

(Do not write above this line.)

State Bar Court of California
Hearing Department
Los Angeles

Counsel For The State Bar Katherine Kinsey Deputy Trial Counsel State Bar of California 1149 S. Hill Street Los Angeles, CA 90015 213-765-1503	Case Number (s) 07-O-13888 07-O-14168 10-O-04816 10-O-05266 10-O-05982 10-O-06525 10-O-09851	(for Court's use) <div align="center"> FILED JAN 14 2011 <i>HC</i> STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Bar # 183740 Counsel For Respondent Susan L. Margolis Margolis & Margolis LLP 2000 Riverside Dr Los Angeles, CA 90039 323-953-8996	<div align="center"> PUBLIC MATTER </div>	
Bar # 104629	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING	
In the Matter Of: Jacob Dong Hun Chang Bar # 174476 A Member of the State Bar of California (Respondent)	ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted December 12, 1994.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 14 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."



- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
 - ☐ until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 284, Rules of Procedure.
 - ☒ costs to be paid in equal amounts prior to February 1 for the following membership years: 2012 & 2013 (hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
 - ☐ costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
 - ☐ costs entirely waived

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

- (1) ☐ **Prior record of discipline** [see standard 1.2(f)]
 - (a) ☐ State Bar Court case # of prior case
 - (b) ☐ Date prior discipline effective
 - (c) ☐ Rules of Professional Conduct/ State Bar Act violations:
 - (d) ☐ Degree of prior discipline
 - (e) ☐ If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) ☐ **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) ☐ **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) ☐ **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) ☐ **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.

- (7) ☒ **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) ☐ **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) ☐ **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) ☐ **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) ☐ **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) ☐ **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) ☐ **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) ☐ **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) ☒ **Good Faith:** Respondent acted in good faith. In case no. 07-O-13888, Respondent believed that the October 12, 2007 sanctions were discovery sanctions and therefore did not have to be reported to the State Bar.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) ☐ **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) ☐ **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) ☐ **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) ☐ **No mitigating circumstances** are involved.

Additional mitigating circumstances

Respondent states that in 2002 and 2003, he began suffering from bouts of depression caused by marital problems and financial pressure. Respondent says he separated from his wife. He attempted reconciliation in 2005, which was unsuccessful. Respondent further states that he attempted to "self medicate" with excessive alcohol consumption. Respondent sought assistance from the Lawyers Assistance Program in the Fall of 2010, has been evaluated by LAP, and has been attending group meetings since then.

Respondent has practiced for 16 years and has no prior record of discipline.

D. Discipline:

(1) ☒ **Stayed Suspension:**

(a) ☒ Respondent must be suspended from the practice of law for a period of Two years.

i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.

ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii. ☐ and until Respondent does the following:

(b) ☒ The above-referenced suspension is stayed.

(2) ☒ **Probation:**

Respondent must be placed on probation for a period of Two years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3) ☒ **Actual Suspension:**

(a) ☒ Respondent must be actually suspended from the practice of law in the State of California for a period of 60 days.

i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct

ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii. ☐ and until Respondent does the following:

E. Additional Conditions of Probation:

(Do not write above this line.)

- (1) ☐ If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) ☒ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason: .
- (9) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) ☐ The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) ☒ **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- ☐ No MPRE recommended. Reason:
- (2) ☐ **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) ☐ **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) ☐ **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) ☒ **Other Conditions:** Financial Conditions, Restitution.

Within 30 days from the effective date of discipline in this matter, respondent must make restitution to Lisa Phillian or the Client Security Fund if it has paid, in the principal amount of \$500 plus interest at the rate of 10% per annum from April 27, 2010 and furnish satisfactory evidence of restitution to the Office of Probation. Respondent shall include, in each quarterly report required herein, satisfactory evidence of all restitution payments made by him or her during that reporting period

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Jacob Dong Hun Chang

CASE NUMBERS: 07-O-13888; 07-O-14168; 10-O-04816; 10-O-05266; 10-O-05982;
 10-O06525; 10-O-09851

FACTS AND CONCLUSIONS OF LAW:

