, HARRIS.0666-1002*, as well as
- 2. Respondent's Brief to the Panel -- Procedure under TRAP 33.2**

<https://www.dropbox.com/scl/fo/b4h91m465no8tvvgki332m/h?rlkey=09dqfmeruzzz9tpv9usmhuezg&dl=0>

Ms. Guerra, as you scheduled the hearing for Friday without conferring, are your offices providing a court reporter?

My position -- *which will be better illustrated subsequent to my completion/upload of the proposed orders for the formal bills of exception to this shared folder for your review* -- is that no controversy exists/no actual opposition to the matters of Respondent's bills of exception has been presented by the Petitioner's Response.

It appears that the Response merely re-asserts the Petitioner's positions from the hearing, or offers additional insight into the reasoning behind each position of the Petitioner related to the matters of Respondent's bills/as to the exclusion of evidence or occurrence/non-occurrence of an event. But, as it appears to me, the Response does not dispute that the items on which the bills seek to make a record, (being excluded or events having occurred/not occurred) are only confirmed by the Response, which did not present any facts or law in contravention to (not) have actually been excluded, or where no actual legal or factual opposition appears to be raised to any event/occurrence or non-occurrence as set forth in each matter for the bills of exception.

My understanding of these proceedings is that Petitioner already prevailed in the substance of the March 24, 2023 hearing -- we are not re-litigating

the content of the motions, but instead this process is merely to make a record of the substance of the hearing and to make the record reflect what happened before the Panel/get into the record the items excluded, offers of proof attempted, and conduct/objections as to preserve error, where without a court reporter and without any record, BODA cannot properly review the post-judgment matters on appeal.

Where TRAP Rule 33.2 provides that the Evidentiary Panel must sign and enter formal bills of exception when the parties agree, I have taken the position that the Response, even if facially listed as opposed, actually provides implied/implicit agreement to the matters of the Respondent's motion/formal bills; where without direct dispute of the facts or the law, there is not a justiciable controversy in the parties' positions for entering the bills. As such, my proposed orders seek to have the Panel review the matters to deem each as agreed. I will upload the proposed orders, and then check with you regarding your position(s) after they are on file and you have a chance to review.

In addition to the proposed orders, I have additional uploads/filings I will make to this shared folder and will provide follow-up notifications by email for those items, too. Please let me know about the court reporter and if we can limit the issues in the bills by actual agreement before implied agreement, if any, after review of the orders/filings.

Sincerely,

**Lauren A. Harris**

Texas Bar: 24080932  
Mailing: PO Box 793414  
Dallas, Texas 75379  
Office: 469) 359-7093  
Fax: 469) 533-3953  
[www.LAHLegal.com](http://www.LAHLegal.com)

---

---- On Thu, 28 Sep 2023 14:30:30 -0500 **Brittany Paynton**  
<[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)> wrote ---

Good Afternoon,

Thank you for everyone's responses. The hearing has been scheduled for **October 27, 2023, at 1:00 p.m.** via zoom. Please watch for the zoom invite a week prior.

**Thank you!**

Brittany Paynton  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office  
972-383-2912 - Direct Dial  
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[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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**Sent:** Thursday, September 28, 2023 2:11 PM  
**To:** Jane Gekhman <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>; Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>; Marion Wilson <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

I will be there.

Amie S. Peace

Attorney at Law  
Peace & Associates, PLLC  
3212 Long Prairie Road, Ste. 200  
Flower Mound, Texas 75022  
Email: [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)  
***\*Please copy my paralegal on all emails\****  
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**Fax (940) 241-0404**







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**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

**Notice:** External Sender

I am able to attend 10-27-23.

