## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA VALDOSTA DIVISION

MATTHEW WILLIAMS, :

:

Plaintiff, :

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v. : Civil Action No.

7:06-CV-111(HL)

PACKAGING CORPORATION OF

AMERICA; and UNITED STEEL,

PAPER AND FORESTRY, RUBBER : MANUFACTURING, ENERGY, :

ALLIED INDUSTRIAL AND SERVICE :

WORKERS INTERNATIONAL : UNION, USW (LOCAL 646), :

:

Defendants. :

:

## **ORDER**

On July 16, 2009, this Court held a hearing in Valdosta to determine whether Lecora Bowen, counsel for Plaintiff, should be sanctioned for failing to respond to motions, failing to comply with this Court's orders, and failing to update her contact information through the electronic filing system. In addition to discussing the issue of sanctions, the Court's Order (Doc. 79) scheduling the hearing stated that the Court would consider any and all matters related to the payment of attorney's fees. The Court previously granted Defendant Packaging Corporation of America's ("PCA") Motion for Attorney's Fees (Doc. 64), but it reserved ruling on the amount of the fee award until Plaintiff submitted a financial affidavit. (Doc. 74, Order.)

At the hearing, Bowen stated that many of her failings in this case were a result of computer difficulties. Utilizing a modern twist on the "dog ate my homework" excuse, Bowen stated that she believes the Department of Homeland Security has been going into her computer system and tampering with her files. The Court does not believe Bowen's conspiracy theory, not only because it is outlandish, but also because her dilatory conduct and incompetence throughout this case gives this Court no reason to believe her. In addition, regardless of what computer difficulties she may or may not have had, that is still no excuse for her conduct in this case.<sup>1</sup>

This Court is going to impose sanctions against Bowen. It is simply a matter of which ones will be imposed. The Court stated at the hearing that there is a strong possibility it will disbar Bowen from practicing in the Middle District of Georgia. Bowen replied by stating that she is considering voluntarily resigning from the practice of law. She said that she would reach that decision by the middle of August.

As a result of the possibility that Bowen will voluntarily relinquish her law license, there is no reason at this time for the Court to consider whether to disbar her. Bowen is ordered to file with this Court, not later than August 17, 2009, a report that states whether she is going to surrender her law license. If she does not surrender it, the Court will consider whether to disbar her. In addition, regardless of

<sup>&</sup>lt;sup>1</sup>The Court will outline Bowen's failings in the order imposing sanctions.

whether she decides to relinquish her license, the Court will consider the amount of

monetary sanctions to be imposed against her. There is also a strong possibility that

Bowen will be liable for some of the attorney's fees that will be assessed against her

client. See 28 U.S.C. 1927. The Court therefore reserves ruling on the appropriate

sanctions to be imposed against Bowen until after August 17, 2009.

As for the amount of fees to be awarded to PCA, the Court reserves ruling on

that issue until Bowen's client, Matthew Williams, has had the opportunity to consult

with new counsel. Williams has until August 17, 2009, to retain new counsel, if he

so desires. By that date, Williams should inform this Court whether he has retained

a new attorney. The Court will decide at that time how to proceed with the

assessment of attorney's fees.

The Clerk is directed to mail a copy of this Order to Williams at his home

address: 4775 Bethany Drive, Hahira, Georgia 31632. The Clerk is also directed

to mail a copy of this Order to Bowen's business address: The Bowen Law Firm, 210

Bayberry Run, Fairburn, GA 30213.

**SO ORDERED**, this the 20<sup>th</sup> day of July, 2009.

s/ Hugh Lawson

**HUGH LAWSON, Judge** 

dhc