

1 Henry M. Lee, Bar No. 156041
HENRY M. LEE LAW CORPORATION
2 3530 Wilshire Boulevard., Suite 1710
Los Angeles, California 90010
3 (213) 382 -0955
(213) 382- 0956 Facsimile

4 Attorneys for
5 HENRY M. LEE

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**STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES**

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7 **STATE BAR COURT**
8 **HEARING DEPARTMENT – LOS ANGELES**

9
10 In the Matter of)

CASE NO.: 12-O-12214

11 Henry Min Lee,)
12 No. 156041)

**AMENDED ANSWER TO NOTICE AND
DENIAL OF DISCIPLINARY CHARGES**

13 A Member of the State Bar.)
14 _____)

15 Respondent Member HENRY M. LEE (“Respondent” or “Lee”) hereby answers
16 the Notice of Disciplinary Charges as follows:

17 **JURISDICTION**

18 1. As to para. 1, Respondent admits the allegations. However, there is a pending
19 civil action involving Respondent and the complaining party Ok Song Chang, in which
20 the identical issues, facts, claims, law are being litigated. The civil litigation is currently
21 pending in Los Angeles Superior Court, Case No.: BC465694, *Henry M. Lee Law*
22 *Corporation v. Ok Song Chang*, (“Related Action”) wherein Chang filed a cross
23 complaint and alleges similar claims set forth in the Notice (except as to Count Four).
24 Respondent is informed and believes that resolution of the Related Action will resolve the
25 factual disputes and liabilities set forth in Counts One, Two and Three, and resolution
26 thereof will resolve Count Four.
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1 13. As to para. 13, the denials of Count One are incorporated herein by
2 reference.

3 14. As to para. 14, Respondent did not and does not have sufficient information
4 to be able to either admit or deny this allegation and based thereon, denies.

5 15. As to para. 15, Respondent did not and does not have sufficient
6 information to be able to either admit or deny this allegation and based thereon, denies.
7 At the time of the initial State Bar inquiry, and as explained to the State Bar, Respondent
8 did not have possession of the complete original file which had already been transferred
9 to Chang's new attorney. Further, Respondent's scanned copy of the file was lost due to
10 hard drive crash, leaving only a few, incomplete copies of only portions of the file.
11 Despite repeated requests, even in formal discovery, and after a motion to compel in the
12 Related Action, Respondent still has not been able to personally inspect the original and
13 copy the documents in question. Respondent also requires inspection of the original
14 documents because during the period of representing Chang from May 2010 and lasting
15 for several months thereafter, Respondent's wife suffered from major health issues,
16 requiring extended hospitalization on two separate occasions, which directly affected
17 Respondent's state of mind, emotions, the Chang trial, case and handling. Respondent is
18 no longer suffering from the family problems or related emotional problems. Respondent
19 reserves the right to assert additional facts.

20 16. As to para. 16, Respondent did not and does not have sufficient information
21 to be able to either admit or deny this allegation and based thereon, denies. At the time
22 of the initial State Bar inquiry, and as explained to the State Bar, Respondent did not have
23 possession of the complete original file which had already been transferred to Chang's
24 new attorney. Further, Respondent's scanned copy of the file was lost due to hard drive
25 crash, leaving only a few, incomplete copies of only portions of the file. Despite repeated
26 requests, even in formal discovery, and after a motion to compel in the Related Action,
27 Respondent still has not been able to personally inspect the original and copy the
28 documents in question. Respondent also requires inspection of the original documents

1 because during the period of representing Chang from May 2010 and lasting for several
2 months thereafter, Respondent's wife suffered from major health issues, requiring
3 extended hospitalization on two separate occasions, which directly affected Respondent's
4 state of mind, emotions, the Chang trial, case and handling. Respondent is no longer
5 suffering from the family problems or related emotional problems. Respondent reserves
6 the right to assert additional facts.

7 **COUNT THREE**

8 17. As to para. 17, Respondent denies the allegations as follows.

9 18. As to para. 18, the denials of Counts One and Two are incorporated herein
10 by reference.

11 19. As to para. 19, Respondent did not and does not have sufficient information
12 to be able to either admit or deny this allegation and based thereon, denies. At the time
13 of the initial State Bar inquiry, and as explained to the State Bar, Respondent did not have
14 possession of the complete original file which had already been transferred to Chang's
15 new attorney. Further, Respondent's scanned copy of the file was lost due to hard drive
16 crash, leaving only a few, incomplete copies of only portions of the file. Despite repeated
17 requests, even in formal discovery, and after a motion to compel in the Related Action,
18 Respondent still has not been able to personally inspect the original and copy the
19 documents in question. Respondent also requires inspection of the original documents
20 because during the period of representing Chang from May 2010 and lasting for several
21 months thereafter, Respondent's wife suffered from major health issues, requiring
22 extended hospitalization on two separate occasions, which directly affected Respondent's
23 state of mind, emotions, the Chang trial, case and handling. Respondent is no longer
24 suffering from the family problems or related emotional problems. Respondent disputes
25 that the "offer," if confirmed, was a significant development. Respondent reserves the
26 right to assert additional facts.

