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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
Counsel For The State Bar Ashod Mooradian Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1004 Bar # 194283	Case Number(s): 10-O-05311; 10-O-05318; [Investigative Matters 11-O-15313; 11-O-15429; 11-O-15494]	For Court use only <div style="text-align: center;"> FILED SEP 13 2011  STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Counsel For Respondent Behrouz Shafie, Esq. Law Offices of Behrouz Shafie & Associates 501 S. Beverly Drive, Suite 200 Beverly Hills, CA 90212 (310) 201-8470 Bar # 108581	<div style="text-align: center; font-size: 1.5em; font-weight: bold;">PUBLIC MATTER</div>	
In the Matter of: JENNY WONG Bar # 248111 A Member of the State Bar of California (Respondent)	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

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

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted January 9, 2007.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 16 pages, not including the order.



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- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
 - Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: 2012, 2013 and 2014. (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

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

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

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- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

None.

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

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

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- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

None.

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of one (1) year.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:
- (b) The above-referenced suspension is stayed.

(2) **Probation:**

Respondent must be placed on probation for a period of three (3) years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3) **Actual Suspension:**

- (a) Respondent must be actually suspended from the practice of law in the State of California for a period of ninety (90) days.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in the general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.

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- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

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

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

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without**

further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.

No MPRE recommended. Reason:

- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:**

(Do not write above this line.)

In the Matter of: JENNY WONG	Case Number(s): 10-O-05311; 10-O-05318; [Investigative Matters 11-O-15313; 11-O-15429; 11-O-15494]
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Nolo Contendere Plea Stipulations to Facts, Conclusions of Law, and Disposition

The terms of pleading nolo contendere are set forth in the Business and Professions Code and the Rules of Procedures of the State Bar. The applicable provisions are set forth below:

Business and Professions Code § 6085.5 Disciplinary Charges; Pleas to Allegations

There are three kinds of pleas to the allegations of a notice of disciplinary charges or other pleading which initiates a disciplinary proceeding against a member:

- (a) Admission of culpability.
- (b) Denial of culpability.
- (c) Nolo contendere, subject to the approval of the State Bar Court. The court shall ascertain whether the member completely understands that a plea of nolo contendere will be considered the same as an admission of culpability and that, upon a plea of nolo contendere, the court will find the member culpable. The legal effect of such a plea will be the same as that of an admission of culpability for all purposes, except that the plea and any admissions required by the court during any inquiry it makes as to the voluntariness of, or the factual basis for, the pleas, may not be used against the member as an admission in any civil suit based upon or growing out of the act upon which the disciplinary proceeding is based.

Rules of Procedure of the State Bar, rule 5.56. Stipulations to Facts, Conclusions of Law, and Disposition

“(A) Contents. A proposed stipulation to facts, conclusions of law, and disposition must comprise:

[¶] . . . [¶]

(5) a statement that the member either:

- (a) admits the truth of the facts comprising the stipulation and admits culpability for misconduct; or
- (b) pleads nolo contendere to those facts and misconduct;

[¶] . . . [¶]

“(B) Plea of Nolo Contendere. If the member pleads nolo contendere, the stipulation must also show that the member understands that the plea is treated as an admission of the stipulated facts and an admission of culpability.”

I, the Respondent in this matter, have read the applicable provisions of Business and Professions Code section 6085.5 and rule 5.56 of the Rules of Procedure of the State Bar. I plead nolo contendere to the charges set forth in this stipulation and I completely understand that my plea will be considered the same as an admission of culpability except as stated in Business and Professions Code section 6085.5(c).

8/30/11
Date


Respondent's Signature

JENNY WONG
Print Name

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: JENNY WONG

CASE NUMBER(S): 10-O-05311; 10-O-05318
 [Investigative Matters: 11-0-15313; 11-O-15429; 11-O-15494]

A. WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CULPABILITY:

The parties waive any variance between the Notice of Disciplinary Charges (“NDC”) filed on May 20, 2011, and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

B. FACTS AND CONCLUSIONS OF LAW.

JENNY WONG (“Respondent”) pleads nolo contendere to the following facts and violations. Respondent completely understands that the plea for nolo contendere shall be considered the same as an admission of the stipulated facts and of his or her culpability of the statutes and/or Rules of Professional Conduct specified herein.

Facts Supporting Culpability:

1. Respondent was admitted to the practice of law in the State of California on January 9, 2007, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

Case#: 10-O-05318

2. Respondent is the owner of Homeowners Legal Center, a California Corporation (“HLC”). Thomas Huynh is the owner of Alliance Capital Finance Corporation (“Alliance”) which is comprised of non-attorneys that provide mortgage counseling and other financial counseling services.