Thanks,  
Jane

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**Sent:** Wednesday, September 27, 2023 3:14 PM  
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**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

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972-383-2912 - Direct Dial  
972-383-2935-Fax  
[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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# **Exh. 9**

**From:** [Laurie Guerra](#)  
**To:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com)  
**Cc:** [Brittany Paynton](#)  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Date:** Thursday, October 26, 2023 4:19:00 PM  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[image003.png](#)  
[image004.jpg](#)  
[image005.png](#)

---

Hello, Ms. Harris,

In response to your question, yesterday, regarding a court reporter for tomorrow's hearing on October 27, 2023, you may hire a court reporter, if you so choose, since you are the proponent of the Bill of Exception. My office has not requested a court reporter, but will be recording the hearing via Zoom videoconference.

Sincerely,

*Laurie Guerra*  
Assistant Disciplinary Counsel  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office  
972-383-2935-Fax  
[laurie.guerra@texasbar.com](mailto:laurie.guerra@texasbar.com)

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---

**From:** Lauren Harris <[lauren@lahlegal.com](mailto:lauren@lahlegal.com)>  
**Sent:** Wednesday, October 25, 2023 5:59 PM  
**To:** Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Cc:** Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>; travis <[travis@dentontitle.com](mailto:travis@dentontitle.com)>; filing <[filing@txboda.org](mailto:filing@txboda.org)>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Importance:** High

**Ms. Guerra, Panel Chair, and by way of status update/copy, to BODA:**

*pursuant to the June 9, 2023 and August 15, 2023 BODA Orders remanding this cause before the Panel, and as directed to keep BODA informed:*

Please find below a dropbox link to a shared file including the following items which I submit for filing before the Evidentiary Panel:

- 1. Respondent's Verified Motion for Judicial Notice** and
  - a. *Exhibit Binder #3, HARRIS.0666-1002*, as well as
- 2. Respondent's Brief to the Panel -- Procedure under TRAP 33.2**

<https://www.dropbox.com/scl/fo/b4h91m465no8tvgki332m/h?rlkey=09dqfmeruzzz9tpv9usmhuezg&dl=0>

Ms. Guerra, as you scheduled the hearing for Friday without conferring, are your offices providing a court reporter?

My position -- *which will be better illustrated subsequent to my completion/upload of the proposed orders for the formal bills of exception to this shared folder for your review* -- is that no controversy exists/no actual opposition to the matters of Respondent's bills of exception has been presented by the Petitioner's Response.

It appears that the Response merely re-asserts the Petitioner's positions from the hearing, or offers additional insight into the reasoning behind each position of the Petitioner related to the matters of Respondent's bills/as to the exclusion of evidence or occurrence/non-occurrence of an event. But, as it appears to me, the Response does not dispute that the items on which the bills seek to make a record, (being excluded or events having occurred/not occurred) are only confirmed by the Response, which did not present any facts or law in contravention to (not) have actually been excluded, or where no actual legal or factual opposition appears to be raised to any event/occurrence or non-occurrence as set forth in each matter for the bills of exception.

My understanding of these proceedings is that Petitioner already prevailed in the substance of the March 24, 2023 hearing -- we are not re-litigating the content of the motions, but instead this process is merely to make a record of the substance of the hearing and the make the record reflect what happened before the Panel/get into the the record the items excluded, offers of proof attempted, and conduct/objections as to preserve error, where without a court reporter and without any record, BODA cannot properly review the post-judgment matters on appeal.

Where TRAP Rule 33.2 provides that the Evidentiary Panel must sign and enter formal bills of exception when the parties agree, I have taken the position that the Response, even if facially listed as opposed, actually provides implied/implicit agreement to the matters of the Respondent's motion/formal bills; where without direct dispute of the facts or the law,

there is not a justicible controversy in the parties' positions for entering the bills. As such, my proposed orders seek to have the Panel review the matters to deem each as agreed. I will upload the proposed orders, and then check with you regarding your position(s) after they are on file and you have a chance to review.

In addition to the proposed orders, I have additional uploads/filings I will make to this shared folder and will provide follow-up notifications by email for those items, too. Please let me know about the court reporter and if we can limit the issues in the bills by actual agreement before implied agreement, if any, after review of the orders/filings.

