

PUBLIC MATTER

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FILED
OCT 29 2014
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES



STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case Nos. 09-O-17019, 09-O-17022,
14 JAMES MAZI PARSA,) 09-O-17023, 09-O-17030, 09-O-17130,
No. 153389,) 09-O-17136, 09-O-17146, 09-O-17615,
15) 09-O-17774, 09-O-17841, 09-O-17849,
16 A Member of the State Bar.) 09-O-17915, 09-O-17926, 09-O-17929,
17) 09-O-18024, 09-O-18032, 09-O-18036,
18) 09-O-18122, 09-O-18123, 10-O-00261,
19) 11-O-14104, 11-O-14106, 11-O-14108,
20) 11-O-14109, 11-O-14111, 11-O-14113,
21) 11-O-14114, 11-O-14115, 11-O-14116,
22) 11-O-14117, 11-O-14122, 11-O-15275,
23) 11-O-18498, 12-O-14066, 14-O-00445
24)
25) NOTICE OF DISCIPLINARY CHARGES
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NOTICE - FAILURE TO RESPOND!

**IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE
WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT
THE STATE BAR COURT TRIAL:**

- (1) YOUR DEFAULT WILL BE ENTERED;**
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND;**
- (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN**

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COUNT THREE

Case No. 09-O-17019
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

4. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar’s letters of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s response to the allegations of misconduct being investigated in case no. 09-O-17019 in willful violation of Business and Professions Code, section 6068(i).

COUNT FOUR

Case No. 09-O-17022
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

5. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent’s clients, Angelica and Hilmar Molina (“Molinas”), after Respondent constructively terminated Respondent’s employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on the Molinas’ behalf and failing to inform the Molinas that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT FIVE

Case No. 09-O-17022
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

6. On or about September 15, 2009, Respondent received advanced fees of \$3,000 from clients, Angelica and Hilmar Molina (“Molinas”), for the purpose of preparing, submitting and negotiating a loan modification application with the Molinas’ mortgage lender on the Molinas’ behalf. Respondent failed to prepare, submit or negotiate a loan modification application with the Molinas’ mortgage lender on the Molinas’ behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s

1 termination of employment on or about October 9, 2009, any part of the \$3,000 fee, in willful
2 violation of Rules of Professional Conduct, rule 3-700(D)(2).

3 COUNT SIX

4 Case No. 09-O-17022
5 Business and Professions Code, section 6068(i)
6 [Failure to Cooperate in State Bar Investigation]

7 7. Respondent failed to cooperate and participate in a disciplinary investigation
8 pending against Respondent by failing to provide a substantive response to the State Bar's letters
9 of July 15, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
10 response to the allegations of misconduct being investigated in case no. 09-O-17022 in willful
11 violation of Business and Professions Code, section 6068(i).

12 COUNT SEVEN

13 Case No. 09-O-17023
14 Rules of Professional Conduct, rule 3-110(A)
15 [Failure to Perform with Competence]

16 8. On or about September 23, 2009, Kathleen Johnson ("Johnson") employed
17 Respondent to perform legal services, namely for the purpose of preparing, submitting and
18 negotiating a loan modification application with Johnson's mortgage lender on Johnson's behalf,
19 which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in
20 willful violation of Rules of Professional Conduct, rule 3-110(A), by the following:

- 21 • Respondent failed to prepare a loan modification application on Johnson's behalf;
- 22 • Respondent failed to submit a loan modification application to Johnson's
23 mortgage lender;
- 24 • Respondent failed to negotiate Johnson's loan modification application with
25 Johnson's mortgage lender;
- 26 • Respondent failed to perform any legal services on Johnson's behalf.

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COUNT EIGHT

Case No. 09-O-17023
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

9. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's client, Kathleen Johnson ("Johnson"), after Respondent constructively terminated Respondent's employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on Johnson's behalf and failing to inform Johnson that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT NINE

Case No. 09-O-17023
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

10. On or about September 23, 2009, Respondent received advanced fees of \$2,950 from client Kathleen Johnson ("Johnson") for the purpose of preparing, submitting and negotiating a loan modification application with Johnson's mortgage lender on Johnson's behalf. Respondent failed to prepare, submit or negotiate a loan modification application with Johnson's mortgage lender on Johnson's behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about October 9, 2009, any part of the \$2,950 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT TEN

Case No. 09-O-17023
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

11. On or about September 23, 2009, at a time when Respondent knew that he would be placed on interim suspension by the State Bar of California effective October 16, 2009, and therefore could not prepare, submit and negotiate a loan modification application prior to his suspension commencing, Respondent accepted Kathleen Johnson ("Johnson") as a loan

1 modification client and Respondent allowed his employees to accept legal fees from Johnson and
2 advise Johnson that Respondent's firm would prepare, submit and negotiate a loan modification
3 application on Johnson's behalf when Respondent knew or was grossly negligent in not knowing
4 he could not fully perform the legal services and that the statement(s) were false and thereby
5 committed an act involving moral turpitude, dishonesty or corruption in willful violation of
6 Business and Professions Code, section 6106.

7 COUNT ELEVEN

8 Case No. 09-O-17023
9 Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

10 12. Respondent failed to cooperate and participate in a disciplinary investigation
11 pending against Respondent by failing to provide a substantive response to the State Bar's letters
12 of July 15, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
13 response to the allegations of misconduct being investigated in case no. 09-O-17023 in willful
14 violation of Business and Professions Code, section 6068(i).

15 COUNT TWELVE

16 Case No. 09-O-17030
17 Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

18 13. Respondent failed, upon termination of employment, to take reasonable steps
19 to avoid reasonably foreseeable prejudice to Respondent's client, Scherrie McCarthy
20 ("McCarthy"), after Respondent constructively terminated Respondent's employment on or
21 about October 9, 2009 by closing his law office, and thereafter failing to take any action after
22 October 9, 2009 on McCarthy's behalf and failing to inform McCarthy that Respondent was
23 withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-
24 700(A)(2).

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COUNT THIRTEEN

Case No. 09-O-17030
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

14. On or about October 1, 2009, Respondent received advanced fees of \$3,945 from client Scherrie McCarthy (“McCarthy”) for the purpose of preparing, submitting and negotiating a loan modification application with McCarthy’s mortgage lender on McCarthy’s behalf. Respondent failed to prepare, submit or negotiate a loan modification application with McCarthy’s mortgage lender on McCarthy’s behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s termination of employment on or about October 9, 2009, any part of the \$3,945 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT FOURTEEN

Case No. 09-O-17030
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

15. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar’s letters of July 15, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s response to the allegations of misconduct being investigated in case no. 09-O-17030 in willful violation of Business and Professions Code, section 6068(i).

COUNT FIFTEEN

Case No. 09-O-17130
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

16. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent’s clients, Ruth Sudick and James Brown (“Sudick and Brown”), after Respondent constructively terminated Respondent’s employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on Sudick and Brown’s behalf and failing to inform Sudick and

1 Brown that Respondent was withdrawing from employment, in willful violation of Rules of
2 Professional Conduct, rule 3-700(A)(2).

