

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED

DEC 19 2008

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

8 STATE BAR COURT

9 HEARING DEPARTMENT - LOS ANGELES

10
11 In the Matter of:) Case No. 08-O-11402
12 GREGORY P. BRIGHT,)
No. 151856,) NOTICE OF DISCIPLINARY CHARGES
13 A Member of the State Bar)
14

15 **NOTICE - FAILURE TO RESPOND!**

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

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

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

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NOTICE OF DISCIPLINARY CHARGES

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

8 The State Bar of California alleges:

9 JURISDICTION

10 1. Gregory P. Bright ("Respondent") was admitted to the practice of law in the State
11 of California on January 14, 1991, was a member at all times pertinent to these charges, and is
12 currently a member of the State Bar of California.

13 COUNT ONE

14 Case No. 08-O-11402
15 Rules of Professional Conduct, rule 3-110(A)
16 [Failure to Perform with Competence]

17 2. Respondent wilfully violated Rules of Professional Conduct, rule 3-110(A), by
18 intentionally, recklessly, or repeatedly failing to perform legal services with competence, as
19 follows:

20 3. In or about March, 2004, Robert Taylor, Jr. employed Respondent to represent
21 him before the Medical Board of California ("Board") in his application for a physician's and
22 surgeon's certification ("Application") and paid Respondent \$5,000 in advanced fees.

23 4. On or about November 17, 2004, the Board's Division of Licensing denied
24 Taylor's application. On or about January 12, 2005, Respondent sent the Board a letter advising
25 the Board of his representation of Taylor, along with a Request for Statement of Issues &
26 Administrative Hearing ("Hearing Request"). On or about May 18, 2005, the Board filed a
27 Statement of Issues alleging that Taylor's Application should be denied due to Taylor's alleged
28 unlicensed practice of medicine and unprofessional conduct.

1 5. On or about May 23, 2005, Respondent filed a Notice of Defense on Taylor's
2 behalf. On or about August 8, 2005, Respondent was served with a Notice of Hearing setting
3 the date of Taylor's hearing before an Administrative Law Judge on September 29, 2005. The
4 hearing was continued, at Respondent's request, to May 9, 2006.

5 6. On or about May 3, 2006, Respondent faxed a letter to the Presiding
6 Administrative Law Judge ("ALJ") of the Office of Administrative Hearings, in which
7 Respondent withdrew Taylor's Hearing Request. Respondent had not sought to obtain Taylor's
8 consent to withdraw his Hearing Request, and did not notify Taylor that he had done so.

9 7. On or about May 8, 2006, the ALJ faxed and mailed to Respondent an order
10 denying Respondent's request to withdraw Taylor's Hearing Request, and advising Respondent
11 that Taylor's matter would proceed to a default in the event no appearance was made on his
12 behalf at the May 9 hearing. Respondent did not notify Taylor that he had received the order
13 from the ALJ.

14 8. On or about May 9, 2006, Respondent asserted that there was no need for Taylor
15 to appear at the hearing, and that Respondent's appearance would be sufficient. Respondent
16 advised Taylor to return home, and Taylor did so. Respondent did not appear at the hearing,
17 which proceeded as a default proceeding.

18 9. Later that same day, Taylor sent an email to Respondent asking for a status report
19 on the conduct of the hearing. Respondent received the email but did not respond.

20 10. On or about August 2, 2006, Taylor received notice from the ALJ, dated June 26,
21 2006, that Taylor's Application had been denied. Taylor called Respondent, who advised him
22 not to worry, that Respondent intended to appeal the denial, and that Respondent had a contact at
23 the Board, who Respondent was working with, and who would assure that Taylor's appeal would
24 succeed. Respondent asserted that the appeal would cost Taylor an additional \$5,000 in fees.
25 Taylor paid Respondent the additional \$5,000 in advanced fees in or about December, 2006.