Sincerely,

**Lauren A. Harris**

Texas Bar: 24080932  
Mailing: PO Box 793414  
Dallas, Texas 75379  
Office: 469) 359-7093  
Fax: 469) 533-3953  
[www.LAHLegal.com](http://www.LAHLegal.com)

---

---- On Thu, 28 Sep 2023 14:30:30 -0500 **Brittany Paynton**  
<[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)> wrote ---

Good Afternoon,

Thank you for everyone's responses. The hearing has been scheduled for **October 27, 2023, at 1:00 p.m.** via zoom. Please watch for the zoom invite a week prior.

**Thank you!**

Brittany Paynton  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office  
972-383-2912 - Direct Dial  
972-383-2935-Fax  
[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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**From:** Amie Peace <[amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)>  
**Sent:** Thursday, September 28, 2023 2:11 PM  
**To:** Jane Gekhman <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>; Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>; Marion Wilson <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

I will be there.

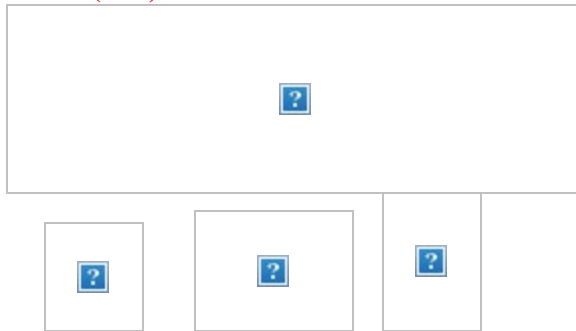
Amie S. Peace

Attorney at Law  
Peace & Associates, PLLC  
3212 Long Prairie Road, Ste. 200  
Flower Mound, Texas 75022  
Email: [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)

*\*Please copy my paralegal on all emails\**

Telephone (940) 591-6006

Fax (940) 241-0404



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---

**From:** Jane Gekhman <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>  
**Sent:** Wednesday, September 27, 2023 3:18 PM  
**To:** Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>; Amie Peace <[amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)>; Marion Wilson <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

**Notice:** External Sender

I am able to attend 10-27-23.

Thanks,  
Jane

---

**From:** Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>  
**Sent:** Wednesday, September 27, 2023 3:14 PM  
**To:** [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com); Peace (LA) <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Jane Gekhman <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

Dear Panel Members,

If you recall, you attended an evidentiary hearing styled *Commission for Lawyer Discipline v. Lauren Ashley Harris, Case No. 20200647*, on January 27, 2023. A judgment was entered on February 7, 2023.

Respondent has filed *Respondent's Verified Motion for Formal Bill of Exceptions*, along with 6 different Indexes. Petitioner has filed a response. Also, since Respondent has filed an appeal, BODA has issued an Order informing the parties that BODA will wait until the evidentiary panel has ruled on the Bill of Exception, before BODA moves forward with appellate matters. I have created a link: [202000647 - Hearing](#) with this material.

Your next meeting date will be **October 27, 2023**. Petitioner respectfully requests that the Bill of Exception matter be added to your docket. We will need all four of you in attendance, as you are part of the original panel who heard this case at trial.

Brittany Paynton  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office



972-383-2912 - Direct Dial  
972-383-2935-Fax  
[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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# **Exh. 10**

**From:** [Lauren Harris](#)  
**To:** [Laurie Guerra](#)  
**Cc:** [Brittany Paynton](#); [filing](#); [travis](#)  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Date:** Friday, October 27, 2023 1:15:40 AM  
**Attachments:** [1.jpg](#)  
[2.jpg](#)  
[3.png](#)  
[4.jpg](#)  
[5.png](#)  
**Importance:** High

---

**Ms. Guerra, Panel Chair and by way of copy to BODA,**

I have not, and do not waive my right to a court reporter to make a record for appellate review.