3 COUNT SIXTEEN

4 Case No. 09-O-17130
5 Rules of Professional Conduct, rule 3-700(D)(2)
6 [Failure to Refund Unearned Fees]

7 17. On or about September 18, 2009, Respondent received advanced fees of
8 \$3,000 from clients, Ruth Sudick and James Brown (“Sudick and Brown”), for the purpose of
9 preparing, submitting and negotiating a loan modification application with Sudick and Brown’s
10 mortgage lender on Sudick and Brown’s behalf. Respondent failed to prepare, submit or
11 negotiate a loan modification application with Sudick and Brown’s mortgage lender on Sudick
12 and Brown’s behalf and therefore earned none of the advanced fees paid. Respondent failed to
13 refund promptly, upon Respondent’s termination of employment on or about October 9, 2009,
14 any part of the \$3,000 fee, in willful violation of Rules of Professional Conduct, rule 3-
15 700(D)(2).

16 COUNT SEVENTEEN

17 Case No. 09-O-17130
18 Business and Professions Code, section 6068(i)
19 [Failure to Cooperate in State Bar Investigation]

20 18. Respondent failed to cooperate and participate in a disciplinary investigation
21 pending against Respondent by failing to provide a substantive response to the State Bar’s letters
22 of July 15, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s
23 response to the allegations of misconduct being investigated in case no. 09-O-17130 in willful
24 violation of Business and Professions Code, section 6068(i).

25 COUNT EIGHTEEN

26 Case No. 09-O-17136
27 Rules of Professional Conduct, rule 3-110(A)
28 [Failure to Perform with Competence]

19. On or about April 8, 2009, Elizabeth and Francisco Estrada (“Estradas”) employed Respondent to perform legal services, namely for the purpose of preparing and filing a

1 Chapter 13 bankruptcy petition on the Estradas' behalf, which Respondent intentionally,
2 recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of
3 Professional Conduct, rule 3-110(A), by the following:

- 4 • Respondent failed to prepare a Chapter 13 bankruptcy petition on the Estradas'
5 behalf;
- 6 • Respondent failed to file a Chapter 13 bankruptcy petition on the Estradas' behalf;
- 7 • Respondent failed to perform any legal services on the Estradas' behalf.

8 COUNT NINETEEN

9 Case No. 09-O-17136
10 Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

11 20. Respondent failed, upon termination of employment, to take reasonable steps
12 to avoid reasonably foreseeable prejudice to Respondent's clients, Elizabeth and Francisco
13 Estrada ("Estradas"), after Respondent constructively terminated Respondent's employment on
14 or about October 9, 2009 by closing his law office, and thereafter failing to take any action after
15 October 9, 2009 on the Estradas' behalf and failing to inform the Estradas that Respondent was
16 withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-
17 700(A)(2).

18 COUNT TWENTY

19 Case No. 09-O-17136
20 Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

21 21. On or about April 8, 2009, Respondent received advanced fees of \$2,050 from
22 clients, Elizabeth and Francisco Estrada ("Estradas"), for the purpose of preparing and filing a
23 Chapter 13 bankruptcy petition on the Estradas' behalf. Respondent failed to prepare or file a
24 Chapter 13 bankruptcy petition on the Estradas' behalf and therefore earned none of the
25 advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of
26 employment on or about October 9, 2009, any part of the \$2,050 fee, in willful violation of Rules
27 of Professional Conduct, rule 3-700(D)(2).

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COUNT TWENTY-ONE

Case No. 09-O-17136
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

22. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters of July 17, 2014 and July 30, 2014, which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 09-O-17136 in willful violation of Business and Professions Code, section 6068(i).

COUNT TWENTY-TWO

Case No. 09-O-17146
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

23. On or about April 8, 2009, Danielle and James O'Rourke ("O'Rourkes") employed Respondent to perform legal services, namely for the purpose of preparing and filing a Chapter Seven bankruptcy petition on the O'Rourkes' behalf, which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to file a Chapter Seven bankruptcy petition on the O'Rourkes' behalf.

COUNT TWENTY-THREE

Case No. 09-O-17146
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

24. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's clients, Danielle and James O'Rourke ("O'Rourkes"), after Respondent constructively terminated Respondent's employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on the O'Rourkes' behalf and failing to inform the O'Rourkes that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

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COUNT TWENTY-SEVEN

Case No. 09-O-17615
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

28. On or about October 9, 2009, Respondent received advanced fees of \$3,000 from client William Paris (“Paris”) for the purpose of preparing, submitting and negotiating a loan modification application with Paris’s mortgage lender on Paris’s behalf. Respondent failed to prepare, submit or negotiate a loan modification application with Paris’s mortgage lender on Paris’s behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s termination of employment on or about October 9, 2009, any part of the \$3,000 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT TWENTY-EIGHT

Case No. 09-O-17615
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

29. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar’s letters of July 15, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s response to the allegations of misconduct being investigated in case no. 09-O-17615 in willful violation of Business and Professions Code, section 6068(i).

COUNT TWENTY-NINE

Case No. 09-O-17774
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

30. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent’s clients, Melissa and Timothy Council (“Councils”), after Respondent constructively terminated Respondent’s employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on the Councils’ behalf and failing to inform the Councils that Respondent was

1 withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-
2 700(A)(2).

3 COUNT THIRTY

4 Case No. 09-O-17774
5 Rules of Professional Conduct, rule 3-700(D)(2)
6 [Failure to Refund Unearned Fees]

7 31. On or about September 7, 2009, Respondent received advanced fees of \$2,150
8 from clients, Melissa and Timothy Council (“Councils”), for the purpose of preparing,
9 submitting and negotiating a loan modification application with the Councils’ mortgage lender
10 on the Councils’ behalf. Respondent failed to prepare, submit or negotiate a loan modification
11 application with the Councils’ mortgage lender on the Councils’ behalf and therefore earned
12 none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s
13 termination of employment on or about October 9, 2009, any part of the \$2,150 fee, in willful
14 violation of Rules of Professional Conduct, rule 3-700(D)(2).

15 COUNT THIRTY-ONE

16 Case No. 09-O-17774
17 Business and Professions Code, section 6068(i)
18 [Failure to Cooperate in State Bar Investigation]

19 32. Respondent failed to cooperate and participate in a disciplinary investigation
20 pending against Respondent by failing to provide a substantive response to the State Bar’s letters
21 of July 18, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s
22 response to the allegations of misconduct being investigated in case no. 09-O-17774 in willful
23 violation of Business and Professions Code, section 6068(i).

24 COUNT THIRTY-TWO

25 Case No. 09-O-17841
26 Rules of Professional Conduct, rule 3-700(A)(2)
27 [Improper Withdrawal from Employment]

28 33. Respondent failed, upon termination of employment, to take reasonable steps
to avoid reasonably foreseeable prejudice to Respondent’s client, Nicole Callahan (“Callahan”),
after Respondent constructively terminated Respondent’s employment on or about October 9,

1 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on
2 Callahan's behalf and failing to inform Callahan that Respondent was withdrawing from
3 employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

4 COUNT THIRTY-THREE

5 Case No. 09-O-17841
6 Rules of Professional Conduct, rule 3-700(D)(2)
7 [Failure to Refund Unearned Fees]

8 34. On or about August 22, 2009, Respondent received advanced fees of \$3,645
9 from client Nicole Callahan ("Callahan") for the purpose of preparing, submitting and
10 negotiating a loan modification application with Callahan's mortgage lender on Callahan's
11 behalf. Respondent failed to prepare, submit or negotiate a loan modification application with
12 Callahan's mortgage lender on Callahan's behalf and therefore earned none of the advanced fees
13 paid. Respondent failed to refund promptly, upon Respondent's termination of employment on
14 or about October 9, 2009, any part of the \$3,645 fee, in willful violation of Rules of Professional
15 Conduct, rule 3-700(D)(2).