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 07-O-13888

1. On December 29, 2006, Respondent, on behalf of plaintiffs, filed a lawsuit entitled *Changhoon Seok, Myong Suk Jung v. Joong-Ang, Daily News California Inc.*, in Los Angeles County Superior Court, case no. BC364053 (the "employment action").
2. On March 19, 2007, defendants' counsel served Respondent with discovery requests in the employment action. At the April 9, 2007 deposition of Respondent's client, Respondent provided a response to defendant's demand for production of documents on behalf of his clients.
3. On May 1, 2007, defendants' counsel filed six motions to compel responses to special interrogatories, filed six motions to deem matters admitted against plaintiffs and filed requests for sanctions. All motions were properly served on Respondent. Respondent received the motions but did not file any opposition to the motions.
4. On June 1, 2007, the court in the employment action granted the defendants' six motions to compel responses to special interrogatories and granted the six motions to deem matters admitted against plaintiffs. The court also ordered plaintiffs and Respondent, jointly and severally, to pay sanctions to defendants in the sum of \$2,600 plus filing costs of \$480 - for a total of \$3,080. Pursuant to the court's June 1, 2007 order, the discovery responses were due from plaintiffs within 20 days from the date of the order or June 21, 2007. Respondent was present at the June 1, 2007 hearing. Respondent was also served with a Notice of Ruling containing the court's June 1, 2007 orders.
5. Plaintiffs and Respondent failed to serve the discovery responses on defendants within the 20-day period as ordered by the court and failed to pay any of the sanctions to defendants as ordered by the court.
6. On August 2, 2007, defendants in the employment action filed a motion for evidentiary or terminating sanctions against plaintiffs. On or about August 6, 2007, Respondent was personally served with defendants' motion for evidentiary or terminating sanctions.
7. On August 27, 2007, defendants filed notice of plaintiffs' non-opposition to defendants' motion for evidentiary or terminating sanctions.

8. On August 30, 2007, the judge granted defendants' motion for terminating sanctions and dismissed the employment action. The Judge also ordered plaintiffs and Respondent to pay monetary sanctions of \$2,240 to defendants.

9. On September 4, 2007, the defendants in the employment action personally served Respondent with a Notice of Ruling detailing the court's August 30, 2007 ruling. On or about September 13, 2007, the defendants in the employment action filed notice of dismissal of the employment action and served the notice of dismissal on Respondent.

10. On September 19, 2007, Respondent filed a motion to vacate the dismissal on the behalf of the plaintiffs in the employment action. In the declaration in support of the motion to vacate, Respondent stated that in the latter part of July 2007, he had unexpected family difficulties, was unable to attend to his regular office work and did not return to the office until after the hearing on defendants' motion for terminating sanctions on August 30, 2007.

11. On October 12, 2007, the court in the employment action granted plaintiffs' motion to vacate the dismissal entered on August 30, 2007, on the grounds that Respondent's declaration essentially admitted that he abandoned his clients. The court also sanctioned Respondent \$3,000 for defendants' costs and fees incurred in opposing the motion to vacate. Respondent failed to report the sanctions to the State Bar of California. The court further ordered that the previous sanctions in the sums of \$2,600 and \$2,240 imposed on June 1, 2007 and August 30, 2007 respectively, jointly and severally between Respondent and his clients, were now the sole responsibility of Respondent and were now due.

12. At the October 12, 2007 hearing, the court ordered that defendants' motion for terminating sanctions be re-set for November 16, 2007, and that plaintiffs file and serve opposition papers pursuant to code. Respondent was present at the October 12, 2007 hearing.

13. On November 16, 2007, the court granted defendants' motion for terminating sanctions and dismissed the plaintiffs' case. During the November 16, 2007 hearing, the court noted that Respondent had only served the discovery responses that morning, that the sanctions had remained unpaid for over six-months and that Respondent had failed entirely to file any opposition to the motion for terminating sanctions.

14. Plaintiffs hired new counsel who were able to reinstate the employment action and subsequently settle the matter. As part of the settlement, both parties waived the right to recover costs and attorney's fees from the other party or their current or former attorneys, including all court-ordered sanctions.