3. In April 2009, Respondent, on behalf of HLC, entered into an agreement with Alliance (“Agreement”), to provide legal services with respect to home mortgage loan modifications to existing clients of Alliance. Under the Agreement, Alliance would provide Respondent with future loan modification clients and would pay half of the monthly rent for the shared office space utilized by Alliance and HLC.

4. On June 9, 2009, Huynh and Respondent signed a lease agreement with PAUB Enterprises, LLC, for rental of office space located at 8700 Warner Ave, Suite 100 in Fountain Valley, California. Huynh issued a cashier's check to PAUB Enterprises LLC in the amount of \$11,493.20, as the total deposit for the lease of the shared office.

5. Under the Agreement, Alliance was responsible for referring loan modification clients to Respondent. Alliance would fill out a prequalification and expense worksheet detailing the prospective client's financial situation and e-mail it to Respondent. If Respondent accepted the client, Respondent would e-mail Alliance a "work out" packet, which included loan modification documents for the client to fill out, and a Loan Modification Attorney-Client Fixed Fee Agreement ("retainer agreement"). The retainer agreements used by Respondent in connection with all clients referred to her by Alliance for loan modification services were entitled, "Loan Modification Attorney-Client Fixed Fee Agreement," and included legal services such as analysis of the client's financial situation; analysis of client's mortgage terms and conditions; and representing the client in negotiations with lenders or servicers regarding the terms and conditions of the client's mortgage. The retainer agreement also provided that "the client is hiring attorney only for help with the loan modification process...."

6. After Alliance obtained the client's signature on the retainer agreement, Alliance would collect the total advanced legal fees for the home loan modification services by check or money order made payable to HLC, and provide the signed retainer agreement and total amount of advanced legal fees to Respondent.

7. If the loan modification involved a first mortgage, Respondent would retain a flat fee of \$900.00 from the total advanced fee paid to HLC. If the modification involved a second mortgage with a different lender, Respondent would retain a flat fee of \$500.00 from the total advanced fee paid to HLC. If the modification involved a second mortgage with the same lender, Respondent would retain a flat fee of \$100.00 from the total advanced fee paid to HLC. In all cases, after Respondent withdrew her flat fee from the advanced legal fees paid by the client, Respondent would pay the remainder of the advanced legal fees back to Alliance identifying the payment either by the client name or as "consulting fees."

8. Between May 26, 2009 and January 30, 2010, Respondent paid to Alliance the portions of advanced legal fees paid to Respondent by clients for loan modification services.

9. On April 15, 2010, the State Bar opened up an investigation, Case No. 10-O-05211, pursuant to a complaint made by Huynh ("the Huynh matter").

10. On June 17, 2010, the State Bar sent Respondent a letter asking her to respond in writing by July 1, 2010 to the allegations of misconduct being investigated by the State Bar in the Huynh matter. The letter was placed in a sealed envelope and properly mailed to Respondent's official membership address of record. Respondent received the letter.

11. On July 6, 2010, The State Bar sent Respondent a second letter with an attached copy of the June 17, 2010 letter, asking her to respond in writing by July 20, 2010 to the allegations of misconduct being investigated by the State Bar in the Huynh matter. The letter was placed in a sealed envelope and properly mailed to Respondent's official membership address of record. Respondent received the letter.

12. On July 6, 2010, the State Bar sent Respondent an electronic correspondence ("e-mail") to Respondent's e-mail address of record, and attached a copy of the two previously written letters, asking Respondent to provide the State Bar with updated contact information, if any. Respondent received the email.

13. Ultimately, Respondent failed to provide a written response to any of the State Bar's letters or e-mail requesting that she respond to the allegations of misconduct being investigated by the State Bar in the Huynh matter.

Conclusions of Law:

14. By providing to Huynh (dba "Alliance") a portion of the advanced legal fees paid to Respondent for legal services in connection with their loan modification, Respondent shared legal fees with a person who is not a lawyer, in willful violation of rule 1-320(A) of the Rules of Professional Conduct.

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

Case#: 10-O-05311

16. On December 14, 2009, Vince and Jocelyn Au ("collectively, the Aus") hired Respondent to provide them with legal services in connection with a home mortgage loan modification.

17. On December 14, 2009, the Aus signed a retainer agreement, which stated that Respondent's legal services were to include analysis of the Aus financial situation; analysis of the existing mortgage terms and conditions; and representing the Aus in negotiations with lenders or services regarding a modification of the terms and conditions of the Aus mortgage. The retainer agreement stated that the loan modification services for which Respondent was hired would be complete upon a reasonable modification offer from their lender.