16 COUNT THIRTY-FOUR

17 Case No. 09-O-17841
18 Business and Professions Code, section 6068(i)
19 [Failure to Cooperate in State Bar Investigation]

20 35. Respondent failed to cooperate and participate in a disciplinary investigation
21 pending against Respondent by failing to provide a substantive response to the State Bar's letters
22 of July 18, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
23 response to the allegations of misconduct being investigated in case no. 09-O-17841 in willful
24 violation of Business and Professions Code, section 6068(i).

25 COUNT THIRTY-FIVE

26 Case No. 09-O-17849
27 Rules of Professional Conduct, rule 3-700(A)(2)
28 [Improper Withdrawal from Employment]

36. Respondent failed, upon termination of employment, to take reasonable steps
to avoid reasonably foreseeable prejudice to Respondent's client, Amalia Yutani ("Yutani"),

1 after Respondent constructively terminated Respondent's employment on or about October 9,
2 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on
3 Yutani's behalf and failing to inform Yutani that Respondent was withdrawing from
4 employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

5 COUNT THIRTY-SIX

6 Case No. 09-O-17849
7 Rules of Professional Conduct, rule 3-700(D)(2)
8 [Failure to Refund Unearned Fees]

9 37. On or about September 22, 2009, Respondent received advanced fees of
10 \$4,350 from client Amalia Yutani ("Yutani") for the purpose of preparing, submitting and
11 negotiating a loan modification application with Yutani's mortgage lender on Yutani's behalf.
12 Respondent failed to prepare, submit or negotiate a loan modification application with Yutani's
13 mortgage lender on Yutani's behalf and therefore earned none of the advanced fees paid.
14 Respondent failed to refund promptly, upon Respondent's termination of employment on or
15 about October 9, 2009, any part of the \$4,350 fee, in willful violation of Rules of Professional
16 Conduct, rule 3-700(D)(2).

17 COUNT THIRTY-SEVEN

18 Case No. 09-O-17849
19 Business and Professions Code, section 6068(i)
20 [Failure to Cooperate in State Bar Investigation]

21 38. Respondent failed to cooperate and participate in a disciplinary investigation
22 pending against Respondent by failing to provide a substantive response to the State Bar's letters
23 of July 15, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
24 response to the allegations of misconduct being investigated in case no. 09-O-17849 in willful
25 violation of Business and Professions Code, section 6068(i).

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1 response to the allegations of misconduct being investigated in case no. 09-O-17915 in willful
2 violation of Business and Professions Code, section 6068(i).

3 COUNT FORTY-ONE

4 Case No. 09-O-17926
5 Rules of Professional Conduct, rule 3-700(A)(2)
6 [Improper Withdrawal from Employment]

7 42. Respondent failed, upon termination of employment, to take reasonable steps
8 to avoid reasonably foreseeable prejudice to Respondent's client, Lorna Stump ("Stump"), after
9 Respondent constructively terminated Respondent's employment on or about October 9, 2009 by
10 closing his law office, and thereafter failing to take any action after October 9, 2009 on Stump's
11 behalf and failing to inform Stump that Respondent was withdrawing from employment, in
12 willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

13 COUNT FORTY-TWO

14 Case No. 09-O-17926
15 Rules of Professional Conduct, rule 3-700(D)(2)
16 [Failure to Refund Unearned Fees]

17 43. On or about September 18, 2009, Respondent received advanced fees of
18 \$3,945 from client Lorna Stump ("Stump") for the purpose of preparing, submitting and
19 negotiating a loan modification application with Stump's mortgage lender on Stump's behalf.
20 Respondent failed to prepare, submit or negotiate a loan modification application with Stump's
21 mortgage lender on Stump's behalf and therefore earned none of the advanced fees paid.
22 Respondent failed to refund promptly, upon Respondent's termination of employment on or
23 about October 9, 2009, any part of the \$3,945 fee, in willful violation of Rules of Professional
24 Conduct, rule 3-700(D)(2).

25 COUNT FORTY-THREE

26 Case No. 09-O-17926
27 Business and Professions Code, section 6068(i)
28 [Failure to Cooperate in State Bar Investigation]

44. Respondent failed to cooperate and participate in a disciplinary investigation
pending against Respondent by failing to provide a substantive response to the State Bar's letters

1 of July 15, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
2 response to the allegations of misconduct being investigated in case no. 09-O-17926 in willful
3 violation of Business and Professions Code, section 6068(i).

4 COUNT FORTY-FOUR

5 Case No. 09-O-17929
6 Rules of Professional Conduct, rule 3-110(A)
7 [Failure to Perform with Competence]

8 45. On or about August 22, 2009, George Arquette ("Arquette") employed
9 Respondent to perform legal services, namely for the purpose of preparing and filing a Chapter
10 Seven bankruptcy petition on Arquette's behalf, which Respondent intentionally, recklessly, or
11 repeatedly failed to perform with competence, in willful violation of Rules of Professional
12 Conduct, rule 3-110(A), by the following:

- 13 • Respondent failed to prepare a Chapter Seven bankruptcy petition on Arquette's
14 behalf;
- 15 • Respondent failed to file a Chapter Seven bankruptcy petition on Arquette's
16 behalf;
- 17 • Respondent failed to perform any legal services on Arquette's behalf.

18 COUNT FORTY-FIVE

19 Case No. 09-O-17929
20 Rules of Professional Conduct, rule 3-700(A)(2)
21 [Improper Withdrawal from Employment]

22 46. Respondent failed, upon termination of employment, to take reasonable steps
23 to avoid reasonably foreseeable prejudice to Respondent's client, George Arquette ("Arquette"),
24 after Respondent constructively terminated Respondent's employment on or about October 9,
25 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on
26 Arquette's behalf and failing to inform Arquette that Respondent was withdrawing from
27 employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

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COUNT FORTY-NINE

Case No. 09-O-18024
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

50. On or about September 21, 2009, Respondent received advanced fees of \$2,150 from client Armando Barrios (“Barrios”) for the purpose of preparing, submitting and negotiating a loan modification application with Barrios’s mortgage lender on Barrios’s behalf. Respondent failed to prepare, submit or negotiate a loan modification application with Barrios’s mortgage lender on Barrios’s behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s termination of employment on or about October 9, 2009, any part of the \$2,150 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT FIFTY

Case No. 09-O-18024
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

51. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar’s letters of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s response to the allegations of misconduct being investigated in case no. 09-O-18024 in willful violation of Business and Professions Code, section 6068(i).

COUNT FIFTY-ONE

Case No. 09-O-18032
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

52. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent’s client, Jorge Martinez (“Martinez”), after Respondent constructively terminated Respondent’s employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on

1 Martinez's behalf and failing to inform Martinez that Respondent was withdrawing from
2 employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

3 COUNT FIFTY-TWO

4 Case No. 09-O-18032
5 Rules of Professional Conduct, rule 3-700(D)(2)
6 [Failure to Refund Unearned Fees]

7 53. On or about August 19, 2009, Respondent received advanced fees of \$2,950
8 from client Jorge Martinez ("Martinez") for the purpose of preparing, submitting and
9 negotiating a loan modification application with Martinez's mortgage lender on Martinez's
10 behalf. Respondent failed to prepare, submit or negotiate a loan modification application with
11 Martinez's mortgage lender on Martinez's behalf and therefore earned none of the advanced fees
12 paid. Respondent failed to refund promptly, upon Respondent's termination of employment on
13 or about October 9, 2009, any part of the \$2,950 fee, in willful violation of Rules of Professional
14 Conduct, rule 3-700(D)(2).

