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<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b> <b>ACTUAL SUSPENSION</b>		
Counsel For The State Bar  Cynthia Reed Deputy Trial Counsel 1149 South Hill Street Los Angeles, CA 90015-2299 Telephone: (213) 765-1204  Bar # 232326	Case Number(s): 11-O-11582-PEM 11-O-14719 11-O-17314 11-O-17401	For Court use only <div style="font-size: 24pt; font-weight: bold; text-align: center;">PUBLIC MATTER</div>  <div style="text-align: center;"> <div style="font-size: 24pt; font-weight: bold;">FILED</div>                        APR 04 2012                       STATE BAR COURT CLERK'S OFFICE                      SAN FRANCISCO                 </div>
In Pro Per Respondent  Leslie Ferenc Nadasi Law Office of Leslie F Nadasi 41742 156th St E Lancaster, CA 93535 Telephone: (661) 264-9227  Bar # 81237	Submitted to: <b>Settlement Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING	
In the Matter of: Leslie Ferenc Nadasi  Bar # 81237  A Member of the State Bar of California (Respondent)	<b>ACTUAL SUSPENSION</b>  <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 September 15, 1978.
- (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 15 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: two billing cycles following the effective date of the Supreme Court order. (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:**

As a result of Respondent's actions, former clients Carl Lloyd and Esta Bernstein spent \$2,000 and \$2,500, respectively, for essentially worthless services. Because Respondent has failed to refund those unearned fees, Mr. Lloyd and Ms. Bernstein have been without the value of their funds for several years.

**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.

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- (11)  **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12)  **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances:**

Respondent has over 30 years of law practice without any prior disciplinary action taken.

Although he failed to cooperate with the State Bar's investigation, after the Notice of Disciplinary Charges was filed in case numbers 11-O-11582 and 11-O-14719, Respondent participated in two voluntary settlement conferences and was forthcoming and cooperative in entering into this stipulation and avoiding the necessity of a trial on all four matters herein.

Respondent has provided a letter from his psychiatrist confirming that Respondent was diagnosed with posttraumatic stress disorder and was placed on disability from December 28, 2010 to late February 2011.

Additionally, according to Respondent, he suffered a series of health crises, deaths in the family and other stressful life factors that have affected his law practice in the past few years and which ultimately led to him being diagnosed with posttraumatic stress disorder and being placed on disability in December 2010.

**D. Discipline:**

- (1)  **Stayed Suspension:**
- (a)  Respondent must be suspended from the practice of law for a period of 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 2 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 30 days.

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- 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.
- (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: .

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- (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:**

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In the Matter of: Leslie Ferenc Nadasi	Case Number(s): 11-O-11582-PEM; 11-O-14719; 11-O-17314; 11-O-17401
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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
Carl Lloyd	\$2,000	11/4/10
Esta Bernstein	\$2,500	12/11/08

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than 1 year after the effective date of the discipline herein.

**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 reproval), 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:
  - a. 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.



**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:                      Leslie Ferenc Nadasi

CASE NUMBERS:                        11-O-11582-PEM; 11-O-14719; 11-O-17314; 11-O-17401

**FACTS AND CONCLUSIONS OF LAW.**

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

Case No. 11-O-11582 (Complainant: Carl Lloyd)

