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

IN THE MATTER OF	§	
G. MICHAEL COOPER, III	§	**CAUSE NO. 58355**
STATE BAR CARD NO. 04775600	§	

JUDGMENT OF DISBARMENT

On the 26th day of July 2019, the above-styled and numbered disciplinary action pursuant to Part IX of the Texas Rules of Disciplinary Procedure was called for hearing before the Board of Disciplinary Appeals. Petitioner Commission for Lawyer Discipline of the State Bar of Texas appeared by attorney and announced ready. Respondent appeared in person and announced ready. All questions of fact as well as all issues of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

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

(1) Respondent, G. Michael Cooper, III, State Bar Card Number 04775600, is licensed but not currently authorized to practice law in the State of Texas by the Supreme Court of Texas.

(2) On or about August 30, 2005, the Administrator's Complaint was filed Before the Hearing Board of the Illinois Attorney Registration and Disciplinary Commission in a matter styled, *In the Matter of: G. Michael Cooper III, Attorney-Respondent*, No. 513164, Commission No. 05 CH 82, which set out the allegations against him, including:

Count I: On September 18, 2001, Respondent and Jeanne Schofield ("Jeanne") agreed that Respondent would represent Jeanne in connection

with a partition of real property. On May 24, 2002, Respondent represented Jeanne at the real estate closing for the sale of the property. On or about July 18, 2002, Respondent received a check made payable to "Jeanne Schofield, The Cooper Company Law Firm" in the amount of $97,742.90 in connection with the sale of the property. On July 18, 2002, Respondent deposited the check into his trust account. On or about April 29, 2003, Respondent gave Jeanne two checks in the amount of $25,000 each. The two checks represented a partial distribution of the $97,742.90 due Jeanne. In or about June 2003, after several oral requests for the remaining $47,742.90 in funds from the sale of the property that Respondent still retained, Jeanne sent Respondent a letter demanding the return of her money. Respondent did not comply with the request. As of October 6, 2003, Respondent should have been holding at least $47,742.90 in his trust account on behalf of Jeanne. As of October 6, 2003, Respondent's trust account had a balance of $50.00. At no time did Jeanne authorize Respondent to use any portion of her funds for his own business or personal purposes. Between November 2004 and January 2005, Respondent returned $1,500 to Jeanne. By reason of the conduct described above, Respondent has engaged in the following misconduct: conversion; conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule 8.4(a)(4) of the Illinois Rules of Professional Conduct; conduct that is prejudicial to the administration of justice in violation of Rule 8.4(a)(5) of the Illinois Rules of Professional Conduct; and conduct which tends to defeat the administration of justice or to bring the courts or the legal profession into disrepute in violation of Supreme Court Rule 770.

Count II: Further, Respondent was admitted to practice law in the State of Illinois in 1971, and was admitted to practice law in the State of Texas in 1981. At all times alleged in this Complaint, Respondent was a resident of Washington, D.C. Respondent has never been admitted to practice law in Washington, D.C. On or about October 1, 2001, Respondent prepared, signed, and sent a letter regarding the partition of the property. Between October 17, 2001 and April 7, 2003, Respondent drafted, signed, and filed with the Superior Court of the District of Columbia various documents in the case *Schofield v. Schofield.* These documents identified Respondent as Jeanne's attorney. On or about July 6, 2002, Respondent attended a mandatory mediation session in the District of Columbia Superior Court on behalf of Jeanne. On April 30, 2003, Respondent filed a Notice of Appeal in *Schofield v. Schofield.* Between September 2001 and November 2003, Respondent used the name "Cooper, Barnes and Thaxton" on documents provided to Jeanne and others in connection with *Schofield v. Schofield,* notwithstanding the fact that no such law firm existed. During that same time period, Respondent also variously used the names "The

Cooper Company Law Firm," "The Cooper Company Professional Legal Services," and "G. Michael Cooper & Associates," notwithstanding the fact that he was not admitted to practice law in Washington, D. C. Respondent was never admitted *pro hac vice* by the District of Columbia Superior Court to provide legal services in *Schofield v. Schofield* . On October 15, 2004, Respondent entered into a "Consent Agreement" with the District of Columbia Court of Appeals Committee on Unauthorized Practice of Law. In the Consent Agreement, Respondent acknowledged that his conduct constituted the unauthorized practice of law in the District of Columbia. In the Consent Agreement, Respondent further acknowledged that he was indebted to Jeanne in the amount of $47,747.91 and agreed to repay her this amount plus interest. Under the terms of the Consent Agreement, Respondent agreed that he would begin to repay Jeanne the sum of $47,747.91 with seven equal payments in the amount of $500 each on the 1st date of each month commencing November 1, 2004. Respondent further agreed that the balance in the amount of $44,249.91 plus interest would be repaid to Jeanne on or before June 30, 2005. Jeanne received three installments of $500 each from Respondent between November 2004 and January 2005, and Respondent has not made any other payments to Jeanne. By reason of the conduct outlined above, Respondent has engaged in the following misconduct: practicing law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction in violation of Rule 5.5(a) of the Illinois Rules of Professional Conduct; conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule 8.4(a)(4) of the Illinois Rules of Professional Conduct; conduct which is prejudicial to the administration of justice in violation of Rule 8.4(a)(5) of the Illinois Rules of Professional Conduct; and conduct which tends to defeat the administration of justice or to bring the courts or the legal profession into disrepute in violation of Illinois Supreme Court Rule 770.

