



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

**IN THE MATTER OF  
MANFRED MAX STERNBERG  
STATE BAR CARD NO. 24125421**

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**CAUSE NO. 69413**

**JUDGMENT DENYING RECIPROCAL DISCIPLINE**

On the 26th day of July, 2024, the above-styled and numbered reciprocal discipline action was called for hearing before the Board of Disciplinary Appeals. Petitioner, the Commission for Lawyer Discipline, appeared by attorney and announced ready. Respondent, Manfred Max Sternberg, appeared with counsel, who announced ready. All questions of fact and 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 makes the following findings, conclusions, and orders:

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

- (1) Respondent, Manfred Max Sternberg, whose Texas Bar Card No. is 24125421, became licensed to practice law in the State of Texas on October 8, 2021, and is currently authorized to practice law in Texas.
- (2) Respondent is not and never has been licensed to practice law in the State of Louisiana.
- (3) Following law school, Respondent was employed as an associate attorney by the New Orleans-based law firm of Egenberg Trial Lawyers. Respondent was hired to work the firm's Texas litigation docket, with the plan that Respondent would train in the New Orleans office for about six to eight months before transferring to work in the firm's Texas office.

- (4) Approximately two weeks after Respondent began work at the firm, Hurricane Ida struck Louisiana, causing widespread property damage.
- (5) After Respondent became licensed to practice law in Texas, the firm began assisting clients with hurricane damage claims. Respondent was asked to assist the firm's lawyers with some of those pre-litigation property damage claims on a temporary basis.
- (6) Before working on any hurricane property damage claims, Respondent reviewed and researched the Louisiana Rules of Professional Conduct as they relate to practicing without a Louisiana law license, including Rule 5.5.
- (7) Louisiana Rule of Professional Conduct 5.5 states in pertinent part:
  - (c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction that:
    - (1) are undertaken in association with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter.
- (8) Before working on any hurricane property damage claims, Respondent discussed the matter with his supervising attorneys, including the firm's named partner, Bradley Egenberg, who assured Respondent that his assistance with Hurricane Ida cases would not constitute unauthorized practice of law under Louisiana Rule of Professional Conduct 5.5 because it would be temporary and a Louisiana-licensed lawyer would actively participate in each case.
- (9) Before working on any hurricane property damage claims, Respondent sought the advice of his father, an attorney licensed in both Texas and Louisiana, who also reviewed the Louisiana Rules of Professional Conduct and concluded that Rule 5.5 permitted Respondent to assist with Hurricane Ida claims on a temporary basis.
- (10) After conducting his own research and consulting with his father, Respondent again spoke with Mr. Egenberg, who confirmed his view that Respondent would not violate Louisiana Rule of Professional Conduct 5.5 by providing the requested assistance with pre-litigation property damage claims related to Hurricane Ida. Respondent believes Mr. Egenberg had consulted with the firm's ethics counsel about this matter.
- (11) All Hurricane Ida property damage claims Respondent assisted with were pre-litigation, and Respondent was always supervised by a Louisiana-

licensed lawyer who actively participated in the case. Letterhead used by Egenberg Trial Lawyers correctly indicated that Respondent was licensed only in Texas.

- (12) Respondent became the subject of a disciplinary proceeding after a client Respondent assisted with a Hurricane Ida property damage claim filed a grievance against him. The grievance was investigated and was ultimately dismissed.
- (13) Nevertheless, the Louisiana Office of Disciplinary Counsel (ODC) pursued a disciplinary case against Respondent based on the practice of law in Louisiana without a license. At all times during the grievance proceeding and the underlying proceeding, Respondent cooperated with the Louisiana disciplinary authority.
- (14) On or about October 6, 2023, Respondent and the ODC filed in the Supreme Court of Louisiana a Joint Motion for Consent Discipline Pursuant to Rule XIX, § 20, in the matter styled *In Re Confidential Party (MMS)*, Docket No. 2023-B-1345. The Joint Motion reflected Respondent's consent to an injunction "prohibiting the respondent from applying to sit for the Louisiana Bar Examination and prohibiting him from applying *pro hac vice* admission in the state courts of the State of Louisiana for a minimum of five years."
- (15) Along with the Joint Petition for Consent Discipline, Respondent and ODC filed a Joint Stipulation of Facts, including a stipulation that Respondent's actions "did not cause actual harm to any client."
- (16) On or about December 6, 2023, the Supreme Court of Louisiana issued an Order in the matter styled *In Re Confidential Party*, Docket No. 2023-B-1345, conditionally rejecting the Joint Petition for Consent Discipline and giving the parties thirty days to file a revised petition for consent discipline "seeking to enjoin respondent for a period of one year from seeking full admission to the Louisiana bar or seeking to practice in Louisiana on any temporary or limited basis."
- (17) On or about January 4, 2024, Respondent and the ODC filed in the Supreme Court of Louisiana a Revised Joint Motion for Consent Discipline Pursuant to Rule XIX, § 20, in the matter styled *In Re Confidential Party (MMS)*, Docket No. 2023-B-1345. The Revised Joint Motion reflected Respondent's consent to an injunction "prohibiting the respondent from seeking full admission to the Louisiana bar or seeking admission to practice in Louisiana on any temporary or limited basis for a period of one year."
- (18) On or about January 17, 2024, the Supreme Court of Louisiana issued an Order Per Curium in the matter styled *In Re: Manfred Max Sternberg*, Cause No. 2023-B-1345, accepting the Petition for Consent Discipline and

ordering that Respondent “shall be enjoined for a period of one year from seeking full admission to the Louisiana bar or seeking admission to practice in Louisiana on any temporary or limited basis, including, but not limited to, seeking pro hac vice admission before a Louisiana court pursuant to Supreme Court Rule XVII, § 13 or seeking limited admission as an in-house counsel pursuant to Supreme Court Rule XVII, § 14.”

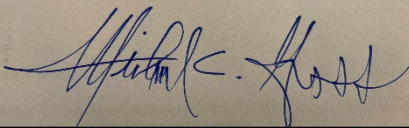
- (19) The Order Per Curium issued by the Supreme Court of the State of Louisiana is final.
- (20) Respondent, Manfred Max Sternberg, is the same person as the Manfred Max Sternberg who is the subject of the Order Per Curium, issued by the Supreme Court of the State of Louisiana.
- (21) Respondent filed a timely Response to Petition for Reciprocal Discipline and Order to Show Cause, raising two defenses under Texas Rule of Disciplinary Procedure 9.04:
  - (C) That the imposition by the Board of Disciplinary Appeals of discipline identical, to the extent practicable, with that imposed by the other jurisdiction would result in grave injustice.
  - (D) That the misconduct established in the other jurisdiction warrants substantially different discipline in this state.
- (22) Respondent has no intention of seeking admission to the Louisiana bar and plans to continue practicing law in Texas.

**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), 9.01.
- (2) Respondent, Manfred Max Sternberg, has proven by clear and convincing evidence one or more of the defenses listed in Texas Rule of Disciplinary Procedure 9.04.
- (3) No reciprocal discipline is warranted in this case. *See* TEX. RULES DISCIPLINARY P. R. 9.04 (“If the Board of Disciplinary Appeals determines that one or more of the foregoing defenses have been established, it shall enter such orders as it deems necessary and appropriate.”).

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that the Petition for Reciprocal Discipline is **DENIED**.

Signed this 30<sup>th</sup> day of July 2024.



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**VICE-CHAIR PRESIDING**

Board Chair Kelli Hinson and Board members Jennifer Caughey and Arthur D'Andrea did not participate in this decision.