Conclusion of Law

15. By failing to promptly pay the sanctions of \$3,080, or any other sum, as ordered by the court on June 1, 2007; by failing to pay the sanction of \$2,240, or any other sum, as ordered by the court on August 30, 2007; by failing to pay the sanctions of \$3,000, or any other sum, as ordered by the court on October 12, 2007; by failing to pay the sanctions of \$2,600 and \$2,240 as ordered as Respondent's sole responsibility on October 12, 2007; and by failing to file an opposition to the motion for terminating sanctions, as ordered by the court on October 12, 2007, Respondent disobeyed orders of the court in willful violation of Business and Professions Code, section 6103.

16. By failing to report to the State Bar the sanctions imposed against him on October 12, 2007 within 30 days of the time Respondent had knowledge of the imposition of any judicial sanctions in the employment action, Respondent willfully violated Business and Professions Code, section 6068(o)(3).

Case No. 07-O-14168 (Aguilar Matter)

17. In June 2006, Sylvia Aguilar ("Aguilar") and her husband hired Respondent on a contingency fee basis to pursue a bad faith claim against their insurance company after an automobile accident.

18. Respondent also asked Aguilar to advance \$500 to cover the filing fee and service of the proposed complaint. As Aguilar was unemployed, she was unable to send the money to Respondent until approximately May 24, 2007, when she sent Respondent a money order. The money order was cashed on June 1, 2007.

19. On June 25, 2007, Aguilar wrote Respondent regarding his failure to file a complaint on her behalf. Aguilar asked Respondent to please call her. Aguilar properly mailed the letter to Respondent. Respondent received the letter but did not respond.

20. On July 11, 2007, Aguilar mailed a letter to Respondent requesting the return of the \$500 she had sent him since he had not filed the complaint. Respondent received the letter but did not respond and did not return the \$500.

21. On February 20, 2008, Aguilar sent an email to Respondent requesting that he respond to Aguilar's telephone calls, that he provide a refund of the \$500, and that he provide an update of her case.

22. Because Respondent failed to file the complaint on Aguilar's behalf, he owed Aguilar the \$500 for filing fees and costs of service. However, Respondent conditioned the return of the \$500 unearned fees and costs on Aguilar signing a settlement agreement and mutual release.

23. On February 26, 2008, Respondent told Aguilar that he would return the \$500 upon her signing the settlement agreement and mutual release. Respondent told Aguilar that the settlement agreement was primarily to inform the State Bar that they had arrived at "an amicable resolution."

24. On March 21, 2008, Respondent sent Aguilar a settlement agreement and mutual release for her to sign. Respondent told Aguilar to sign and return the settlement agreement as soon as possible, and he would issue a check to her.

25. On March 31, 2008, Respondent told Aguilar that as soon as he received the signed agreement and release, he would send her the \$500.

26. Paragraph 3 of the settlement agreement states, "Aguilar, on behalf of herself and all of her successors, assigns, representatives, agents and attorneys, hereby releases [Respondent]... from and against any and all claims, damages, liabilities and causes of action existing as of the date they execute this Agreement, where known or unknown, suspected or unsuspected."

27. Respondent did not advise Aguilar that she was entitled to the return of the \$500 whether or not she signed an agreement limiting Respondent's liability to her.

28. On April 30, 2008, Aguilar signed the agreement and release and sent it back to Respondent. Respondent refunded the \$500 to Aguilar.

29. On October 24, 2007, the State Bar opened an investigation, case no. 07-O-14168, pursuant to a complaint made against Respondent by Sylvia Aguilar. On November 7, 2007 and on January 8, 2008, a State Bar investigator mailed letters to Respondent at his address of record regarding the Aguilar complaint. The investigator's letters requested that Respondent respond in writing to specific allegations of misconduct being investigated by the State Bar in the Aguilar matter. Respondent received the letters but did not provide the State Bar with a written response or otherwise cooperate in the investigation of the Aguilar matter.

Conclusion of Law

30. By not promptly returning the \$500 to Aguilar despite her repeated requests, Respondent failed to pay client funds as requested by his client in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

31. By not providing a written response to the allegations in the Aguilar matter or otherwise cooperating in the investigation of the Aguilar matter, Respondent failed to cooperate and participate in disciplinary investigation pending against Respondent in willful violation of Business and Professions Code section 6068(i).