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COUNT TWO

Case No. 08-O-11402
Business & Professions Code, section 6068(m)
[Failure to Respond to Client Inquiries]

16. Respondent wilfully violated Business and Professions Code, section 6068(m), by failing to respond promptly to reasonable status inquiries of a client, as follows:

17. The allegations of paragraphs 3 through 14 are incorporated herein.

18. By not responding to Taylor's email on May 9, 2006, seeking a report as to the conduct of the hearing that day; by not responding to approximately 98 of Taylor's 100 telephone calls from December 2006 through September 2007; and by not responding to Taylor's January 2007 letter with the status update Taylor had requested, Respondent willfully failed to respond promptly to the reasonable status inquiries of a client.

COUNT THREE

Case No. 08-O-11402
Business and Professions Code, section 6068(m)
[Failure to Inform Client of Significant Development]

19. Respondent wilfully violated Business and Professions Code, section 6068(m), by failing to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services, as follows:

20. The allegations of paragraphs 3 through 14 are incorporated herein.

21. By not informing Taylor that he had sought to withdraw Taylor's Hearing Request; by not informing Taylor that the ALJ had warned Respondent of a default if there was no appearance on Taylor's behalf at the May 9, 2006 hearing; and by not informing Taylor of his intention to not appear at the May 9, 2006 hearing, Respondent wilfully failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services.

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COUNT FOUR

Case No. 08-O-11402
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal From Employment]

22. Respondent wilfully violated Rules of Professional Conduct, rule 3-700(A)(2), by failing, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to his client, as follows:

23. The allegations of paragraphs 3 through 14 are incorporated herein.

24. By not appearing at Taylor's hearing on May 9, 2006, and by not filing Taylor's appeal, Respondent effectively withdrew from employment and in doing so failed to take reasonable steps to avoid reasonably foreseeable prejudice to his client.

COUNT FIVE

Case No. 08-O-11402
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

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

26. The allegations of paragraphs 3 through 14 are incorporated herein.

27. By not refunding to Taylor any part of the \$10,000 in advanced fees Taylor had paid him despite having performed no legal services of any value to Taylor, Respondent wilfully failed to refund promptly any part of a fee paid in advance that has not been earned.

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COUNT SIX

Case No. 08-O-11402
Rules of Professional Conduct, rule 3-700(D)(1)
[Failure to Release File]

28. Respondent wilfully violated Rules of Professional Conduct, rule 3-700(D)(1), by failing to release promptly, upon termination of employment, to the client, at the request of the client, all the client papers and property, as follows:

29. The allegations of paragraphs 3 through 14 are incorporated herein.

30. By not providing Taylor his file at any time since Taylor's request therefore on March 16, 2008, Respondent willfully failed to release promptly, upon termination of employment, to the client, at the request of the client, all the client's papers and property.

COUNT SEVEN

Case No. 08-O-11402
Business and Professions Code, section 6106
[Moral Turpitude]

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

32. The allegations of paragraphs 3 through 14 are incorporated herein.

33. By withdrawing Taylor's Hearing Request without Taylor's consent; by falsely implying that he would appear at the hearing on May 9, 2006; by falsely asserting to Taylor that his appeal was proceeding normally (when in fact Respondent had never filed an appeal); and by falsely asserting to Taylor that his appeal had "been taken care of" (when in fact Respondent had never filed an appeal), Respondent on each occasion committed an act involving moral turpitude, dishonesty, or corruption.

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NOTICE - INACTIVE ENROLLMENT!

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

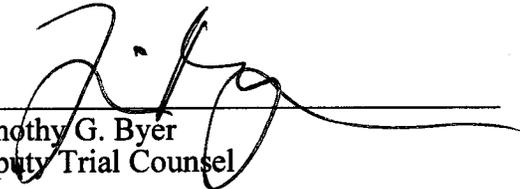
NOTICE - COST ASSESSMENT!

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

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: December 19, 2008

By: 
Timothy G. Byer
Deputy Trial Counsel

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 08-O-11402

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 9848 5951 3786, at Los Angeles, on the date shown below, addressed to:

**Gregory Patrick Bright
Bright Lawyers/#313
3835 E Thousand Oaks Bl #R
Westlake Village, CA 91362**

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: December 19, 2008

SIGNED: 
Frances Gonzalez
Declarant