**FACTS:**

1. On November 4, 2010, Carl Lloyd ("Lloyd") employed Respondent to represent him in on-going civil litigation in *Carl Lloyd v. First American Loanstar Trustee Services et. al.*, Los Angeles County Superior Court case number BC392084 ("the litigation"). Lloyd paid Respondent \$2,000 in advanced fees.
2. At the time Lloyd employed Respondent there were outstanding discovery issues. Lloyd provided Respondent copies of various documents related to the litigation including discovery and pleadings. Then, on November 15, 2010, the defendant filed a Motion for Summary Judgment. Lloyd provided a copy of the Motion for Summary Judgment to Respondent.
3. At no time did Respondent file a substitution of counsel, substituting into the litigation on behalf of Lloyd.
4. On January 19, 2011, Lloyd learned from defense counsel that Respondent had never filed a substitution of counsel, that discovery responses were still due, and that defense counsel was going to seek sanctions against Lloyd. Accordingly, on January 23, 2011, Lloyd hired new counsel, B. Kwaku Duren.
5. On January 24, 2011, Lloyd called Respondent and terminated Respondent and requested that Respondent return his unearned fees and his client file. Respondent failed to do so.
6. On January 25, 2011, Lloyd's new counsel, B. Kwaku Duren, appeared in the litigation at an ex parte motion, filed a substitution form, and obtained an extension of time for Lloyd to respond to the Motion for Summary Judgment.
7. In February 2011, Nicole Koontz ("Koontz"), an employee of B. Kwaku Duren, Lloyd's new counsel, made numerous telephone calls to Respondent. Each time, Koontz left a message for Respondent, which Respondent received, requesting that Respondent provide Lloyd's file. Respondent failed to do so.

8. On March 8, 2011, B. Kwaku Duren sent Respondent a letter requesting that Respondent provide him with Lloyd's files. Respondent received the letter but failed to turn over Lloyd's file.

9. Although Respondent states that he conducted legal research regarding Lloyd's matter and the issues in the litigation and prepared draft discovery, Lloyd never received any of this work. Respondent did not perform any legal services of value to Lloyd. Respondent did not earn any of the \$2,000 received from Lloyd for his services.

10. On March 15, 2011, the State Bar opened an investigation based on a complaint received from Lloyd (the "Lloyd matter").

11. On May 11, 2011, a State Bar investigator sent Respondent a letter, which Respondent received, requesting Respondent to provide a written response to specified allegations being investigated in the Lloyd matter by May 25, 2011. Respondent failed to do so.

12. On June 2, 2011, the investigator sent a second letter, which Respondent received, requesting Respondent to provide a written response to specified allegations being investigated in the Lloyd matter by June 16, 2011. Respondent failed to do so.

#### CONCLUSIONS OF LAW:

13. By failing to provide Lloyd or B. Kwaku Duren with Lloyd's file, Respondent failed to release promptly, upon termination of employment, to the client, at the request of the client, all the client papers and property, in willful violation of rule 3-700(D)(1) of the Rules of Professional Conduct.

14. By failing to refund to Lloyd any of the \$2,000 of unearned fees, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of rule 3-700(D)(2) of the Rules of Professional Conduct.

15. By failing to respond in writing or otherwise participate in the State Bar's investigation of the Lloyd matter, Respondent willfully violated Business and Professions Code section 6068(i).

#### Case No. 11-O-14719 (Complainant: Theion Perkins)

#### FACTS:

16. On July 18, 2011, the State Bar opened an investigation based upon a complaint from Theion Perkins concerning Respondent's alleged mishandling of Perkin's bankruptcy petition (the "Perkins matter").

17. On August 29, 2011, a State Bar investigator mailed a letter to Respondent, which Respondent received, requesting that he respond in writing to specified allegations being investigated in the Perkins matter by September 12, 2011. Respondent failed to do so.

18. On October 14, 2011, a State Bar investigator mailed a letter to Respondent, which Respondent received, requesting that he respond in writing to specified allegations being investigated in the Perkins matter by October 31, 2011. Respondent failed to do so.

CONCLUSIONS OF LAW:

19. By failing to respond in writing or otherwise participate in the State Bar's investigation of the Perkins matter, Respondent willfully violated Business and Professions Code section 6068(i).

Case No. 11-O-17314 (Complainant: Esta G. Bernstein)

FACTS:

20. On December 11, 2008, Esta G. Bernstein ("Bernstein") hired Respondent to represent her in a wrongful termination case and she paid \$2,500.00 to Respondent as advance attorney fees.

21. On May 7, 2010, Bernstein sent Respondent a check in the amount of \$355.00 to be used as filing fees to file her wrongful termination case. Respondent received this check.

22. On May 7, 2010, Respondent filed a wrongful termination action on behalf of Bernstein in the Los Angeles County Superior Court, Case No. GC045186 (the "Bernstein case").