18. Respondent's office staff also informed the Aus that if a loan modification could not be obtained, Respondent would refund his \$1,000.00 advanced fee that was paid to Respondent.

19. On December 14, 2009, Respondent charged and collected \$1,000.00 in advanced fees from the Aus for legal services in connection with their loan modification, without fully performing each and every service Respondent contracted to perform or represented that he or she would perform.

Conclusion of Law:

20. By charging and accepting an advanced payment for attorney fees in connection with loan modification services in violation of section 2944.7(a)(1) of the California Civil Code, Respondent willfully violated section 6106.3 of the Business and Professions Code.

Case#: 11-O-15313 [Investigative Matter]

21. On August 25, 2009, Soo Young Song ("Song") retained Respondent and HLC to perform a loan modification and paid a total sum of \$2,500.00.

22. Respondent's retainer agreement with Song provided that if Respondent was unable to negotiate or obtain a loan modification, Respondent would refund the entire fee amount.

23. In July 2010 Song was informed by a HLC representative, that Respondent had suddenly disappeared and that she would no longer be representing Song.

24. In January 2011, Song's lender informed him that Song's loan modification had been denied.

Case#: 11-O-15429 [Investigative Matter]

25. On August 28, 2009, Won Kyung Park ("Park") retained Respondent and HLC to perform a loan modification and paid a total sum of \$2,500.00.

26. Respondent's retainer agreement with Park provided that if Respondent was unable to negotiate or obtain a loan modification, Respondent would refund the entire fee amount.

27. Respondent failed to obtain a loan modification for Park.

28. Respondent has not refunded \$2,500.00 to Park.

Case#: 11-O-15494 [Investigative Matter]

29. On December 16, 2009, Teresa Osuna ("Osuna")) retained Respondent and HLC to perform a loan modification and paid a total sum of \$3,500.00.

30. Respondent's retainer agreement with Osuna provided that if Respondent was unable to negotiate or obtain a loan modification, Respondent would refund the entire fee amount.

31. Respondent failed to obtain a loan modification for Osuna.

32. Respondent has not refunded \$2,500.00 to Osuna.

Conclusions of Law:

33. By failing to obtain loan modifications or perform other legal services of value in the representation of Song, Park and Osuna, Respondent intentionally, recklessly or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

34. By charging and accepting an advanced payment for attorney fees from Osuna on December 16, 2009, in connection with loan modification services in violation of section 2944.7(a)(1) of the California Civil Code, Respondent willfully violated section 6106.3 of the Business and Professions Code.

C. AUTHORITIES SUPPORTING DISCIPLINE.

Applicable Standards:

Standard 1.3 provides that the primary purposes of attorney discipline are, "the protection of the public, the courts and the legal profession; the maintenance of high legal professional standards by attorneys and the preservation of public confidence in the legal profession."

Standard 1.6(a) provides that if two or more acts of misconduct are found in the same proceeding, the sanction imposed shall be the more or most severe of the different applicable sanctions. Standard 1.6(b) provides that a greater or lesser degree of discipline than the appropriate sanction prescribed by these standards shall be imposed or recommended, depending on the net effect of the aggravating and mitigating circumstances, if any.

Standard 2.6 provides that culpability of a member of a violation of any of the following provisions of the Business and Professions Code shall result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3:...(a) Sections 6067 and 6068....

Standard 2.10 provides that the culpability of a member for violation of any provision of the Business and Professions Code or any Rule of Professional Conduct not specified in the Standards shall result in reproof or suspension, according to the gravity of the offense or harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in Standard 1.3..

In this matter, Standard 2.6 provides for the greatest degree of discipline (i.e., disbarment or suspension) and is therefore most applicable to the matter herein.

Caselaw:

In *Trousil v. State Bar* (1985) 38 Cal.3d 337, the Supreme Court imposed six months actual suspension for misconduct in two client matters involving the failure to communicate, failure to perform with competence, failure to promptly deliver files, and failure to render an accounting where attorney failed to take responsibility for his actions and had one prior instance of discipline and had no mitigating circumstances. In this matter, Respondent's misconduct was not as extensive as the attorney in *Trousil* and there was no prior instance of discipline or other aggravating factors.

D. PENDING PROCEEDINGS.

The disclosure date referred to on page two, paragraph A. (7) was August 30, 2011.