15 COUNT FIFTY-THREE

16 Case No. 09-O-18032
17 Business and Professions Code, section 6068(i)
18 [Failure to Cooperate in State Bar Investigation]

19 54. Respondent failed to cooperate and participate in a disciplinary investigation
20 pending against Respondent by failing to provide a substantive response to the State Bar's letters
21 of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
22 response to the allegations of misconduct being investigated in case no. 09-O-18032 in willful
23 violation of Business and Professions Code, section 6068(i).

24 COUNT FIFTY-FOUR

25 Case No. 09-O-18036
26 Rules of Professional Conduct, rule 3-700(A)(2)
27 [Improper Withdrawal from Employment]

28 55. Respondent failed, upon termination of employment, to take reasonable steps
to avoid reasonably foreseeable prejudice to Respondent's clients, Deborah and Darren Freidl
("Freidls"), after Respondent constructively terminated Respondent's employment on or about

1 October 9, 2009 by closing his law office, and thereafter failing to take any action after October
2 9, 2009 on the Freidls' behalf and failing to inform the Freidls that Respondent was withdrawing
3 from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

4 COUNT FIFTY-FIVE

5 Case No. 09-O-18036
6 Rules of Professional Conduct, rule 3-700(D)(2)
7 [Failure to Refund Unearned Fees]

8 56. On or about September 29, 2009, Respondent received advanced fees of
9 \$2,950 from clients Deborah and Darren Freidl ("Freidls") for the purpose of preparing,
10 submitting and negotiating a loan modification application with the Freidls' mortgage lender on
11 the Freidls' behalf. Respondent failed to prepare, submit or negotiate a loan modification
12 application with the Freidls' mortgage lender on the Freidls' behalf and therefore earned none of
13 the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination
14 of employment on or about October 9, 2009, any part of the \$2,950 fee, in willful violation of
15 Rules of Professional Conduct, rule 3-700(D)(2).

16 COUNT FIFTY-SIX

17 Case No. 09-O-18036
18 Business and Professions Code, section 6068(i)
19 [Failure to Cooperate in State Bar Investigation]

20 57. Respondent failed to cooperate and participate in a disciplinary investigation
21 pending against Respondent by failing to provide a substantive response to the State Bar's letters
22 of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
23 response to the allegations of misconduct being investigated in case no. 09-O-18036 in willful
24 violation of Business and Professions Code, section 6068(i).

25 COUNT FIFTY-SEVEN

26 Case No. 09-O-18122
27 Rules of Professional Conduct, rule 3-700(A)(2)
28 [Improper Withdrawal from Employment]

58. Respondent failed, upon termination of employment, to take reasonable steps
to avoid reasonably foreseeable prejudice to Respondent's clients, Ann and John Lammon

1 (“Lammons”), after Respondent constructively terminated Respondent’s employment on or
2 about October 9, 2009 by closing his law office, and thereafter failing to take any action after
3 October 9, 2009 on the Lammons’ behalf and failing to inform the Lammons that Respondent
4 was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-
5 700(A)(2).

6 COUNT FIFTY-EIGHT

7 Case No. 09-O-18122
8 Rules of Professional Conduct, rule 3-700(D)(2)
9 [Failure to Refund Unearned Fees]

10 59. On or about September 14, 2009, Respondent received advanced fees of
11 \$5,650 from clients, Ann and John Lammon (“Lammons”), for the purpose of preparing,
12 submitting and negotiating a loan modification application with the Lammons’ mortgage lender
13 on the Lammons’ behalf. Respondent failed to prepare, submit or negotiate a loan modification
14 application with the Lammons’ mortgage lender on the Lammons’ behalf and therefore earned
15 none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s
16 termination of employment on or about October 9, 2009, any part of the \$5,650 fee, in willful
17 violation of Rules of Professional Conduct, rule 3-700(D)(2).

18 COUNT FIFTY-NINE

19 Case No. 09-O-18122
20 Business and Professions Code, section 6068(i)
21 [Failure to Cooperate in State Bar Investigation]

22 60. Respondent failed to cooperate and participate in a disciplinary investigation
23 pending against Respondent by failing to provide a substantive response to the State Bar’s letters
24 of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s
25 response to the allegations of misconduct being investigated in case no. 09-O-18122 in willful
26 violation of Business and Professions Code, section 6068(i).

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COUNT SIXTY

Case No. 09-O-18123
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

61. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's clients, Julie and Jose Soria ("Sorias"), after Respondent constructively terminated Respondent's employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on the Sorias' behalf and failing to inform the Sorias that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT SIXTY-ONE

Case No. 09-O-18123
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

62. On or about September 14, 2009, Respondent received advanced fees of \$3,995 from clients, Julie and Jose Soria ("Sorias"), for the purpose of preparing, submitting and negotiating a loan modification application with the Sorias' mortgage lender on the Sorias' behalf. Respondent failed to prepare, submit or negotiate a loan modification application with the Sorias' mortgage lender on the Sorias' behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about October 9, 2009, any part of the \$3,995 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT SIXTY-TWO

Case No. 09-O-18123
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

63. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent's

1 response to the allegations of misconduct being investigated in case no. 09-O-18123 in willful
2 violation of Business and Professions Code, section 6068(i).

3 COUNT SIXTY-THREE

4 Case No. 10-O-00261
5 Rules of Professional Conduct, rule 3-110(A)
6 [Failure to Perform with Competence]

7 64. On or about July 20, 2009, Ruby and Hector Gastelum ("Gastelums")
8 employed Respondent to perform legal services, namely for the purposes of preparing and filing
9 a Chapter Seven bankruptcy petition and preparing, submitting and negotiating a loan
10 modification application with the Gastelums' lender, all on the Gastelums' behalf, which
11 Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful
12 violation of Rules of Professional Conduct, rule 3-110(A), by the following:

- 13 • Respondent failed to prepare a Chapter Seven bankruptcy petition on the
14 Gastelums' behalf;
- 15 • Respondent failed to file a Chapter Seven bankruptcy petition on the Gastelums'
16 behalf;
- 17 • Respondent failed to prepare a loan modification application on the Gastelums'
18 behalf;
- 19 • Respondent failed to submit a loan modification application to the Gastelums'
20 mortgage lender;
- 21 • Respondent failed to negotiate the Gastelums' loan modification application with
22 the Gastelums' mortgage lender;
- 23 • Respondent failed to perform any legal services on the Gastelums' behalf.

24 COUNT SIXTY-FOUR

25 Case No. 10-O-00261
26 Rules of Professional Conduct, rule 3-700(A)(2)
27 [Improper Withdrawal from Employment]

28 65. Respondent failed, upon termination of employment, to take reasonable steps
to avoid reasonably foreseeable prejudice to Respondent's clients, Ruby and Hector Gastelum

1 (“Gastelums”), after Respondent constructively terminated Respondent’s employment on or
2 about October 9, 2009 by closing his law office, and thereafter failing to take any action after
3 October 9, 2009 on the Gastelums’ behalf and failing to inform the Gastelums that Respondent
4 was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-
5 700(A)(2).