23. On January 27, 2011, Respondent failed to appear for a properly noticed case management conference in the Bernstein case and had not submitted proof of service on the defendants. Accordingly, the Los Angeles Superior Court dismissed the Bernstein case pursuant to California Code of Civil Procedure sections 575.2 and 583.419(a). Respondent was properly served with notice of the January 27, 2011 conference and the Court's dismissal order on January 27, 2011. However, Respondent states that he did not receive these notices because he had moved his office without notifying the Court of his new address. In any event, Respondent now acknowledges that as counsel of record, it was his responsibility to notify the Court when he changed his office address, and it was his responsibility to take affirmative steps to ascertain the status of the Bernstein case.

24. At no point after January 27, 2011 did Respondent inform Bernstein that her case had been dismissed on January 27, 2011.

25. In August 2011, Bernstein checked the online court docket and discovered that her case had been dismissed. She then called Respondent's office and left a message requesting Respondent to call her back regarding the status of her case. Respondent received the message but failed to do so.

26. However, in August 2011, Bernstein did speak with Respondent's wife, who notified Bernstein that Respondent was willing to prepare a motion to set aside the dismissal of the Bernstein case. Bernstein rejected this offer stating that she intended to file a formal State Bar Complaint instead of allowing Respondent to provide further legal services to her.

27. Respondent did not provide any legal services of value to Bernstein in the Bernstein case and did not earn any of the \$2,500 received from Bernstein for his services.

CONCLUSIONS OF LAW:

28. By not taking action to timely serve the complaint on the necessary parties or otherwise advance the complaint in the Bernstein case after it was filed, Respondent intentionally, recklessly or

repeatedly failed to perform legal services with competence in willful violation of rule 3-110(A) of the Rules of Professional Conduct.

29. By failing to refund to Bernstein any of the \$2,500 of unearned fees, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of rule 3-700(D)(2) of the Rules of Professional Conduct.

30. By failing to inform Bernstein that her civil action had been dismissed on January 27, 2011, Respondent failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services in willful violation of Business and Professions Code section 6068(m).

Case No. 11-O-17401 (Complainant: John Allen)

FACTS:

31. On March 5, 2010, John Allen ("Allen") employed Respondent on a contingency fee basis to represent Allen in a personal injury action. Allen did not pay any fees to Respondent.

32. Between March 2011 and September 2011, Allen contacted Respondent via telephone on more than 15 occasions, each time leaving a message requesting Respondent to call regarding the status of his case. Respondent received the messages but failed to respond.

33. On September 5, 2010, Allen sent Respondent a letter asking Respondent to account for any work that had been done and to provide Allen a copy of all documents in his file. Respondent received this letter. Respondent at no time sent Allen his file or an accounting of services.

34. Respondent did not submit a claim on behalf of Allen nor did Respondent prepare or file a complaint on Allen's behalf. Respondent states that he was waiting for Allen's medical treatment to conclude. In any event, Respondent acknowledges that he did not provide any legal services of value to Allen.

35. In January 2011, Respondent wrote a letter to Allen advising Allen of Respondent's disability, inability to practice law and the statute of limitations for Allen's potential personal injury action. Respondent notified Allen in the letter that Respondent would not be able to represent Allen. Respondent's wife has provided a declaration indicating that she mailed the letter to Allen. However, Allen did not receive this letter.

CONCLUSIONS OF LAW:

36. By failing to respond to Allen's telephone inquiries regarding the status of his case, Respondent failed to respond to reasonable client inquiries in a matter in which Respondent had agreed to provide legal services in willful violation of Business and Professions Code section 6068(m).

37. By failing to turn over Allen's file to Allen when Allen requested it in September 2010, Respondent failed to release promptly to the client, at the request of the client, all the client papers and property, in willful violation of rule 3-700(D)(1) of the Rules of Professional Conduct.

## **AUTHORITIES SUPPORTING DISCIPLINE.**

### **A. Standards**

Standard 1.3, Title IV, Standards for Attorney Sanctions for Professional Misconduct, provides that the primary purposes of the disciplinary system are: "the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession."