As your offices scheduled the hearing, did not confer with me about the setting at any point prior to yesterday, and therefore did not notify me until 4:19 p.m. yesterday, the day before the hearing, that I am expected to provide a court reporter -- for a hearing that you set -- I hereby formally object to the setting and formally seek cancellation/reschedule.

To that end, I have uploaded additional materials to the dropbox folder:

<https://www.dropbox.com/scl/fo/b4h91m465no8tvvgki332m/h?rlkey=09dqfmeruzzz9tpv9usmhuezg&dl=0>

These documents are therefore submitted for filing before the Evidentiary Panel this date, and include:

the proposed **Order for Bill of Exception #1**  
the proposed **Order for Bill of Exception #2**  
the proposed **Order for Bill of Exception #3** and  
***Respondent's Verified Objection to Notice of Hearing*** for the  
October 27, 2023 setting.

The above-referenced Objection seeks your offices' confirmation that the hearing has been removed from the docket. The Objection is filed before the Evidentiary Panel, but as I have unfortunately experienced this occurrence, almost exactly, before in the events leading up to the March 24, 2023 setting -- from which such lack of a court reporter necessitated the entire basis of this action on remand for formal bills of exception -- I will proceed in drafting similar relief before BODA to be filed in a request for emergency relief before the 1:00 p.m. hearing.

Where the proposed orders are now in the dropbox folder/available for your review, please advise if you also see the contents to reflect the parties' ultimate agreement as to the issues therein. I sincerely do not think that Petitioner's Response holds any factual or legal opposition to the matters presented by the formal bills, as reflected in the contents of the proposed orders.

Should you: cancel/reschedule the setting, please let me know.  
Or, should you find that you agree to the proposed orders as written/seek correction to the orders so as to reach agreement for entry of the bills, this of course dispenses with the need for a hearing, and will happily curtail my efforts in drafting relief before BODA for the setting at 1:00p.m.

Either way, I await your review of the above and response.

Sincerely,

**Lauren A. Harris**

Texas Bar: 24080932  
Mailing: PO Box 793414  
Dallas, Texas 75379  
Office: 469) 359-7093  
Fax: 469) 533-3953  
[www.LAHLegal.com](http://www.LAHLegal.com)

---

---- On Thu, 26 Oct 2023 16:19:12 -0500 **Laurie Guerra**  
<**Laurie.Guerra@TEXASBAR.COM**> wrote ---

Hello, Ms. Harris,

In response to your question, yesterday, regarding a court reporter for tomorrow's hearing on October 27, 2023, you may hire a court reporter, if you so choose, since you are the proponent of the Bill of Exception. My office has not requested a court reporter, but will be recording the hearing via Zoom videoconference.

Sincerely,

*Laurie Guerra*  
Assistant Disciplinary Counsel  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925

Dallas, TX 75254  
972-383-2900- Office  
972-383-2935-Fax  
[laurie.guerra@texasbar.com](mailto:laurie.guerra@texasbar.com)

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---

**From:** Lauren Harris <[lauren@lahlegal.com](mailto:lauren@lahlegal.com)>  
**Sent:** Wednesday, October 25, 2023 5:59 PM  
**To:** Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Cc:** Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>; travis <[travis@dentontitle.com](mailto:travis@dentontitle.com)>; filing <[filing@txboda.org](mailto:filing@txboda.org)>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris  
**Importance:** High

**Ms. Guerra, Panel Chair, and by way of status update/copy, to BODA:**  
*pursuant to the June 9, 2023 and August 15, 2023 BODA Orders remanding this cause before the Panel, and as directed to keep BODA informed:*

**Please find below a dropbox link to a shared file including the following items which I submit for filing before the Evidentiary Panel:**

- 1. Respondent's Verified Motion for Judicial Notice** and
  - a. *Exhibit Binder #3, HARRIS.0666-1002*, as well as
- 2. Respondent's Brief to the Panel -- Procedure under TRAP 33.2**

<https://www.dropbox.com/scl/fo/b4h91m465no8tvvgki332m/h?rlkey=09dqfmeruzzz9tpv9usmhuezg&dl=0>

**Ms. Guerra, as you scheduled the hearing for Friday without conferring, are your offices providing a court reporter?**

My position -- *which will be better illustrated subsequent to my completion/upload of the proposed orders for the formal bills of exception to this shared folder for your review* -- is that no controversy exists/no actual opposition to the matters of Respondent's bills of exception has been presented by the Petitioner's Response.