E. COSTS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed him that as of August 30, 2011, the estimated prosecution costs in this matter are approximately \$10,587.33. Respondent acknowledges that this figure is an estimate only. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

F. DISMISSALS.

The parties respectfully request the Court to dismiss the following alleged violations in the interest of justice:

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
10-O-05318	Two	B&P Code, section 6106
10-O-05311	Five	Rule 3-110(A)
10-O-05311	Six	Rule 3-700(D)(2)
10-O-05311	Seven	B&P Code, section 6068(i)
10-O-05311	Eight	B&P Code, section 6106.3
10-O-05311	Nine	B&P Code, section 6106.3
10-O-05311	Ten	B&P Code, section 6106.3

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In the Matter of: JENNY WONG	Case Number(s): 10-O-05311; 10-O-05318; [Investigative Matters 11-O-15313; 11-O-15429; 11-O-15494]
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Financial Conditions

a. Restitution

- Respondent must pay restitution (including the principal amount, plus interest of 10% per annum) to the payee(s) listed below. If the Client Security Fund ("CSF") has reimbursed one or more of the payee(s) for all or any portion of the principal amount(s) listed below, Respondent must also pay restitution to CSF in the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From
Soo Young Song	\$2,500.00	07/01/2010
Won Kyung Park	\$2,500.00	07/01/2010
Teresa Osuna	\$3,500.00	07/01/2010

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than 30 days prior to the expiration of the period of probation.

b. Installment Restitution Payments

- Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of preapproval), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

- If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

c. Client Funds Certificate

1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
- Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";

b. Respondent has kept and maintained the following:

- i. A written ledger for each client on whose behalf funds are held that sets forth:
 1. the name of such client;
 2. the date, amount and source of all funds received on behalf of such client;
 3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
 4. the current balance for such client.
- ii. a written journal for each client trust fund account that sets forth:
 1. the name of such account;
 2. the date, amount and client affected by each debit and credit; and,
 3. the current balance in such account.
- iii. all bank statements and cancelled checks for each client trust account; and,
- iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.

c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:

- i. each item of security and property held;
- ii. the person on whose behalf the security or property is held;
- iii. the date of receipt of the security or property;
- iv. the date of distribution of the security or property; and,
- v. the person to whom the security or property was distributed.

2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.

3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

d. Client Trust Accounting School

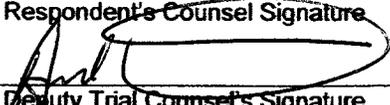
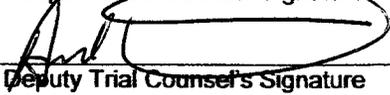
- Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

(Do not write above this line.)

In the Matter of: JENNY WONG	Case number(s): 10-O-05311; 10-O-05318; [Investigative Matters 11-O-15313; 11-O-15429; 11-O-15494]
---------------------------------	---

SIGNATURE OF THE PARTIES

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

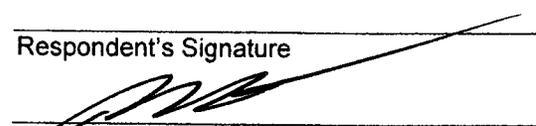
<u>8/30/11</u> Date	 Respondent's Signature	<u>JENNY WONG</u> Print Name
<u>9/2/11</u> Date	 Respondent's Counsel Signature	<u>BEHROUZ SHAFIE, Esq.</u> Print Name
<u>9/2/11</u> Date	 Deputy Trial Counsel's Signature	<u>ASHOD MOORADIAN</u> Print Name

(Do not write above this line.)

In the Matter of: JENNY WONG	Case number(s): 10-O-05311; 10-O-05318 [Investigative Matters 11-O-15313; 11-O-15429; 11-O-15494]
---------------------------------	--

SIGNATURE OF THE PARTIES

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

_____	_____	JENNY WONG
Date	Respondent's Signature	Print Name
5-31-11		BEHROUZ SHAFIE, Esq.
_____	_____	_____
Date	Respondent's Counsel Signature	Print Name
_____	_____	ASHOD MOORADIAN
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter of: JENNY WONG	Case Number(s): 10-O-05311; 10-O-05318; [Investigative Matters 11-O-15313; 11-O-15429; 11-O-15494]
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ACTUAL SUSPENSION ORDER

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

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

Page 2, paragraph A(8): The numbers "2012, 2013 and 2014" are deleted, and in their place are inserted the numbers "2013, 2014 and 2015".

Page 4: The "X" in the box at paragraph E(1) is deleted as unnecessary.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

Date

9/8/11



DONALD F. MILES
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on September 13, 2011, I deposited a true copy of the following document(s):

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

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

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

BEHROUZ SHAFIE
BEHROUZ SHAFIE & ASSOCIATES
501 S BEVERLY DR STE 200
BEVERLY HILLS, CA 90212

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

by overnight mail at , California, addressed as follows:

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

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

Ashod Mooradian, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 13, 2011.



Cristina Potter
Case Administrator
State Bar Court