(3) On or about September 8, 2006, the Report and Recommendation of the Hearing Board panel was filed Before the Hearing Board of the Illinois Attorney Registration and Disciplinary Commission in a matter styled, *In the Matter of: G. Michael Cooper III, Attorney-Respondent*, No. 513164, Commission No. 05 CH 82, that states in pertinent part as follows:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Having considered the two-count Complaint, the failure of Respondent to appear or participate in these proceedings in any manner, the order of March 27, 2006 by which the allegations of the Complaint were deemed

admitted, and the evidence submitted by the Administrator and admitted at the hearing, we find by clear and convincing evidence that Respondent engaged in the acts alleged and committed the following misconduct as charged in the complaint.

a. conversion (Count I);

b. practicing law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction in violation of Rule 5.5(a) of the Illinois Rules of Professional Conduct (Count II);

c. conduct involving dishonesty, fraud, deceit or misrepresentation in violation of Rule 8.4(a)(4) (Counts I and II);

d. conduct that is prejudicial to the administration of justice in violation of Rule 8.4(a)(5) (Counts I and II); and

e. conduct which tends to defeat the administration of justice or which brings the courts or the legal profession into disrepute in violation of Supreme Court Rule 770 (Counts I and II)... .

(4) On or about October 25, 2006, the Administrator's Motion to Approve and confirm Pursuant to Supreme Court Rule 753(d)(2) was filed in the Supreme Court of Illinois in a matter styled, *M.R.21194 - In re: G. Michael Cooper III*, Disciplinary Commission.

(5) On or about January 12, 2007, a Supreme Court Order and Mandate were entered in the Supreme Court of Illinois in a matter styled, *In the Matter of: G. Michael Cooper III, Attorney-Respondent*, No. 513164, Supreme Court No. M. R. 21194, Commission No. 05 CH 82, that states in pertinent part as follows:

> The motion of the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent G. Michael Cooper, III is disbarred....

(6) On April 9, 2007, Respondent filed a Petition for Reconsideration with the Supreme Court of Illinois.

(7) On April 24, 2007, The Supreme Court of Illinois denied Respondent's Petition for Reconsideration.

(8) Respondent, G. Michael Cooper, III, is the same person as G. Michael Cooper, III, who is the subject of the Illinois Order(s) described above.

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

(1) This Board has jurisdiction to hear and determine this matter. Texas Rules of Disciplinary Procedure Rule 7.08(H) ("TRDP").

(2) Respondent has not proved a defense pursuant to TRDP 9.04.

(3) Reciprocal discipline identical to that imposed by the Supreme Court of Illinois is warranted in this case.

It is, accordingly, **ORDERED, ADJUDGED**, and **DECREED** that Respondent, G. Michael Cooper, III, State Bar Card No. 04775600, be and he is hereby **DISBARRED** from the practice of law in the State of Texas and his license to practice law in this state be and is hereby revoked.

It is further **ORDERED, ADJUDGED** and **DECREED** that Respondent, G. Michael Cooper, III, is 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 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 shall immediately notify each of his current clients in writing of this disbarment. In addition to such notification, Respondent is **ORDERED**

to return any files, papers, unearned monies and other property belonging to clients and former clients in the Respondent's possession to the respective clients or former clients or to another attorney at the client's or former client's request. Respondent is further **ORDERED** to file with the Statewide Compliance Monitor, State Bar of Texas Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) within thirty (30) days of the signing of this judgment by the Board, an affidavit stating that all current clients have been notified of Respondent's disbarment and that all files, papers, monies and other property belonging to all clients and former clients have been returned as ordered herein. If Respondent is unable to return any file, papers, money or other property to any client or former client with active cases pending, 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** Respondent shall, on or before thirty (30) days from the signing of this judgment by the Board, 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. Respondent is further **ORDERED** to file with the Statewide Compliance Monitor, State Bar of Texas Chief Disciplinary Counsel's Office, P.O. Box 12487, Austin, TX 78711-2487 (1414 Colorado St., Austin, TX 78701) within thirty (30) days of the signing of this judgment by the Board, an affidavit stating that each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice has received written

notice of the terms of this judgment.

It is further **ORDERED** that Respondent, G. Michael Cooper, III, immediately surrender his Texas 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.

It is further **ORDERED** that certified copies of the Third Amended Petition for Reciprocal Discipline and this Judgment be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 29th day of July 2019.

CHAIR PRESIDING