It appears that the Response merely re-asserts the Petitioner's positions from the hearing, or offers additional insight into the reasoning behind each position of the Petitioner related to the matters of Respondent's bills/as to the exclusion of evidence or occurrence/non-occurrence of an event. But, as it appears to me, the Response does not dispute that the items on which the bills seek to make a record, (being excluded or events having occurred/not occurred) are only confirmed by the Response, which did not present any facts or law in contravention to (not) have actually been excluded, or where no actual legal or factual opposition appears to be raised to any event/occurrence or non-occurrence as set forth in each matter for the bills of exception.

My understanding of these proceedings is that Petitioner already prevailed in the substance of the March 24, 2023 hearing -- we are not re-litigating the content of the motions, but instead this process is merely to make a record of the substance of the hearing and to make the record reflect what happened before the Panel/get into the record the items excluded, offers of proof attempted, and conduct/objections as to preserve error, where without a court reporter and without any record, BODA cannot properly review the post-judgment matters on appeal.

Where TRAP Rule 33.2 provides that the Evidentiary Panel must sign and enter formal bills of exception when the parties agree, I have taken the position that the Response, even if facially listed as opposed, actually provides implied/implicit agreement to the matters of the Respondent's motion/formal bills; where without direct dispute of the facts or the law, there is not a justiciable controversy in the parties' positions for entering the bills. As such, my proposed orders seek to have the Panel review the matters to deem each as agreed. I will upload the proposed orders, and then check with you regarding your position(s) after they are on file and you have a chance to review.

In addition to the proposed orders, I have additional uploads/filings I will make to this shared folder and will provide follow-up notifications by email for those items, too. Please let me know about the court reporter and if we can limit the issues in the bills by actual agreement before implied agreement, if any, after review of the orders/filings.

Sincerely,

**Lauren A. Harris**

Texas Bar: 24080932  
Mailing: PO Box 793414  
Dallas, Texas 75379  
Office: 469) 359-7093  
Fax: 469) 533-3953  
[www.LAHLegal.com](http://www.LAHLegal.com)

---

---- On Thu, 28 Sep 2023 14:30:30 -0500 **Brittany Paynton**  
<[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)> wrote ---

Good Afternoon,

Thank you for everyone's responses. The hearing has been scheduled for **October 27, 2023, at 1:00 p.m.** via zoom. Please watch for the zoom invite a week prior.

**Thank you!**

Brittany Paynton  
Office of the Chief Disciplinary Counsel  
State Bar of Texas  
14651 Dallas Parkway, Suite 925  
Dallas, TX 75254  
972-383-2900- Office  
972-383-2912 - Direct Dial  
972-383-2935-Fax  
[Brittany.Paynton@texasbar.com](mailto:Brittany.Paynton@texasbar.com)

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---

**From:** Amie Peace <[amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)>

**Sent:** Thursday, September 28, 2023 2:11 PM

**To:** Jane Gekhman <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>; Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>; Marion Wilson <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

I will be there.

Amie S. Peace

Attorney at Law

Peace & Associates, PLLC

3212 Long Prairie Road, Ste. 200

Flower Mound, Texas 75022

Email: [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)

*\*Please copy my paralegal on all emails\**

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Fax (940) 241-0404



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---

**From:** Jane Gekhman <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>  
**Sent:** Wednesday, September 27, 2023 3:18 PM  
**To:** Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>; Amie Peace <[amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com)>; Marion Wilson <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** RE: Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

**Notice:** External Sender

I am able to attend 10-27-23.

