

PUBLIC MATTER

ORIGINAL

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JAN 10 2008

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. 06-O-15512; 07-O-10691
NANCY ANNE MOHR,)
No. 101119,) NOTICE OF DISCIPLINARY CHARGES
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

1 **WILL CONTINUE UNTIL YOU HAVE REQUESTED, AND THE STATE**
2 **BAR COURT HAS GRANTED, A MOTION FOR TERMINATION OF THE**
3 **ACTUAL SUSPENSION. AS A CONDITION FOR TERMINATING THE**
4 **ACTUAL SUSPENSION, THE STATE BAR COURT MAY PLACE YOU ON**
5 **PROBATION AND REQUIRE YOU TO COMPLY WITH SUCH**
6 **CONDITIONS OF PROBATION AS THE STATE BAR COURT DEEMS**
7 **APPROPRIATE. SEE RULE 205, RULES OF PROCEDURE FOR STATE**
8 **BAR COURT PROCEEDINGS.**

9 The State Bar of California alleges:

10 JURISDICTION

11 1. Nancy Anne Mohr ("Respondent") was admitted to the practice of law in the State of
12 California on December 1, 1981, was a member at all times pertinent to these charges, and is
13 currently a member of the State Bar of California.

14 COUNT ONE

15 Case No. 06-O-15512
16 Business and Professions Code, section 6106
17 [Moral Turpitude]

18 2. Respondent wilfully violated Business and Professions Code, section 6106, by
19 committing an act involving moral turpitude, dishonesty or corruption, as follows:

20 3. From on or about February 21, 2005 until on or about May 1, 2006, Respondent was
21 employed by the law firm of Lynch, Crowell & Associates ("the Lynch firm").

22 4. During her employment with the Lynch firm or shortly thereafter, Respondent
23 acquired the Lynch firm's account number with Overnight Express, a delivery/courier service.

24 5. On or about September 18, 2006, over four months after she left her employment with
25 the Lynch firm, Respondent shipped, or caused to be shipped, two separate items of
26 correspondence to the State Bar's Mandatory Continuing Legal Education Compliance Office in
27 San Francisco using the Lynch firm's Overnight Express account number 55596. As a result,
28 Overnight Express billed the Lynch firm a total of \$16.70 for the two shipments.

6. The Lynch firm never consented to Respondent using its Overnight Express account
number 55596 for any purpose after on or about May 1, 2006.

1 20. On or about July 6, 2006, Abriel received a voice mail message from a woman
2 purporting to be Respondent's assistant stating that Respondent had completed the work on
3 Abriel's matters, that the work had been mailed to Abriel, along with instructions for closing the
4 trust. Abriel never received the completed work or trust instructions in the mail.

5 21. Between July 17, 2006 and September 20, 2006, Abriel called Respondent
6 approximately thirteen times and left messages in which she 1.) asked for the status of her case,
7 2.) informed Respondent that she had not received the trust documents and instructions in the
8 mail, and 3.) asked Respondent to return the trust documents and death certificates Abriel gave
9 Respondent on or about May 4, 2006. Respondent received Abriel's telephone messages, but
10 did not communicate with her or return her trust documents and death certificates.

11 22. On or about September 20, 2006, Abriel sent Respondent a certified letter, return
12 receipt requested, in which she terminated Respondent, requested the return of the unearned fees,
13 and the return of the trust documents and death certificates she gave Respondent or about May 4,
14 2006. The letter was returned to Abriel unclaimed.

15 23. After in or about early July 2006, Abriel had no further contact with Respondent or
16 anyone purportedly acting on Respondent's behalf.

17 24. Respondent did not write a letter to a real estate company on Abriel's behalf, draft a
18 Small Estates Affidavit, draft an Affidavit of Domicile, and assist Abriel and her sister in
19 liquidating two investment accounts in order to close their mother's trust.

20 25. Respondent did not perform services of any value for Abriel.

21 26. By failing to write a letter to a real estate company on Abriel's behalf, draft a Small
22 Estates Affidavit, draft an Affidavit of Domicile, and assist Abriel and her sister in liquidating
23 two investment accounts in order to close their mother's trust, Respondent intentionally,
24 recklessly, or repeatedly failed to perform legal services with competence, in wilful violation of
25 rule 3-110(A), Rules of Professional Conduct.

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1 48. By not providing a written response to the allegations in the Abriel complaint or
2 otherwise cooperate in the investigation of the Abriel complaint, Respondent failed to cooperate
3 in a disciplinary investigation, in wilful violation of Business and Professions Code section
4 6068(i).

5 **NOTICE - INACTIVE ENROLLMENT!**

6 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
7 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
8 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
9 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
10 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
11 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
12 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
13 RECOMMENDED BY THE COURT. SEE RULE 101(c), RULES OF
14 PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

11 **NOTICE - COST ASSESSMENT!**

12 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE,
13 YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY
14 THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF
15 THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE
16 SECTION 6086.10. SEE RULE 280, RULES OF PROCEDURE OF THE
17 STATE BAR OF CALIFORNIA.**

16 Respectfully submitted,

17 THE STATE BAR OF CALIFORNIA
18 OFFICE OF THE CHIEF TRIAL COUNSEL

19
20 Dated: 1/10/08

19
20 By: 

21 Lee Ann Kern
22 Deputy Trial Counsel

1 **DECLARATION OF SERVICE BY CERTIFIED MAIL**

2 **CASE NUMBER: 06-O-15512; 07-O-10691**

3 I, the undersigned, over the age of eighteen (18) years, whose business address and place
4 of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California
5 90015, declare that I am not a party to the within action; that I am readily familiar with the State
6 Bar of California's practice for collection and processing of correspondence for mailing with the
7 United States Postal Service; that in the ordinary course of the State Bar of California's practice,
8 correspondence collected and processed by the State Bar of California would be deposited with
9 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

10 **NOTICE OF DISCIPLINARY CHARGES**

11 in a sealed envelope placed for collection and mailing as certified mail, return receipt requested,
12 Article No.: 7160 3901 9848 5951 6732, at Los Angeles, on the date shown below, addressed to:

13 **Nancy Anne Mohr**
14 **28546 Taos Ct.**
Cathedral City, CA 92234

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

16 **N/A**

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

19
20 DATED: 01.10.09

SIGNED: 

C. J. Johnson
Declarant