6 COUNT SIXTY-FIVE

7 Case No. 10-O-00261
8 Rules of Professional Conduct, rule 3-700(D)(2)
9 [Failure to Refund Unearned Fees]

10 66. On or about July 20, 2009, Respondent received advanced fees of \$4,650 from
11 clients, Ruby and Hector Gastelum (“Gastelums”), for the purpose of preparing and filing a
12 Chapter Seven bankruptcy petition and preparing, submitting and negotiating a loan modification
13 application with the Gastelums’ lender, all on the Gastelums’ behalf. Respondent failed to
14 prepare or file a Chapter Seven bankruptcy petition on the Gastelums’ behalf and failed to
15 prepare, submit or negotiate a loan modification application with the Gastelums’ mortgage
16 lender, and therefore earned none of the advanced fees paid. Respondent failed to refund
17 promptly, upon Respondent’s termination of employment on or about October 9, 2009, any part
18 of the \$4,650 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

19 COUNT SIXTY-SIX

20 Case No. 10-O-00261
21 Business and Professions Code, section 6068(i)
22 [Failure to Cooperate in State Bar Investigation]

23 67. Respondent failed to cooperate and participate in a disciplinary investigation
24 pending against Respondent by failing to provide a substantive response to the State Bar’s letters
25 of July 22, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s
26 response to the allegations of misconduct being investigated in case no. 10-O-00261 in willful
27 violation of Business and Professions Code, section 6068(i).

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COUNT SEVENTY-ONE

Case No. 11-O-14104
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

72. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar’s letters of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s response to the allegations of misconduct being investigated in case no. 11-O-14104 in willful violation of Business and Professions Code, section 6068(i).

COUNT SEVENTY-TWO

Case No. 11-O-14106
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

73. On or about September 28, 2009, Annette and Richard Colmenero (“Colmeneros”) employed Respondent to perform legal services, namely for the purpose of preparing, submitting and negotiating a loan modification application with the Colmeneros’ mortgage lender on the Colmeneros’ behalf, which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by the following:

- Respondent failed to prepare a loan modification application on the Colmeneros’ behalf;
- Respondent failed to submit a loan modification application to the Colmeneros’ mortgage lender;
- Respondent failed to negotiate the Colmeneros’ loan modification application with the Colmeneros’ mortgage lender;
- Respondent failed to perform any legal services on the Colmeneros’ behalf.

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COUNT SEVENTY-THREE

Case No. 11-O-14106
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

74. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent’s clients, Annette and Richard Colmenero (“Colmeneros”), after Respondent constructively terminated Respondent’s employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on the Colmeneros’ behalf and failing to inform the Colmeneros that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT SEVENTY-FOUR

Case No. 11-O-14106
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

75. On or about September 28, 2009, Respondent received advanced fees of \$2,650 from clients, Annette and Richard Colmenero (“Colmeneros”), for the purpose of preparing, submitting and negotiating a loan modification application with the Colmeneros’ mortgage lender on the Colmeneros’ behalf. Respondent failed to prepare, submit or negotiate a loan modification application with the Colmeneros’ mortgage lender on the Colmeneros’ behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s termination of employment on or about October 9, 2009, any part of the \$2,650 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT SEVENTY-FIVE

Case No. 11-O-14106
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

76. On or about September 28, 2009, at a time when Respondent knew that he would be placed on interim suspension by the State Bar of California effective October 16, 2009, and therefore could not prepare, submit and negotiate a loan modification application prior to his

1 suspension commencing, Respondent accepted Annette and Richard Colmenero (“Colmeneros”)
2 as loan modification clients and Respondent allowed his employees to accept legal fees from the
3 Colmeneros and advise the Colmeneros that Respondent’s firm would prepare, submit and
4 negotiate a loan modification application on the Colmeneros’ behalf when Respondent knew or
5 was grossly negligent in not knowing he could not fully perform the legal services and that the
6 statement(s) were false and thereby committed an act involving moral turpitude, dishonesty or
7 corruption in willful violation of Business and Professions Code, section 6106.

8 COUNT SEVENTY-SIX

9 Case No. 11-O-14106
10 Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

11 77. Respondent failed to cooperate and participate in a disciplinary investigation
12 pending against Respondent by failing to provide a substantive response to the State Bar’s letters
13 of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s
14 response to the allegations of misconduct being investigated in case no. 11-O-14106 in willful
15 violation of Business and Professions Code, section 6068(i).

16 COUNT SEVENTY- SEVEN

17 Case No. 11-O-14108
18 Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

19 78. Respondent failed, upon termination of employment, to take reasonable steps
20 to avoid reasonably foreseeable prejudice to Respondent’s clients, Lisa and Jose Escamilla
21 (“Escamillas”), after Respondent constructively terminated Respondent’s employment on or
22 about October 9, 2009 by closing his law office, and thereafter failing to take any action after
23 October 9, 2009 on the Escamillas’ behalf and failing to inform the Escamillas that Respondent
24 was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-
25 700(A)(2).

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COUNT SEVENTY-EIGHT

Case No. 11-O-14108
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

79. On or about September 30, 2009, Respondent received advanced fees of \$1,100 from clients, Lisa and Jose Escamilla (“Escamillas”), for the purpose of preparing, submitting and negotiating a loan modification application with the Escamillas’ mortgage lender on the Escamillas’ behalf. Respondent failed to prepare, submit or negotiate a loan modification application with the Escamillas’ mortgage lender on the Escamillas’ behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s termination of employment on or about October 9, 2009, any part of the \$1,100 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT SEVENTY-NINE

Case No. 11-O-14108
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

80. On or about September 30, 2009, at a time when Respondent knew that he would be placed on interim suspension by the State Bar of California effective October 16, 2009, and therefore could not prepare, submit and negotiate a loan modification application prior to his suspension commencing, Respondent accepted Lisa and Jose Escamilla (“Escamillas”) as loan modification clients and Respondent allowed his employees to accept legal fees from the Escamillas and advise the Escamillas that Respondent’s firm would prepare, submit and negotiate a loan modification application on the Escamillas’ behalf when Respondent knew or was grossly negligent in not knowing he could not fully perform the legal services and that the statement(s) were false and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

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COUNT EIGHTY

Case No. 11-O-14108
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

81. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar’s letters of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s response to the allegations of misconduct being investigated in case no. 11-O-14108 in willful violation of Business and Professions Code, section 6068(i).

COUNT EIGHTY-ONE

Case No. 11-O-14109
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

82. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent’s client, Jesus DeDios (“DeDios “), after Respondent constructively terminated Respondent’s employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on DeDios’s behalf and failing to inform DeDios that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT EIGHTY-TWO

Case No. 11-O-14109
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

83. On or about September 28, 2009, Respondent received advanced fees of \$2,650 from client Jesus DeDios (“DeDios”) for the purpose of preparing, submitting and negotiating a loan modification application with DeDios’s mortgage lender on DeDios’s behalf. Respondent failed to prepare, submit or negotiate a loan modification application with DeDios’s mortgage lender on DeDios’s behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s termination of employment on or

1 about October 9, 2009, any part of the \$2,650 fee, in willful violation of Rules of Professional
2 Conduct, rule 3-700(D)(2).