27 20. As to para. 20, Respondent did not and does not have sufficient information
28 to be able to either admit or deny this allegation and based thereon, denies. At the time

1 of the initial State Bar inquiry, and as explained to the State Bar, Respondent did not have
2 possession of the complete original file which had already been transferred to Chang's
3 new attorney. Further, Respondent's scanned copy of the file was lost due to hard drive
4 crash, leaving only a few, incomplete copies of only portions of the file. Despite repeated
5 requests, even in formal discovery, and after a motion to compel in the Related Action,
6 Respondent still has not been able to personally inspect the original and copy the
7 documents in question. Respondent also requires inspection of the original documents
8 because during the period of representing Chang from May 2010 and lasting for several
9 months thereafter, Respondent's wife suffered from major health issues, requiring
10 extended hospitalization on two separate occasions, which directly affected Respondent's
11 state of mind, emotions, the Chang trial, case and handling. Respondent is no longer
12 suffering from the family problems or related emotional problems. Respondent disputes
13 that the "offer," if confirmed, was a significant development. Respondent reserves the
14 right to assert additional facts.

15 21. As to para. 21, Respondent did not and does not have sufficient
16 information to be able to either admit or deny this allegation and based thereon, denies.
17 At the time of the initial State Bar inquiry, and as explained to the State Bar, Respondent
18 did not have possession of the complete original file which had already been transferred
19 to Chang's new attorney. Further, Respondent's scanned copy of the file was lost due to
20 hard drive crash, leaving only a few, incomplete copies of only portions of the file.
21 Despite repeated requests, even in formal discovery, and after a motion to compel in the
22 Related Action, Respondent still has not been able to personally inspect the original and
23 copy the documents in question. Respondent also requires inspection of the original
24 documents because during the period of representing Chang from May 2010 and lasting
25 for several months thereafter, Respondent's wife suffered from major health issues,
26 requiring extended hospitalization on two separate occasions, which directly affected
27 Respondent's state of mind, emotions, the Chang trial, case and handling. Respondent is
28 no longer suffering from the family problems or related emotional problems. Respondent

1 disputes that the “offer,” if confirmed, was a significant development. Respondent
2 reserves the right to assert additional facts.

3 **COUNT FOUR**

4 22. As to para. 22, Respondent denies the allegations as follows.

5 23. As to para. 23, the denials of Counts One, Two and Three are incorporated
6 herein by reference.

7 24. As to para. 24, Respondent did not and does not have sufficient information
8 to be able to either admit or deny this allegation and based thereon, denies.

9 25. As to para. 25, Respondent admits a letter was sent, but denies the content
10 of the letter as alleged. At the time of the initial State Bar inquiry, and as explained to the
11 State Bar, Respondent did not have possession of the complete original file which had
12 already been transferred to Chang’s new attorney. Further, Respondent’s scanned copy of
13 the file was lost due to hard drive crash, leaving only a few, incomplete copies of only
14 portions of the file. Despite repeated requests, even in formal discovery, and after a
15 motion to compel in the Related Action, Respondent still has not been able to personally
16 inspect the original and copy the documents in question. Respondent also requires
17 inspection of the original documents because during the period of representing Chang
18 from May 2010 and lasting for several months thereafter, Respondent’s wife suffered
19 from major health issues, requiring extended hospitalization on two separate occasions,
20 which directly affected Respondent’s state of mind, emotions, the Chang trial, case and
21 handling. Further, the State Bar’s inquiry letter requested a response to specific
22 settlement offers allegedly made, including offers “for the amount claimed,” to which
23 Respondent provided a response to address the specific settlement demands in the inquiry.
24 Respondent is informed and believes the allegations in the Notice of Disciplinary Charges
25 are based on different alleged settlement offers, which facts were never brought to
26 Respondent’s attention and of which Respondent did not have any notice beforehand.
27 Counts Two, Three and Four are based on alleged settlement offers of which notice was
28

1 never served upon Respondent's prior to the Notice of Disciplinary Charges being filed.
2 Respondent reserves the right to assert additional facts.

3 26. As to para. 26, Respondent denies the inserted text, denies the context of
4 the allegations, but admits to the remaining quoted language. At the time of the initial
5 State Bar inquiry, and as explained to the State Bar, Respondent did not have possession
6 of the complete original file which had already been transferred to Chang's new attorney.
7 Further, Respondent's scanned copy of the file was lost due to hard drive crash, leaving
8 only a few, incomplete copies of only portions of the file. Despite repeated requests, even
9 in formal discovery, and after a motion to compel in the Related Action, Respondent still
10 has not been able to personally inspect the original and copy the documents in question.
11 Respondent also requires inspection of the original documents because during the period
12 of representing Chang from May 2010 and lasting for several months thereafter,
13 Respondent's wife suffered from major health issues, requiring extended hospitalization
14 on two separate occasions, which directly affected Respondent's state of mind, emotions,
15 the Chang trial, case and handling. Further, the State Bar's inquiry letter requested a
16 response to specific settlement offers allegedly made, including offers "for the amount
17 claimed," to which Respondent provided a response to address the specific settlement
18 demands in the inquiry. Respondent is informed and believes the allegations in the
19 Notice of Disciplinary Charges are based on different alleged settlement offers, which
20 facts were never brought to Respondent's attention and of which Respondent did not have
21 any notice beforehand. Counts Two, Three and Four are based on alleged settlement
22 offers of which notice was never served upon Respondent's prior to the Notice of
23 Disciplinary Charges being filed. Respondent reserves the right to assert additional facts.

