



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

IN THE MATTER OF §
EDWARD K. WHITE, III, § **CAUSE NO. 59481**
STATE BAR CARD NO. 21341700 §

JUDGMENT OF PUBLIC REPRIMAND

On this day, the above-styled and numbered reciprocal disciplinary action 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, Edward K. White, III, having answered and requested that the Board decide the case by submission, did not appear. The Board considered all pleadings filed by both parties and the evidence. All matters of fact as well as all matters 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, Edward K. White, III, whose State Bar Card number is 21341700, is an attorney licensed by the Supreme Court of Texas, but not currently authorized to practice law in the State of Texas.
- (2) On or about October 14, 2016, a Public Censure was entered in the Disciplinary District VI of the Board of Professional Responsibility of the Supreme Court of Tennessee in a matter styled, *In Re: Edward Kendall*

White, III, BPR No. 17689, Respondent, an attorney licensed to practice law in Tennessee (Williamson County), File No. 41671c-6-BG, that states in pertinent part as follows:

- (a) Respondent filed an interpleader petition lacking any valid factual or legal basis.
 - (b) The subject matter of the petition was a check jointly payable to two former clients that had been erroneously mailed to Respondent's law firm.
 - (c) There were no funds to interplead, since a stop payment was successfully placed on the check prior to the filing of the petition.
 - (d) Respondent also failed to expedite the handling of the petition.
 - (e) By these acts, Respondent violated Rules of Professional Conduct 3.1 (meritorious claims and contentions), and 3.2 (expediting litigation), and is hereby Publicly Censured for these violations.
- (4) Respondent, Edward K. White, III, is the same person as the Edward Kendall White, III, who is the subject of the Public Censure entered by the Disciplinary District VI of the Board of Professional Responsibility of the Supreme Court of Tennessee.
 - (5) The Public Censure entered by the Disciplinary District VI of the Board of Professional Responsibility of the Supreme Court of Tennessee is final.
 - (6) The Texas Disciplinary Rules of Professional Conduct do not have an equivalent rule to Tennessee Rules of Professional Conduct Rule 3.2 (expediting litigation).


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) Respondent's violation of Tennessee Rules of Professional Conduct Rule 3.1 is also a violation of Texas Disciplinary Rules of Professional Conduct Rule 3.01 Meritorious Claims and Contentions.
- (3) Respondent White failed to prove a defense to the imposition of identical discipline in Texas by clear and convincing evidence pursuant to Texas Rules of Disciplinary Procedure Rule 9.04.

- (4) Respondent's violation of Tennessee Rules of Professional Conduct Rule 3.1 supports the imposition of a public reprimand in Texas.
- (5) Reciprocal discipline identical to that imposed by the Disciplinary District VI of the Board of Professional Responsibility of the Supreme Court of Tennessee is warranted in this case.

It is, accordingly, **ORDERED, ADJUDGED, and DECREED** that Respondent, Edward K. White, III, State Bar Card No. 21341700, is hereby **PUBLICLY REPRIMANDED** as an attorney at law in the State of Texas.

Signed this 1 day of August 2018.



CHAIR PRESIDING