3 COUNT EIGHTY-THREE

4 Case No. 11-O-14109
5 Business and Professions Code, section 6106
6 [Moral Turpitude - Misrepresentation]

7 84. On or about September 28, 2009, at a time when Respondent knew that he
8 would be placed on interim suspension by the State Bar of California effective October 16, 2009,
9 and therefore could not prepare, submit and negotiate a loan modification application prior to his
10 suspension commencing, Respondent accepted Jesus DeDios ("DeDios") as a loan modification
11 client and Respondent allowed his employees to accept legal fees from DeDios and advise
12 DeDios that Respondent's firm would prepare, submit and negotiate a loan modification
13 application on DeDios's behalf when Respondent knew or was grossly negligent in not knowing
14 he could not fully perform the legal services and that the statement(s) were false and thereby
15 committed an act involving moral turpitude, dishonesty or corruption in willful violation of
16 Business and Professions Code, section 6106.

17 COUNT EIGHTY-FOUR

18 Case No. 11-O-14109
19 Business and Professions Code, section 6068(i)
20 [Failure to Cooperate in State Bar Investigation]

21 85. Respondent failed to cooperate and participate in a disciplinary investigation
22 pending against Respondent by failing to provide a substantive response to the State Bar's letters
23 of July 22, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
24 response to the allegations of misconduct being investigated in case no. 11-O-14109 in willful
25 violation of Business and Professions Code, section 6068(i).

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COUNT EIGHTY-FIVE

Case No. 11-O-14111
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

86. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's client, Aila Maria Norkola-Brookins ("Norkola-Brookins"), after Respondent constructively terminated Respondent's employment on or about October 9, 2009 by closing his law office, and thereafter failing to either take any action after October 9, 2009 on Norkola-Brookins's behalf and failing to inform Norkola-Brookins that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT EIGHTY-SIX

Case No. 11-O-14111
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

87. On or about October 1, 2009, Respondent received advanced fees of \$1,500 from a client, Aila Maria Norkola-Brookins ("Norkola-Brookins"), for the purpose of preparing, submitting and negotiating a loan modification application with Norkola-Brookins's mortgage lender on Norkola-Brookins's behalf. Respondent failed to prepare, submit or negotiate a loan modification application with Norkola-Brookins's mortgage lender on Norkola-Brookins's behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about October 9, 2009, any part of the \$1,500 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT EIGHTY-SEVEN

Case No. 11-O-14111
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

88. On or about October 1, 2009, at a time when Respondent knew that he would be placed on interim suspension by the State Bar of California effective October 16, 2009, and therefore could not prepare, submit and negotiate a loan modification application prior to his

1 suspension commencing, Respondent accepted Aila Maria Norkola-Brookins (“Norkola-
2 Brookins”) as a loan modification client and Respondent allowed his employees to accept legal
3 fees from Norkola-Brookins and advise Norkola-Brookins that Respondent’s firm would
4 prepare, submit and negotiate a loan modification application on Norkola-Brookins’s behalf
5 when Respondent knew or was grossly negligent in not knowing he could not fully perform the
6 legal services and that the statement(s) were false and thereby committed an act involving moral
7 turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section
8 6106.

9 COUNT EIGHTY-EIGHT

10 Case No. 11-O-14111
11 Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

12 89. Respondent failed to cooperate and participate in a disciplinary investigation
13 pending against Respondent by failing to provide a substantive response to the State Bar’s letters
14 of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s
15 response to the allegations of misconduct being investigated in case no. 11-O-14111 in willful
16 violation of Business and Professions Code, section 6068(i).

17 COUNT EIGHTY-NINE

18 Case No. 11-O-14113
19 Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

20 90. Respondent failed, upon termination of employment, to take reasonable steps
21 to avoid reasonably foreseeable prejudice to Respondent’s client, Denise Harris (“Harris”), after
22 Respondent constructively terminated Respondent’s employment on or about October 9, 2009 by
23 closing his law office, and thereafter failing to take any action after October 9, 2009 on Harris’s
24 behalf and failing to inform Harris that Respondent was withdrawing from employment, in
25 willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

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1 2009 on Duncan's behalf and failing to inform Duncan that Respondent was withdrawing from
2 employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

3 COUNT NINETY-THREE

4 Case No. 11-O-14114
5 Rules of Professional Conduct, rule 3-700(D)(2)
6 [Failure to Refund Unearned Fees]

7 94. On or about September 25, 2009, Respondent received advanced fees of
8 \$1,500 from a client, Mark Duncan ("Duncan"), for the purpose of preparing, submitting and
9 negotiating a loan modification application with Duncan's mortgage lender on Duncan's behalf.
10 Respondent failed to prepare, submit or negotiate a loan modification application with Duncan's
11 mortgage lender on Duncan's behalf and therefore earned none of the advanced fees paid.
12 Respondent failed to refund promptly, upon Respondent's termination of employment on or
13 about October 9, 2009, any part of the \$1,500 fee, in willful violation of Rules of Professional
14 Conduct, rule 3-700(D)(2).

15 COUNT NINETY-FOUR

16 Case No. 11-O-14114
17 Business and Professions Code, section 6106
18 [Moral Turpitude - Misrepresentation]

19 95. On or about September 25, 2009, at a time when Respondent knew that he
20 would be placed on interim suspension by the State Bar of California effective October 16, 2009,
21 and therefore could not prepare, submit and negotiate a loan modification application prior to his
22 suspension commencing, Respondent accepted Mark Duncan ("Duncan") as a loan modification
23 client and Respondent allowed his employees to accept legal fees from Duncan and advise
24 Duncan that Respondent's firm would prepare, submit and negotiate a loan modification
25 application on Duncan's behalf when Respondent knew or was grossly negligent in not knowing
26 he could not fully perform the legal services and that the statement(s) were false and thereby
27 committed an act involving moral turpitude, dishonesty or corruption in willful violation of
28 Business and Professions Code, section 6106.

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COUNT NINETY-FIVE

Case No. 11-O-14114
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

96. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar’s letters of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent’s response to the allegations of misconduct being investigated in case no. 11-O-14114 in willful violation of Business and Professions Code, section 6068(i).

COUNT NINETY-SIX

Case No. 11-O-14115
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

97. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent’s client, Gavin Stieglitz (“Stieglitz”), after Respondent constructively terminated Respondent’s employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on Stieglitz’s behalf and failing to inform Stieglitz that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT NINETY-SEVEN

Case No. 11-O-14115
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

98. On or about September 24, 2009, Respondent received advanced fees of \$1,750 from client Gavin Stieglitz (“Stieglitz”) for the purpose of preparing, submitting and negotiating a loan modification application with Stieglitz’s mortgage lender on Stieglitz’s behalf. Respondent failed to prepare, submit or negotiate a loan modification application with Stieglitz’s mortgage lender on Stieglitz’s behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s termination of employment on or about October 9,

1 2009, any part of the \$1,750 fee, in willful violation of Rules of Professional Conduct, rule 3-
2 700(D)(2).