24 27. As to para. 27, Respondent denies the allegations. At the time of the initial
25 State Bar inquiry, and as explained to the State Bar, Respondent did not have possession
26 of the complete original file which had already been transferred to Chang's new attorney.
27 Further, Respondent's scanned copy of the file was lost due to hard drive crash, leaving
28 only a few, incomplete copies of only portions of the file. Despite repeated requests, even

1 in formal discovery, and after a motion to compel in the Related Action, Respondent still
2 has not been able to personally inspect the original and copy the documents in question.
3 Respondent also requires inspection of the original documents because during the period
4 of representing Chang from May 2010 and lasting for several months thereafter,
5 Respondent's wife suffered from major health issues, requiring extended hospitalization
6 on two separate occasions, which directly affected Respondent's state of mind, emotions,
7 the Chang trial, case and handling. Further, the State Bar's inquiry letter requested a
8 response to specific settlement offers allegedly made, including offers "for the amount
9 claimed," to which Respondent provided a response to address the specific settlement
10 demands in the inquiry. Respondent is informed and believes the allegations in the
11 Notice of Disciplinary Charges are based on different alleged settlement offers, which
12 facts were never brought to Respondent's attention and of which Respondent did not have
13 any notice beforehand. Counts Two, Three and Four are based on alleged settlement
14 offers of which notice was never served upon Respondent's prior to the Notice of
15 Disciplinary Charges being filed. Respondent reserves the right to assert additional facts.

16 28. As to para. 28, Respondent denies the allegations. Further, Respondent's
17 scanned copy of the file was lost due to hard drive crash, leaving only a few, incomplete
18 copies of only portions of the file. Despite repeated requests, even in formal discovery,
19 and after a motion to compel in the Related Action, Respondent still has not been able to
20 personally inspect the original and copy the documents in question. Respondent also
21 requires inspection of the original documents because during the period of representing
22 Chang from May 2010 and lasting for several months thereafter, Respondent's wife
23 suffered from major health issues, requiring extended hospitalization on two separate
24 occasions, which directly affected Respondent's state of mind, emotions, the Chang trial,
25 case and handling. Further, the State Bar's inquiry letter requested a response to specific
26 settlement offers allegedly made, including offers "for the amount claimed," to which
27 Respondent provided a response to address the specific settlement demands in the inquiry.
28 Respondent is informed and believes the allegations in the Notice of Disciplinary Charges

1 are based on different alleged settlement offers, which facts were never brought to
2 Respondent's attention and of which Respondent did not have any notice beforehand.
3 Counts Two, Three and Four are based on alleged settlement offers of which notice was
4 never served upon Respondent's prior to the Notice of Disciplinary Charges being filed.
5 Respondent reserves the right to assert additional facts.
6

7 **VERIFICATION**

8 I have personal knowledge of the facts stated above, except as to those matters
9 stated on information or belief or based on lack of information, and such responses are
10 provided in good faith based on available information or belief. I declare under penalty
11 of perjury that the foregoing answer is true and correct to the best of my ability and on the
12 information, belief or lack of information available at this time. Executed at Los Angeles,
13 California.

14 DATED: November 26, 2012

15 By: _____

16 Henry M. Lee
17 Respondent
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PROOF OF SERVICE

I am employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the within action. My business address is **3530 Wilshire Blvd, Suite 1710, Los Angeles, CA 90010**. On **November 26, 2012**, I caused the foregoing document described as:

AMENDED ANSWER TO NOTICE AND DENIAL OF DISCIPLINARY CHARGES

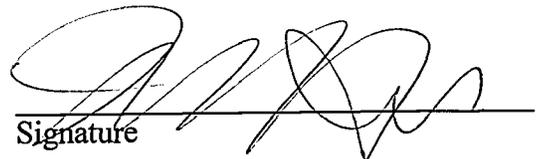
to be personally served on the party in this action by placing a true copy thereof in a sealed envelope addressed as follows:

Ashod Mooradian, Deputy Trial Counsel
Jayne Kim, Chief Trial Counsel
Joseph Carlucci, Deputy Chief Trial Counsel
Melanie J. Lawrence, Assistant Chief Trial Counsel
1149 South Hill Street
Los Angeles, CA 90015-2299
**Courtesy copy via Email to Ashod Mooradian,
Ashod.Mooradian@calbar.ca.gov**

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

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Jae Lee
Name


Signature

I am employed by A Plus Legal Service and am not a party to this action. My business address is **8417 Clanton St., San Gabriel, CA 91776**. On November 26, 2012, I personally hand delivered the above document to the addresses noted above.

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

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Bonifacio Hernandez
Name


Signature