



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

**IN THE MATTER OF
EARL S. NESBITT,
STATE BAR CARD NO. 14916900**

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§

CAUSE NO. 70374

**ORDER TO SHOW CAUSE ON PETITION FOR RECIPROCAL DISCIPLINE
AND HEARING NOTICE**

Pursuant to Texas Rules of Disciplinary Procedure (“TRDP”) Part IX, the Commission for Lawyer Discipline, Petitioner, filed a Petition for Reciprocal Discipline against Earl S. Nesbitt, Respondent, on December 3, 2024. The Petition states that on or about August 30, 2024, the United States District Court for the Northern District of Texas, Dallas Division, issued an Order in the matter styled *Vargas v. Panini America, Inc.*, Civil Action No. 3:23-CV-02689-B, reprimanding Respondent for conduct the court determined violated Federal Rule of Civil Procedure 11(b). A true and correct copy of the Petition for Reciprocal Discipline, which includes the Order, is attached hereto and incorporated herein for all purposes as if set forth in full.

It is, therefore, **ORDERED** that Respondent Earl S. Nesbitt shall, within thirty (30) days from the date of service, show cause why the imposition of identical discipline, to the extent practicable, in Texas by the Board of Disciplinary Appeals pursuant to Texas Rule of Disciplinary Procedure 9.02, would be unwarranted. If Respondent is served by mail, Respondent shall show cause within thirty (30) days from the date of mailing of this Order to Show Cause. Respondent should consult Part IX of the Texas Rules of Disciplinary Procedure regarding the failure to file an answer. Failure to file a timely answer may waive Respondent’s right to raise the defenses set forth in Texas Rule of Disciplinary Procedure 9.04 and limit the scope of the hearing to exclude

presentation of any such defenses. *See* TEX. RULES DISCIPLINARY P. R. 9.01–04; BODA INTERNAL PROCEDURAL RULES R. 7.03.

It is further **ORDERED** that this reciprocal discipline matter is set for hearing before the Board on Friday, January 31, 2025, at 9:00 a.m. in the courtroom of the Supreme Court of Texas, Austin, Texas.

SIGNED this 9th day of December 2024.

A handwritten signature in black ink, appearing to be 'W. S. H.', written over a horizontal line.

CHAIR PRESIDING