Case No. 10-O-04816 (Green Matter)

32. In May 2009, Darryl Green paid Respondent \$2,000 in advanced attorney's fees to file a Motion for Violation of Automatic Stay in Green's bankruptcy matter.

33. In June 2009, Green signed a declaration in support of the motion and provided the signed declaration to Respondent. Thereafter, Respondent failed to file the motion on Green's behalf.

34. As a result, Green and his counsel requested a refund of attorney's fees, which Respondent did not promptly provide.

Conclusions of Law

35. By not timely filing the motion on Green's behalf, Respondent intentionally, recklessly or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

36. By not promptly refunding the attorney's fees to Green despite his request and a request by Green's subsequent counsel, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 10-O-05266 (Yaged Matter)

37. In November 2008, Kimberly Yaged hired Respondent to handle her uninsured

motorist claim against Mercury Insurance, regarding a personal injury matter that occurred on September 12, 2007.

38. From April 2009 through June 2009, Yaged unsuccessfully tried to reach Respondent regarding her personal injury matter.

39. On September 11, 2009, Respondent submitted a demand for arbitration to Mercury Insurance. In October 2009, Respondent received discovery requests from Mercury Insurance Company, but Respondent did not timely provide discovery responses. Respondent subsequently obtained an extension of time to provide discovery responses from Mercury counsel until the end of December 2009 because Yaged was stationed in Germany.

40. On January 21, 2010, Yaged contacted Respondent via email regarding her personal injury matter, and Respondent responded stating that he would be sending Yaged the discovery to review and answer. Thereafter, Respondent failed to provide the discovery to Yaged despite her multiple requests over the next couple of months.

41. Respondent failed to take action on Yaged's personal injury matter; therefore in July 2010, Yaged asked attorney Gary Gorham to contact Respondent to determine the status of her personal injury matter.

42. On or about August 11, 2010, Respondent forwarded the discovery requests to Yaged.

Conclusion of Law

43. By failing to complete discovery in Yaged's matter or otherwise advance the case to arbitration, Respondent intentionally, recklessly or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

44. By failing to respond to Yaged's inquiries regarding the status of her matter, Respondent failed to respond promptly to reasonable status inquiries of a client in willful violation of Business and Professions Code section 6068(m).

Case No. 10-O-05982 (Truong Matter)

45. In May 2009, Emilie Truong hired Respondent to prepare and file a motion to set aside a judgment obtained by her creditor. Truong paid Respondent \$1,000 in attorney's fees plus \$165 for the filing fees.

46. On October 2, 2009, Respondent wrote counsel for the creditor regarding the judgment and included a copy of a "draft" motion to set aside the default. However, Respondent did not file the motion to set aside the judgment.

47. On or about October 15, 2009, creditor's counsel wrote Respondent noting that Respondent had not responded to voicemails left on October 5, 2009 and October 12, 2009. Respondent received the letter but did not respond.

48. In March 2010, Truong made multiple requests for an update on her matter, but Respondent did not respond.

49. On April 21, 2010, Troung requested a refund from Respondent. On May 11, 2010, Respondent provided a refund to Troung.

Conclusion of Law

50. By failing to respond to Troung's inquiries regarding her matter, Respondent failed to respond promptly to reasonable status inquiries of a client in willful violation of Business and Professions Code section 6068(m).

Case No. 10-O-06525 (McCrary Matter)

51. On or about May 18, 2009, Armalla McCrary entered into a retainer agreement hiring Respondent for a debt collection matter. McCrary paid Respondent \$400 in advanced attorney's fees.

52. On or about September 28, 2009, Respondent emailed McCrary and told her he was working on her matter and that a hearing in her matter would be in October 2009.

53. On or about October 23, 2009, McCrary faxed and mailed a letter from her employer regarding the company's policy regarding accepting service on behalf of its employees. However, Respondent failed to take steps to prepare a declaration for McCrary's employer's signature or otherwise complete and file the motion.