3 COUNT NINETY-EIGHT

4 Case No. 11-O-14115
5 Business and Professions Code, section 6106
6 [Moral Turpitude - Misrepresentation]

7 99. On or about September 24, 2009, at a time when Respondent knew that he
8 would be placed on interim suspension by the State Bar of California effective October 16, 2009,
9 and therefore could not prepare, submit and negotiate a loan modification application prior to his
10 suspension commencing, Respondent accepted Gavin Stieglitz ("Stieglitz") as a loan
11 modification client and Respondent allowed his employees to accept legal fees from Stieglitz and
12 advise Stieglitz that Respondent's firm would prepare, submit and negotiate a loan modification
13 application on Stieglitz's behalf when Respondent knew or was grossly negligent in not knowing
14 he could not fully perform the legal services and that the statement(s) were false and thereby
15 committed an act involving moral turpitude, dishonesty or corruption in willful violation of
16 Business and Professions Code, section 6106.

17 COUNT NINETY-NINE

18 Case No. 11-O-14115
19 Business and Professions Code, section 6068(i)
20 [Failure to Cooperate in State Bar Investigation]

21 100. Respondent failed to cooperate and participate in a disciplinary investigation
22 pending against Respondent by failing to provide a substantive response to the State Bar's letters
23 of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
24 response to the allegations of misconduct being investigated in case no. 11-O-14115 in willful
25 violation of Business and Professions Code, section 6068(i).

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COUNT ONE-HUNDRED

Case No. 11-O-14116
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

101. On or about September 25, 2009, Lynn Gleason (“Gleason”) employed Respondent to perform legal services, namely for the purpose of preparing, submitting and negotiating a loan modification application with Gleason’s mortgage lender on Gleason’s behalf, which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by the following:

- Respondent failed to prepare a loan modification application on Gleason’s behalf;
- Respondent failed to submit a loan modification application to Gleason’s mortgage lender;
- Respondent failed to negotiate Gleason’s loan modification application with Gleason’s mortgage lender;
- Respondent failed to perform any legal services on Gleason’s behalf.

COUNT ONE-HUNDRED AND ONE

Case No. 11-O-14116
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

102. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent’s client, Lynn Gleason (“Gleason”), after Respondent constructively terminated Respondent’s employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on Gleason’s behalf and failing to inform Gleason that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

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COUNT ONE-HUNDRED AND TWO

Case No. 11-O-14116
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

103. On or about September 25, 2009, Respondent received advanced fees of \$2,950 from client Lynn Gleason (“Gleason”) for the purpose of preparing, submitting and negotiating a loan modification application with Gleason’s mortgage lender on Gleason’s behalf. Respondent failed to prepare, submit or negotiate a loan modification application with Gleason’s mortgage lender on Gleason’s behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent’s termination of employment on or about October 9, 2009, any part of the \$2,950 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT ONE-HUNDRED AND THREE

Case No. 11-O-14116
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

104. On or about September 25, 2009, at a time when Respondent knew that he would be placed on interim suspension by the State Bar of California effective October 16, 2009, and therefore could not prepare, submit and negotiate a loan modification application prior to his suspension commencing, Respondent accepted Lynn Gleason (“Gleason”) as a loan modification client and Respondent allowed his employees to accept legal fees from Gleason and advise Gleason that Respondent’s firm would prepare, submit and negotiate a loan modification application on Gleason’s behalf when Respondent knew or was grossly negligent in not knowing he could not fully perform the legal services and that the statement(s) were false and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

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COUNT ONE-HUNDRED AND FOUR

Case No. 11-O-14116
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

105. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 11-O-14116 in willful violation of Business and Professions Code, section 6068(i).

COUNT ONE-HUNDRED AND FIVE

Case No. 11-O-14117
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

106. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's client, Xiao Liu ("Liu"), after Respondent constructively terminated Respondent's employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on Liu's behalf and failing to inform Liu that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT ONE-HUNDRED AND SIX

Case No. 11-O-14117
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

107. On or about September 22, 2009, Respondent received advanced fees of \$2,650 from client Xiao Liu ("Liu") for the purpose of preparing, submitting and negotiating a loan modification application with Liu's mortgage lender on Liu's behalf. Respondent failed to prepare, submit or negotiate a loan modification application with Liu's mortgage lender on Liu's behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about October 9, 2009, any part of the \$2,650 fee, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

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COUNT ONE-HUNDRED AND SEVEN

Case No. 11-O-14117
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

108. Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent by failing to provide a substantive response to the State Bar's letters of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 11-O-14117 in willful violation of Business and Professions Code, section 6068(i).

COUNT ONE-HUNDRED AND EIGHT

Case No. 11-O-14122
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

109. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's clients, Debbie and James Ziska ("Ziskas"), after Respondent constructively terminated Respondent's employment on or about October 9, 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on the Ziskas' behalf and failing to inform the Ziskas that Respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT ONE-HUNDRED AND NINE

Case No. 11-O-14122
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

110. On or about September 21, 2009, Respondent received advanced fees of \$3,645 from clients, Debbie and James Ziska ("Ziskas"), for the purpose of preparing, submitting and negotiating a loan modification application with the Ziskas' mortgage lender on the Ziskas' behalf. Respondent failed to prepare, submit or negotiate a loan modification application with the Ziskas' mortgage lender on the Ziskas' behalf and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination

1 of employment on or about October 9, 2009, any part of the \$3,645 fee, in willful violation of
2 Rules of Professional Conduct, rule 3-700(D)(2).

3 COUNT ONE-HUNDRED AND TEN

4 Case No. 11-O-14122
5 Business and Professions Code, section 6068(i)
6 [Failure to Cooperate in State Bar Investigation]

7 111. Respondent failed to cooperate and participate in a disciplinary investigation
8 pending against Respondent by failing to provide a substantive response to the State Bar's letters
9 of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
10 response to the allegations of misconduct being investigated in case no. 11-O-14122 in willful
11 violation of Business and Professions Code, section 6068(i).

12 COUNT ONE-HUNDRED AND ELEVEN

13 Case No. 11-O-15275
14 Rules of Professional Conduct, rule 3-700(A)(2)
15 [Improper Withdrawal from Employment]

16 112. Respondent failed, upon termination of employment, to take reasonable steps
17 to avoid reasonably foreseeable prejudice to Respondent's client, Geri Tyndall-Funk ("Funk"),
18 after Respondent constructively terminated Respondent's employment on or about October 9,
19 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on
20 Funk's behalf and failing to inform Funk that Respondent was withdrawing from employment, in
21 willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

22 COUNT ONE-HUNDRED AND TWELVE

23 Case No. 11-O-15275
24 Rules of Professional Conduct, rule 3-700(D)(2)
25 [Failure to Refund Unearned Fees]

26 113. On or about September 21, 2009, Respondent received advanced fees of
27 \$3,645 from client, Geri Tyndall-Funk ("Funk"), for the purpose of preparing, submitting and
28 negotiating a loan modification application with Funk's mortgage lender on Funk's behalf.
Respondent failed to prepare, submit or negotiate a loan modification application with Funk's
mortgage lender on Funk's behalf and therefore earned none of the advanced fees paid.

1 Respondent failed to refund promptly, upon Respondent's termination of employment on or
2 about October 9, 2009, any part of the \$3,645 fee, in willful violation of Rules of Professional
3 Conduct, rule 3-700(D)(2).

