



REVIEW DEPARTMENT OF THE STATE BAR COURT
IN BANK

In the Matter of)	07-C-10833
)	
DAN E. KORENBERG,)	
No. 71536)	RECOMMENDATION OF
)	SUMMARY DISBARMENT
A Member of the State Bar.)	
_____)	

The State Bar's request for summary disbarment is granted. On November 11, 2008, we filed an order to show cause directing respondent Dan E. Korenberg to show cause why we should not recommend his summary disbarment to the Supreme Court. Respondent did not respond.

On October 4, 2007, respondent entered a guilty plea to one count of conspiracy to commit immigration fraud (18 U.S.C. § 371 and 18 U.S.C. § 1546(a), 2(b)), and two counts of immigration fraud (18 U.S.C. § 1546(a), 2(b)). As a result of respondent's conviction we placed him on interim suspension effective January 7, 2008. Respondent's conviction is now final. (Cal. Rules of Court, rule 9.10(a).)

Respondent's conviction is conclusive proof that he committed the crime. (Bus. & Prof. Code, § 6101, subd. (a).) The record of conviction establishes that respondent's conviction meets the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c), as amended effective January 1, 1997.

First, respondent's offenses constitute felonies. (18 U.S.C. 3559 (a)(3), (4).) Second, respondent's offenses involve moral turpitude because the elements of immigration fraud include knowingly submitting an application required by the immigration laws or regulations that contains a materially false statement.¹ (See *United States v. Jacques Dessange, Inc.* (S.D.N.Y.

¹ Title 18 of the United State Code section 1546(a), sets forth multiple immigration offenses. As set forth in the record of conviction, respondent was convicted of the offense set forth in the fourth full paragraph, providing a violation for knowingly presenting "as true, any false

2000) 103 F.Supp.2d 701, 707, 709; *United States v. Khalje* (2nd Cir. 1981) 658 F.2d 90, 91-92 [section 1546(a) penalizes those who present materially false statements in applications required by the immigration laws].) It has been determined that similar crimes that are based on “knowledge of the falsity of certain facts or documents” involve moral turpitude. (See *In re Rivas* (1989) 49 Cal.3d 794, 800 [knowingly providing the registrar of voters with false residency information in declaration of candidacy papers in violation of Elec. Code § 29303 involves moral turpitude per se; see also *In the Matter of Sawyer* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 765, 770 [accessory after the fact in connection with the submission of false information to a federally insured bank in violation of 18 U.S.C. § 1014 involves moral turpitude per se].)

When an attorney’s conviction meets the requirements of Business and Professions Code section 6102, subdivision (c), “the attorney is not entitled to a State Bar Court hearing to determine whether lesser discipline is called for.” (*In re Paguirigan* (2001) 25 Cal.4th 1, 4-7.) Disbarment is mandatory. (*Id.* at p. 9.)

We therefore recommend that respondent Dan E. Korenberg, State Bar number 71536, be summarily disbarred from the practice of law. We also recommend that he be ordered to comply with rule 9.20 of the California Rules of Court and to perform the acts specified in paragraphs (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court’s order. Finally, we recommend that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, such costs being enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

REMKE

Presiding Judge

statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder.” Our recommendation is limited to this offense and not intended to be determinative of whether any other offense under section 1546(a) constitutes moral turpitude per se.

CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on January 16, 2009, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED JANUARY 16, 2009

in a sealed envelope for collection and mailing on that date as follows:

by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

DAN E. KORENBERG
KORENBERG ABRAMOWITZ ET AL
13949 VENTURA BLVD #300
SHERMAN OAKS, CA 91423 - 3570

by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

by overnight mail at , California, addressed as follows:

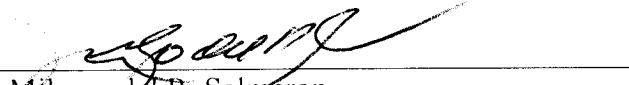
by fax transmission, at fax number . No error was reported by the fax machine that I used.

By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Dane Christopher Dauphine, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 16, 2009.


Milagro del R. Salmeron
Case Administrator
State Bar Court