Standard 1.6(a) states that if two or more acts of misconduct are found in a single disciplinary proceeding, and different sanctions are prescribed by the Standards for these acts of misconduct, the sanctions imposed shall be the more severe applicable sanction. The presence of aggravating factors shall support the imposition of discipline greater than the level set forth in the Standards (Standard 1.6(b)(i).) If mitigating factors are found to exist, the level of discipline set forth in the Standards may be reduced. (Standard 1.6(b)(ii).)

Standard 2.4(b) provides that where a member has willfully failed to perform services or has willfully failed to communicate with a client, the appropriate level of discipline is reproof or suspension, depending on the extent of the misconduct and the degree of harm to the client.

Standard 2.6(a) provides that a willful violation of Business and Professions Code § 6068 shall result in disbarment or suspension, depending on the gravity of the offense or the harm.

Standard 2.10 provides that the violation of any Rule of Professional Conduct not otherwise specifically discussed in the Standards, including rules 3-110(A), and 3-700(D), shall result in reproof or suspension according to the gravity of the offense or the harm to the victim.

### **B. Case Law and Analysis**

Respondent's misconduct involved three former clients as well as failure to participate in two State Bar disciplinary investigations. Respondent's misconduct, balanced against his substantial years of practice without any record of prior discipline, warrants discipline for at least two reasons.

First, although Respondent has no record of prior discipline and substantial years of practice, his actions evidence multiple instances of misconduct including failure to communicate and failure to perform. In a similar case, the California Supreme Court issued an order approving discipline of 30 days actual suspension. *See, e.g., Franklin v. State Bar* (1986) 41 Cal. 3d 700.

Second, two clients were harmed financially through Respondent's retention of unearned fees.

The stipulated discipline herein is within the range of discipline suggested by the standards. The parties stipulate that the discipline herein is sufficient to protect the public, courts and legal profession.

**PENDING PROCEEDINGS.**

The disclosure date referred to, on page 2, paragraph A(7), was March 21, 2012.

**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>
11-O-14719	One	Rules of Professional Conduct, rule 3-110(A)
11-O-14719	Two	Business and Professions Code section 6106
11-O-14719	Three	Rules of Professional Conduct, rule 3-700(D)(2)
11-O-11582	Five	Rules of Professional Conduct, rule 3-110(A)

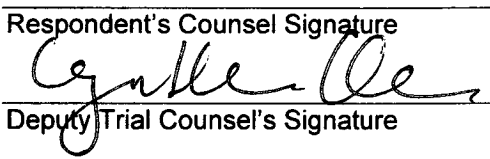
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In the Matter of: Leslie Ferenc Nadasi	Case number(s): 11-O-11582-PEM; 11-O-14719; 11-O-17314; 11-O-17401
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**SIGNATURE OF THE PARTIES**

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.

March 21, 2012            Leslie Ferenc Nadasi  
Date      Respondent's Signature      Print Name

\_\_\_\_\_  
Date      Respondent's Counsel Signature      Print Name  
March 21, 2012            Cynthia Reed  
Date      Deputy Trial Counsel's Signature      Print Name

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In the Matter of: Leslie Ferenc Nadasi	Case Number(s): 11-O-11582-PEM; 11-O-14719; 11-O-17314; 11-O-17401
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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, SECTION A. (8) - Add THE YEARS "2013 AND 2014" FOR THE FOLLOWING MEMBERSHIP YEARS*

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.)**

04-03-12  
Date

  
RICHARD A. PLATEL  
Judge of the State Bar Court

RICHARD A. PLATEL



**CERTIFICATE OF SERVICE**

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

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, On April 4, 2012, 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 San Francisco, California, addressed as follows:

LESLIE FERENC NADASI  
LAW OFC LESLIE F NADASI  
41742 156TH ST E  
LANCASTER, CA 93535

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

CYNTHIA REED , Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on April 4, 2012.

  
Lauretta Cramer  
Case Administrator  
State Bar Court