4 COUNT ONE-HUNDRED AND THIRTEEN

5 Case No. 11-O-15275
6 Business and Professions Code, section 6068(i)
7 [Failure to Cooperate in State Bar Investigation]

8 114. Respondent failed to cooperate and participate in a disciplinary investigation
9 pending against Respondent by failing to provide a substantive response to the State Bar's letters
10 of July 22, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
11 response to the allegations of misconduct being investigated in case no. 11-O-15275 in willful
12 violation of Business and Professions Code, section 6068(i).

13 COUNT ONE-HUNDRED AND FOURTEEN

14 Case No. 11-O-18498
15 Rules of Professional Conduct, rule 3-700(A)(2)
16 [Improper Withdrawal from Employment]

17 115. Respondent failed, upon termination of employment, to take reasonable steps
18 to avoid reasonably foreseeable prejudice to Respondent's client, Andrew Johnson ("Johnson"),
19 after Respondent constructively terminated Respondent's employment on or about October 9,
20 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on
21 Johnson's behalf and failing to inform Johnson that Respondent was withdrawing from
22 employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

23 COUNT ONE-HUNDRED AND FIFTEEN

24 Case No. 11-O-18498
25 Rules of Professional Conduct, rule 3-700(D)(2)
26 [Failure to Refund Unearned Fees]

27 116. On or about September 8, 2009, Respondent received advanced fees of \$1,325
28 from client, Andrew Johnson ("Johnson"), for the purpose of preparing, submitting and
negotiating a loan modification application with Johnson's mortgage lender on Johnson's behalf.
Respondent failed to prepare, submit or negotiate a loan modification application with Johnson's

1 mortgage lender on Johnson's behalf and therefore earned none of the advanced fees paid.
2 Respondent failed to refund promptly, upon Respondent's termination of employment on or
3 about October 9, 2009, any part of the \$1,325 fee, in willful violation of Rules of Professional
4 Conduct, rule 3-700(D)(2).

5 COUNT ONE-HUNDRED AND SIXTEEN

6 Case No. 11-O-18498
7 Business and Professions Code, section 6068(i)
8 [Failure to Cooperate in State Bar Investigation]

9 117. Respondent failed to cooperate and participate in a disciplinary investigation
10 pending against Respondent by failing to provide a substantive response to the State Bar's letters
11 of July 16, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
12 response to the allegations of misconduct being investigated in case no. 11-O-18498 in willful
13 violation of Business and Professions Code, section 6068(i).

14 COUNT ONE-HUNDRED AND SEVENTEEN

15 Case No. 12-O-14066
16 Rules of Professional Conduct, rule 3-700(A)(2)
17 [Improper Withdrawal from Employment]

18 118. Respondent failed, upon termination of employment, to take reasonable steps
19 to avoid reasonably foreseeable prejudice to Respondent's clients, Sandra and Robert Ortiz
20 ("Ortiz"), after Respondent constructively terminated Respondent's employment on or about
21 October 9, 2009 by closing his law office, and thereafter failing to take any action after October
22 9, 2009 on the Ortizes' behalf and failing to inform Ortizes that Respondent was withdrawing
23 from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

24 COUNT ONE-HUNDRED AND EIGHTEEN

25 Case No. 12-O-14066
26 Rules of Professional Conduct, rule 3-700(D)(2)
27 [Failure to Refund Unearned Fees]

28 119. On or about October 6, 2009, Respondent received advanced fees of \$3,995
from clients, Sandra and Robert Ortiz ("Ortiz"), for the purpose of preparing, submitting and
negotiating a loan modification application with the for the Ortizes' mortgage lender on the

1 Ortizes' behalf. Respondent failed to prepare, submit or negotiate a loan modification
2 application with the Ortizes' mortgage lender on the Ortizes' behalf and therefore earned none of
3 the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination
4 of employment on or about October 9, 2009, any part of the \$3,995 fee, in willful violation of
5 Rules of Professional Conduct, rule 3-700(D)(2).

6 COUNT ONE-HUNDRED AND NINETEEN

7 Case No. 12-O-14066
8 Business and Professions Code, section 6068(i)
9 [Failure to Cooperate in State Bar Investigation]

10 120. Respondent failed to cooperate and participate in a disciplinary investigation
11 pending against Respondent by failing to provide a substantive response to the State Bar's letters
12 of July 21, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
13 response to the allegations of misconduct being investigated in case no. 12-O-14066 in willful
14 violation of Business and Professions Code, section 6068(i).

15 COUNT ONE-HUNDRED AND TWENTY

16 Case No. 14-O-00445
17 Rules of Professional Conduct, rule 3-700(A)(2)
18 [Improper Withdrawal from Employment]

19 121. Respondent failed, upon termination of employment, to take reasonable steps
20 to avoid reasonably foreseeable prejudice to Respondent's client, Jose Martinez ("Martinez"),
21 after Respondent constructively terminated Respondent's employment on or about October 9,
22 2009 by closing his law office, and thereafter failing to take any action after October 9, 2009 on
23 Martinez's behalf and failing to inform Martinez that Respondent was withdrawing from
24 employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

25 COUNT ONE-HUNDRED AND TWENTY-ONE

26 Case No. 14-O-00445
27 Rules of Professional Conduct, rule 3-700(D)(2)
28 [Failure to Refund Unearned Fees]

122. On or about September 15, 2009, Respondent received advanced fees of
\$1,650 from client Jose Martinez ("Martinez") for the purpose of preparing, submitting and

1 negotiating a loan modification application with Martinez's mortgage lender on Martinez's
2 behalf. Respondent failed to prepare, submit or negotiate a loan modification application with
3 Martinez's mortgage lender on Martinez's behalf and therefore earned none of the advanced fees
4 paid. Respondent failed to refund promptly, upon Respondent's termination of employment on
5 or about October 9, 2009, any part of the \$1,650 fee, in willful violation of Rules of Professional
6 Conduct, rule 3-700(D)(2).

7 COUNT ONE-HUNDRED AND TWENTY-TWO

8 Case No. 14-O-00445
9 Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

10 123. Respondent failed to cooperate and participate in a disciplinary investigation
11 pending against Respondent by failing to provide a substantive response to the State Bar's letters
12 of July 21, 2014 and July 30, 2014, which Respondent received, that requested Respondent's
13 response to the allegations of misconduct being investigated in case no. 14-O-00445 in willful
14 violation of Business and Professions Code, section 6068(i).

15
16 NOTICE - INACTIVE ENROLLMENT!

17 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
18 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
19 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
20 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
21 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
22 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**
23 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**
24 **RECOMMENDED BY THE COURT.**
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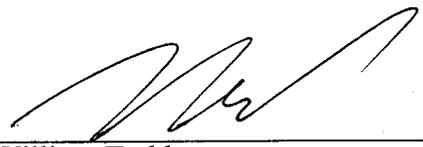
NOTICE - COST ASSESSMENT!

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.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: October 29, 2014

By: 
William Todd
Deputy Trial Counsel

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DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 09-O-17019, et al

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 S. Figueroa Street, Los Angeles, California 90017, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES

- By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

- (for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)
(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 1006 7732 at Los Angeles, addressed to: (see below)
(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to:
Row 1: DAVID ALAN CLARE, 444 w. Ocean Blvd., Ste 800 Long Beach, CA 90802, Electronic Address

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

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, and overnight delivery by the United Parcel Service ('UPS').

I am aware that on motion of the 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.

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: October 29, 2014

SIGNED: [Signature] LAURAJETT Declarant