Thanks,  
Jane

---

**From:** Brittany Paynton <[Brittany.Paynton@TEXASBAR.COM](mailto:Brittany.Paynton@TEXASBAR.COM)>  
**Sent:** Wednesday, September 27, 2023 3:14 PM  
**To:** [amie@peacefamilylaw.com](mailto:amie@peacefamilylaw.com); Peace (LA) <[marion@peacefamilylaw.com](mailto:marion@peacefamilylaw.com)>; Jane Gekhman <[jane@jmglegaltx.com](mailto:jane@jmglegaltx.com)>; Matt Forman <[matt@thelocalcircuit.com](mailto:matt@thelocalcircuit.com)>; Daphne Zollinger <[daphne@daphnerealestate.net](mailto:daphne@daphnerealestate.net)>  
**Cc:** [lauren@lahlegal.com](mailto:lauren@lahlegal.com); Laurie Guerra <[Laurie.Guerra@TEXASBAR.COM](mailto:Laurie.Guerra@TEXASBAR.COM)>  
**Subject:** Case No. 202000647 - Commission for Lawyer Discipline v. Lauren Ashley Harris

Dear Panel Members,

If you recall, you attended an evidentiary hearing styled *Commission for Lawyer Discipline v. Lauren Ashley Harris, Case No. 20200647*, on January 27, 2023. A judgment was entered on February 7, 2023.

Respondent has filed *Respondent's Verified Motion for Formal Bill of Exceptions*, along with 6 different Indexes. Petitioner has filed a response. Also, since Respondent has filed an appeal, BODA has issued an Order informing the parties that BODA will wait until the evidentiary panel has ruled on the Bill of Exception, before BODA moves forward with appellate matters. I have created a link:  [202000647 - Hearing](#) with this material.

Your next meeting date will be **October 27, 2023**. Petitioner respectfully requests that the Bill of Exception matter be added to your docket. We will need all four of you in attendance, as you are part of the original panel who heard this case at trial.

Brittany Paynton

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# **Exh. 11**

**From:** [Lauren Harris](#)  
**To:** [TXBODA Filing](#)  
**Cc:** [Michael Graham](#); [Lauren Baisdon](#); [Cassidy Orozco](#); [Laurie Guerra](#); [Jenny Hodgkins](#); [Matthew Greer](#)  
**Subject:** Re: BODA # 67843 Lauren Harris  
**Date:** Friday, October 27, 2023 7:33:10 AM  
**Attachments:** [1.png](#)  
[Appellant's Em Motion Improper Panel Hearingw APP1-7.pdf](#)  
**Importance:** High

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Ms. Truitt, Mr. Graham and BODA,

Please find attached for filing this date before BODA, APPELLANT'S EMERGENCY MOTION TO AVERT IMPROPER EVIDENTIARY PANEL 14-2 HEARING ON REMAND.

Mr. Graham, I apologize that this certificate of conference was not sent in advance of filing the attached motion, but based on the emergency nature of the requested relief - - from a hearing set this date at 1:00 p.m. -- the timeframe required contemporaneous filing/to conference. I will amend/supplement with your position as to opposition or lack thereof upon receipt.

Sincerely,

**Lauren A. Harris**

Texas Bar: 24080932  
Mailing: PO Box 793414  
Dallas, Texas 75379  
Office: 469) 359-7093  
Fax: 469) 533-3953  
[www.LAHLegal.com](http://www.LAHLegal.com)

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---- On Tue, 15 Aug 2023 12:26:14 -0500 **TXBODA Filing** <[filing@txboda.org](mailto:filing@txboda.org)> wrote ---

Please see the attached Order from the Board. The Board will set a briefing schedule after the Evidentiary Panel rules on Appellant's Verified Motion for Formal Bill of Exception.



**Jackie Truitt**

Executive Assistant

Board of Disciplinary Appeals

Appointed by the Supreme Court of Texas

512-427-1578

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