54. On or about January 4, 2010, McCrary emailed Respondent stating she had tried to contact him several times since she had not heard from him. In the January 4, 2010 email, McCrary asked Respondent if he was still planning to help her.

55. On January 5, 2010, Respondent responded to McCrary's January 4, 2010 email telling her he was sorry but he had been swamped and would get to her case again in the middle of the next week.

56. On April 14, 2010, McCrary wrote Respondent regarding his failure to respond to her emails and voicemail messages. In the April 14, 2010 letter, McCrary requested a refund. Respondent received the letter but did not respond.

57. On May 7, 2010, McCrary emailed Respondent stating she had done everything to communicate with Respondent, but Respondent had not responded.

58. On May 7, 2010, Respondent responded to the McCrary and explained that his office had been going through several transitions. Respondent promised to refund the fees to McCrary. In June 2010, Respondent refunded the \$400 to McCrary.

Conclusion of Law

59. By failing to complete the serves he was retained to perform in McCrary's matter, Respondent intentionally, recklessly or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

60. By failing to respond to McCrary's emails and telephone calls, Respondent failed to respond promptly to reasonable status inquiries of a client in willful violation of Business and Professions Code section 6068(m).

Case No. 10-O-09851 (Phillian Matter)

61. On or about March 10, 2010, Lisa Phillian employed Respondent for a real estate matter.

62. In or about April 2010, Phillian paid Respondent \$1,000 in advanced attorney's fees.

63. On or about May 17, 2010, Phillian received a foreclosure notice from her lender.

64. On or about May 18, 2010 and on or about May 19, 2010, Phillian called Respondent about the foreclosure notice.

65. On or about May 20, 2010, Respondent emailed Phillian and told her that he would send a notice of representation to her lender, and he would keep Phillian updated on her case.

66. Thereafter, Phillian made several calls to Respondent's office seeking the status of her real estate matter. Respondent did not respond to Phillian's telephone calls and did not provide her with any updates on her matter until November 23, 2010.

Conclusions of Law

67. By failing to respond to Phillian telephone calls and by failing to provide Phillian with reasonable updates on her real estate matter, Respondent failed to respond promptly to reasonable status inquiries of a client in willful violation of Business and Professions Code section 6068(m).

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of December 16, 2010, the prosecution estimated costs in this matter are \$5,832.50. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was December 16, 2010.

(Do not write above this line.)

In the Matter of
Jacob Dong Hun Chang

Case number(s):

07-O-13888; 07-O-14168; 10-O-04816; 10-O-05266; 10-O-05982;
10-O-06525; 10-O-09851

SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Fact, Conclusions of Law and Disposition.

12/28/2010
Date


Respondent's Signature

Jacob Dong Chang
Print Name

12/29/10
Date


Respondent's Counsel Signature

Susan L. Margolis
Print Name

12-29-10
Date


Deputy Trial Counsel's Signature

Katherine Kinsey
Print Name

(Do not write above this line.)

In the Matter Of
Jacob Dong Hun Chang

Case Number(s):

**07-O-13888; 07-O-14168; 10-O-04816; 10-O-05266;
10-O-05982; 10-O-06525; 10-O-09851**

ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public,
IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without
prejudice, and:

- ☒ The stipulated facts and disposition are APPROVED and the DISCIPLINE
RECOMMENDED to the Supreme Court.
- ☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth
below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- ☐ All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify
the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies
or further modifies the approved stipulation. (See rule 135(b), Rules of Procedure.) **The
effective date of this disposition is the effective date of the Supreme Court order herein,
normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

01-13-11
Date


Judge of the State Bar Court

RICHARD A. PLATEL

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 14, 2011, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

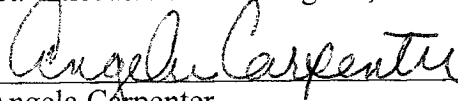
in a sealed envelope for collection and mailing on that date as follows:

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

SUSAN MARGOLIS
MARGOLIS & MARGOLIS LLP
2000 RIVERSIDE DR
LOS ANGELES CA 90039
- ☐ 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:

KATHERINE KINSEY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 14, 2011.


Angela Carpenter
Case Administrator
State Bar Court