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FILED

MAY 14 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

7 STATE BAR COURT
8 HEARING DEPARTMENT – LOS ANGELES

9 In the Matter of:
10 CYRUS M. SANAI,
11 No. 150387
12 An Attorney at Law

Assigned to the Hon. D. Miles
Case No.: 10-O-09221; 12-O-10457

**RESPONDENT'S ANSWER TO NOTICE
OF DISCIPLINARY CHARGES**

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ANSWER

TO THE HONORABLE DONALD F. MILES, JUDGE OF THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA, AND TO THE OFFICE OF THE CHIEF TRIAL COUNSEL OF THE STATE BAR OF CALIFORNIA:

Pursuant to Rule 5.43 of the Rules of Procedure of the State Bar of California, Respondent Cyrus . Sanai, hereby submits the following in response to the Notice of Disciplinary Charges (hereinafter "NDC") on file herein:

Under the provisions of the Rules of Procedure of the State Bar of California, Respondent Cyrus M. Sanai hereby responds to each and every allegation of the NDC and the whole thereof and further denies that the Respondent has violated any Rule of Professional Conduct in any manner whatsoever. In response to the allegations set forth in the NDC, Respondent Cyrus M. Sanai asserts:

JURISDICTION

1. In response to Paragraph 1 of the NDC, Respondent admits said allegations for jurisdictional purposes only.

COUNT ONE

2. In response to Paragraph 2 of the NDC, Respondent specifically and generally denies each and every allegation therein.

COUNT TWO

3. In response to Paragraph 3 of the NDC, Respondent specifically and generally denies each and every allegation therein.

COUNT THREE

4. In response to Paragraph 4 of the NDC, Respondent specifically and generally denies each and every allegation therein.

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COUNT FOUR

5. In response to Paragraph 5 of the NDC, Respondent specifically and generally denies each and every allegation therein.

COUNT FIVE

6. In response to Paragraph 6 of the NDC, Respondent specifically and generally denies each and every allegation therein.

COUNT SIX

7. In response to Paragraph 7 of the NDC, Respondent specifically and generally denies each and every allegation therein.

COUNT SEVEN

8. In response to Paragraph 8 of the NDC, Respondent specifically and generally denies each and every allegation therein.

COUNT EIGHT

9. In response to Paragraph 9 of the NDC, Respondent specifically and generally denies each and every allegation therein.

COUNT NINE

10. In response to Paragraph 10 of the NDC, Respondent specifically and generally denies each and every allegation therein.

RESPONDENT asserts the following facts, without limitation, in defense:

1. The NDC is insufficient to provide constitutionally mandated notice necessary to prepare a defense.
2. Respondent has been denied the due process rights to obtain discovery to prepare a defense.
3. Respondent has been denied adequate time to prepare a defense.
4. Respondent has been denied his due process right to confront the sources of statements alleged against him.
5. Counts 2 through 5 and 7 violate the five-year rule of limitations.

- 1 6. As to Counts 2 through 5 and 7, the State Bar waived the requirement for reporting
2 the matters to it.
- 3 7. As to Counts 2 through 5 and 7, any actions not taken were based on the reasonable
4 reliance on advice, actions, statements, and actions taken or not taken by the State
5 Bar.
- 6 8. The unjustified delay in bringing the charges from the time third parties made
7 complaints against Respondent to the State Bar has prejudiced Respondent.
- 8 9. As to Count 1, any conduct alleged was protected by the First Amendment, by lack
9 of notice as to the scope of the alleged order, his good faith, and the absence of
10 fundamental due process in the proceedings alleged.
- 11 10. As to Count 6, any actions taken were directly authorized and supported by the
12 relevant facts and law in effect at the time.
- 13 11. As to Count 8, any alleged conduct was made in good faith and was legally correct.
- 14 12. As to Count 9, any alleged conduct was made in good faith to satisfy oral
15 requirements asserted by a clerk who was being instructed by opposing counsels
16 and their agents and co-conspirators.
- 17 13. As to all counts, the actions taken were necessary and appropriate in light of the
18 fundamental deprivation of due process therein.

19
20 Respondent reserves the right to assert new facts if and when notice sufficient for due
21 process is provided.

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23 Dated this May 14, 2014
24 By Cyrus Sanai
25 CYRUS SANAI

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PROOF OF SERVICE

I am over the age of 18. My address is 660 2nd Street No. 7 Lake Oswego, OR 97034

On May 14 2014, I served the documents described as

RESPONDENT'S ANSWER TO NOTICE OF DISCIPLINARY CHARGES

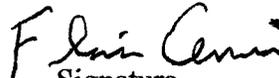
on the interested parties in the action by mailing, from Lake Oswego, Oregon, a true copy thereof to:

Brooke Schafer
Office of The Chief Trial Counsel
State Bar of California
845 S. Figueroa St.
Los Angeles, California 90017

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 14, 2014, at Lake Oswego, Oregon.

Fredric Sanai
Type or print name


Signature