



ORIGINAL

PUBLIC MATTER

1 THE STATE BAR OF CALIFORNIA
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FILED

APR 24 2007

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

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THE STATE BAR COURT
HEARING DEPARTMENT - LOS ANGELES

In the Matter of) Case No. 05-O-04727
)
 MARY E. BULLOCK,)
 No. 153212,) NOTICE OF DISCIPLINARY CHARGES
)
 A Member of the State Bar.)

NOTICE - FAILURE TO RESPOND!

IF YOU FAIL TO FILE AN ANSWER TO THIS NOTICE WITHIN THE TIME ALLOWED BY STATE BAR RULES, INCLUDING EXTENSIONS, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL, (1) YOUR DEFAULT SHALL BE ENTERED, (2) YOU SHALL BE ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR AND WILL NOT BE PERMITTED TO PRACTICE LAW UNLESS THE DEFAULT IS SET ASIDE ON MOTION TIMELY MADE UNDER THE RULES OF PROCEDURE OF THE STATE BAR, (3) YOU SHALL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOUR DEFAULT IS SET ASIDE, AND (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.

STATE BAR RULES REQUIRE YOU TO FILE YOUR WRITTEN RESPONSE TO THIS NOTICE WITHIN TWENTY DAYS AFTER SERVICE.

IF YOUR DEFAULT IS ENTERED AND THE DISCIPLINE IMPOSED BY THE SUPREME COURT IN THIS PROCEEDING INCLUDES A PERIOD OF ACTUAL SUSPENSION, YOU WILL REMAIN SUSPENDED FROM THE PRACTICE OF LAW FOR AT LEAST THE PERIOD OF TIME SPECIFIED BY THE SUPREME COURT. IN ADDITION, THE ACTUAL SUSPENSION WILL CONTINUE UNTIL YOU HAVE REQUESTED, AND THE STATE

1 A. On or about June 11, 2005, Butler went to Respondent's home and paid her
2 \$1,250 in cash, which represented the first installment toward Respondent's
3 \$5,000 flat fee.

4 B. On or about July 9, 2005, Butler made his second payment to Respondent and
5 wrote personal check number 1016 in the amount of \$1,250, payable to
6 Respondent, and deposited that check directly into Respondent's personal
7 account, number 0112683150, at Washington Mutual Bank ("Respondent's
8 personal account").

9 C. On or about July 22, 2005, Butler paid his third installment to Respondent and
10 wrote personal check number 1421 in the amount of \$1,250, payable to
11 Respondent, and deposited that check directly into Respondent's personal
12 account. By this date, Butler paid Respondent a total of \$3,750. Butler made no
13 further payments to Respondent towards the previously agreed upon \$5,000 flat
14 fee.

15 6. At the time Butler hired Respondent to act as his attorney, Respondent continued to be
16 employed as an Administrative Judge with the EEOC.

17 7. On or about June 6, 2005, Butler sent the EEOC a Designation of Representation form
18 in which he, based on Respondent's advice, listed Respondent and Lockhart as his counsel.

19 8. In or about June 2005, Respondent appeared telephonically as Butler's attorney at a
20 mediation with the Navy. The mediation was attended by Butler, Lockhart, and EEOC
21 Investigator Warren Treisman.

22 9. On or about July 12, 2005, the Navy mailed Respondent a letter in which it
23 disqualified her from acting as Butler's counsel at proceedings within the Navy's own EEOC
24 process. The Navy imputed a conflict of interest as to Lockhart because of her business
25 association with Respondent and disqualified her from acting as Butler's counsel, as well.

26 10. On or about August 29, 2005, Butler sent Respondent an e-mail in which he
27 terminated her employment as his attorney. Respondent received the e-mail.

28

1 11. From in or about March 2005 until on or about August 29, 2005, Respondent
2 rendered legal advice and analysis to Butler regarding equal employment law and its application.

3 12. By accepting outside employment while actively sitting as an Administrative Judge
4 with the EEOC, by rendering legal advice and analysis to Butler regarding equal employment
5 law and its application, by accepting compensation from Butler to act as his counsel, and by
6 actually acting as Butler's counsel, Respondent acted in wilful violation of 5 C.F.R. § 7201.102,
7 and thereby failed to support the laws of the United States.

8 COUNT TWO

9 Case No. 05-O-04727
10 Rules of Professional Conduct, rule 4-200(A)
[Illegal Fee]

11 13. Respondent wilfully violated Rules of Professional Conduct, rule 4-200(A), by
12 entering into an agreement for, charging, or collecting an illegal fee, as follows:

13 14. The allegations of paragraphs 3 through 11 are incorporated by reference.

14 15. Respondent knew, or was grossly negligent in not knowing that 5 C.F.R. § 7201.102
15 prohibited her from accepting compensation from employment outside her official duties with
16 the EEOC and 18 U.S.C. § 203 and 18 U.S.C. § 205 prohibited her from accepting compensation
17 for prosecuting a claim against the United States.

18 16. By accepting a legal fee which she was prohibited by law from accepting,
19 Respondent entered into an agreement for, charged, or collected an illegal fee in wilful violation
20 of rule 4-200, Rules of Professional Conduct.

21 COUNT THREE

22 Case No. 05-O-04727
23 Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

24 17. Respondent wilfully violated Rules of Professional Conduct, rule 3-700(D)(2), by
25 failing to refund promptly any part of a fee paid in advance that has not been earned, as follows:

26 18. The allegations of paragraphs 3 through 11 and 15 are incorporated by reference.

27 19. Respondent was legally prohibited from accepting any of the \$3,750 in fees Butler
28 paid her and therefore she could not have earned those fees.

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 05-O-04727

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California 90015, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within

NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7160 3901 9844 3983 6281, at Los Angeles, on the date shown below, addressed to:

**MARY E. BULLOCK
7225 Navajo Road, Suite 224
San Diego, CA 92119**

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: April 24, 2007

SIGNED: 
Lupe Pacheco-Granados
Declarant