



BEFORE THE ARKANSAS SUPREME COURT  
COMMITTEE ON PROFESSIONAL CONDUCT  
PANEL A

IN RE: GREGORY D. TAYLOR  
Arkansas Bar ID #93080  
CPC Docket No. 2019-031

CONSENT FINDINGS AND ORDER

The formal charges of misconduct against Gregory Taylor upon which this Findings and Order is based arose from a grievance filed by James Engelhorn. Taylor is an attorney practicing in Benton, Arkansas. Following Mr. Taylor's receipt of the formal complaint, Mr. Taylor entered in to discussion with the Executive Director which resulted in an agreement by consent pursuant to Section 20.B of the Arkansas Supreme Court Procedures Regulating Professional Conduct of Attorneys at Law (2011).

In 2017, James and Laura Engelhorn purchased a home in Little Rock, Arkansas. Significant issues with the house were discovered after moving in which caused them to seek legal counsel. In December 2017, Mr. and Mrs. Engelhorn retained attorneys Chad Taylor and Gregory Taylor of the Benton firm of Taylor and Taylor and paid a \$5,000 retainer. In February 2018, Taylor and Taylor filed 60CV-18-875 on behalf of Mr. and Mrs. Engelhorn against the seller from whom they purchased the residence.

By email dated May 7, 2018, Taylor's firm sent Mr. and Mrs. Engelhorn the Interrogatories and Requests for Production of Documents, but a date by which this information was due back was not included. In late May 2018, Mr. and Mrs. Engelhorn received notification that Taylor's son Chad was leaving the firm and that Taylor would be taking over their case.

On June 29, 2018, the opposing party filed a Motion to Compel Discovery Responses as no responses had been received by the due date. The docket does not reflect any response being

filed by Taylor to the Motion to Compel Discovery Responses. On July 24, 2018, Mr. Engelhorn emailed Taylor relating in part to the status of their discovery responses. On July 27, 2018, the circuit court entered an Order to Compel granting the opposing party's motion and ordering that Mr. and Mrs. Engelhorn provide "full and complete responses to [opposing party's] Interrogatories and Requests for Production of Documents, without any objections[.]" and ordered Mr. and Mrs. Engelhorn to pay \$500 for the opposing party's attorneys' fees, costs, and expenses. Mr. and Mrs. Engelhorn did not receive notification from Taylor of the Motion to Compel or of the Order to Compel.

On or about August 1, 2018, Taylor's firm email address became inoperable, and Taylor failed to notify his clients of this event. On August 12, 2018, Mrs. Engelhorn provided responses to Taylor via the email address she had for him [gdtaylor@taylorandtaylorlawyers.com](mailto:gdtaylor@taylorandtaylorlawyers.com). On August 20, 2018, Maloof filed Motion to Enforce Order to Compel and For Sanctions. On August 30, 2018, Taylor filed a Response to Defendant's Motion to Enforce Order to Compel and for Sanctions on behalf of Mr. and Mrs. Engelhorn. In this response, Taylor stated that "[f]ull and complete answers and responses have been provided" and "[p]ayment has been made[.]"

Mr. and Mrs. Engelhorn did not receive information from Taylor and were unaware of the filings related to the discovery and were not aware of the \$500 payment from their retainer. Mr. and Mrs. Engelhorn attempted to communicate with Taylor to find out what was going on with their case, but they had difficulty reaching Taylor. On October 26, 2018, Mr. Engelhorn emailed Taylor that they were terminating him as their attorney. The email also requested the return of their case file and retainer. Taylor did not respond to Mr. Engelhorn's October 26

email, and in November 2018 Mr. Engelhorn filed a grievance with the Office of Professional Conduct.

On November 29, 2018, Taylor filed a Motion to Withdraw as Counsel. Mr. and Mrs. Engelhorn were not provided with the Motion nor were they provided with their file. On December 31, 2018, the circuit court entered an Order finding that Mr. and Mrs. Engelhorn did not timely respond with discovery responses, failed to comply with the Order to Compel, and granted the Motion to Enforce Order to Compel and for Sanctions. The Order also granted Taylor's Motion to Withdraw as Counsel. In January 2019, Taylor mailed a copy of the case file to Mr. and Mrs. Engelhorn. After consulting with a new attorney, on January 18, 2019, Mr. and Mrs. Engelhorn filed a *pro se* Motion for Voluntary Dismissal Without Prejudice. On February 1, 2019, the circuit court entered an Order Granting Motion for Voluntary Dismissal Without Prejudice.

Upon consideration of the formal complaint and attached exhibit materials, the response to it, and other matters before it, and the Arkansas Rules of Professional Conduct, Panel A of the Arkansas Supreme Court Committee on Professional Conduct finds:

1. Gregory D. Taylor violated Arkansas Rule 1.4(a)(3) by failing to keep his clients, James and Laura Engelhorn, reasonably informed about the status of their case in 60CV-18-875. Arkansas Rule 1.4(a)(3) requires that a lawyer shall keep a client reasonably informed about the status of a matter.

2. Gregory D. Taylor violated Arkansas Rule 8.4(d) by (a) failing to communicate with his clients, James and Laura Engelhorn, and provide necessary information in response to discovery resulted in Mr. and Mrs. Engelhorn being ordered to pay \$500 to opposing counsel in attorney's fees, and (b) failing to communicate with his clients, James and Laura Engelhorn, and

provide necessary information resulted in Mr. and Mrs. Engelhorn retaining new counsel and being required to voluntarily dismiss their case to avoid additional discovery sanctions.

Arkansas Rule 8.4(d) requires that a lawyer shall not engage in conduct that is prejudicial to the administration of justice.

WHEREFORE, it is the decision and order of the Arkansas Supreme Court Committee on Professional Conduct, acting through its authorized Panel A, that Gregory Taylor, Arkansas Bar ID# 93080 be, and hereby is, **CAUTIONED** for his conduct in this matter, and ordered to pay \$2,500.00 Restitution to James and Laura Engelhorn and \$50.00 Costs. The restitution and costs assessed herein shall be payable by cashier's check or money order payable to the "Clerk, Arkansas Supreme Court" delivered to the Office of Professional Conduct within thirty (30) days of the date this Findings and Order is filed of record with the Clerk of the Arkansas Supreme Court.

ARKANSAS SUPREME COURT COMMITTEE  
ON PROFESSIONAL CONDUCT - PANEL A

Mark L. Martin  
Mark L. Martin, Acting Chair, Panel A

3.20.20  
Date