

STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT – LOS ANGELES

In the Matter of ) Case Nos.: **12-O-14077 (12-O-18180;**  
) **12-O-18191; 13-O-10339;**  
) **13-O-10940; 13-O-11209;**  
**LAURA FURUTA,** ) **13-O-11745; 13-O-12587;**  
) **13-O-12707; 13-O-13111;**  
) **13-O-13693)**  
**Member No. 210198,** )  
) **DECISION AND ORDER OF**  
) **INVOLUNTARY INACTIVE**  
A Member of the State Bar. ) **ENROLLMENT**  
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Respondent Laura Furuta (respondent) was charged by the State Bar of California, Office of the Chief Trial Counsel (State Bar) in a Notice of Disciplinary Charges (NDC) with (1) false and misleading advertising; (2) act(s) of moral turpitude (twelve counts); (3) employing means inconsistent with the truth (two counts); (4) failing to render accounts of client funds (four counts); (5) failure to perform legal services with competence (seven counts); (6) aiding the unauthorized practice of law (eight counts); (7) violating Civil Code section 2944.6(a) (five counts); (8) violating Civil Code section 2944.7(a) (five counts);<sup>1</sup> (9) failing to obtain court permission to withdraw from employment; (10) failing to refund unearned fees (six counts);

<sup>1</sup> Violating Civil Code sections 2944.6(a) or 2944.7(a) is a violation of Business and Professions Code section 6106.3(a).

(11) improper withdrawal from employment (three counts); (12) failing to maintain confidentiality; and (13) failure to release a client file.<sup>2</sup> Respondent originally filed a response to the NDC but later requested to be allowed to withdraw her response. The court granted respondent's request, and her default was entered. The State Bar filed a petition for disbarment under rule 5.85 of the Rules of Procedure of the State Bar.<sup>3</sup>

Rule 5.85 provides the procedure to follow when an attorney fails to participate in a disciplinary proceeding after receiving adequate notice and opportunity. The rule provides that, if an attorney's default is entered for failing to respond to the NDC and the attorney fails to have the default set aside or vacated within 180 days, the State Bar will file a petition requesting the court to recommend the attorney's disbarment.<sup>4</sup>

In the instant case, the court concludes that the requirements of rule 5.85 have been satisfied and, therefore, grants the petition and recommends that respondent be disbarred from the practice of law.

### **FINDINGS AND CONCLUSIONS**

Respondent was admitted to practice law in this state on December 4, 2000, and has been a member of the State Bar since then.

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<sup>2</sup> This matter was originally assigned to the Honorable Richard A. Honn. However, effective May 9, 2014, this matter was reassigned to the undersigned judge.

<sup>3</sup> Unless otherwise indicated, all references to rules are to the Rules of Procedure of the State Bar which were in effect prior to July 1, 2014. Among other amendments, the default rules were amended effective July 1, 2014. However, as respondent's default was entered prior to July 1, 2014, the rules which were in effect at the time respondent's default was entered are the operative rules in this matter.

<sup>4</sup> If the court determines that any due process requirements are not satisfied, including adequate notice to the attorney, it must deny the petition for disbarment and take other appropriate action to ensure that the matter is promptly resolved. (Rule 5.85(E)(2).)

## **Procedural Requirements Have Been Satisfied**

On December 13, 2013, the State Bar filed and served the NDC on respondent's counsel by certified mail, return receipt requested. The NDC notified respondent that her failure to participate in the proceeding would result in a disbarment recommendation. (Rule 5.41.)

Respondent had actual notice of this proceeding, as she filed a response to the NDC on February 10, 2014. Respondent originally participated in this matter through her counsel. However, on April 16, 2014, respondent filed a motion to withdraw her response to the NDC, setting forth that it was her intent to default in this matter.<sup>5</sup> In her declaration in support of her motion, she stated that she understood that withdrawing her answer would result in her default, and that her default would result in her disbarment. Respondent decided to default after fully considering various factors, both personal and professional, and after discussing the matter with her attorney. The State Bar filed its opposition to respondent's motion on April 17, 2014. On May 2, 2014, the court filed an order granting respondent's motion to withdraw her answer, and her answer was withdrawn. As there was no answer, the court entered respondent's default effective upon the filing of the order. The order set forth that the State Bar had 20 days from service of the order to file a petition for disbarment. The order also enrolled respondent as an inactive member of the State Bar under Business and Professions Code section 6007, subdivision (e) effective three days after service of the order.<sup>6</sup> She has remained inactively enrolled since that time.

On May 5, 2014, the State Bar filed and properly served a petition for disbarment on respondent's counsel by certified mail, return receipt requested. As required by rule 5.85(A), the

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<sup>5</sup> At a status conference on April 3, 2014, respondent, through her counsel, informed the court that she did not wish to participate further in this proceeding and would not appear at trial.

<sup>6</sup> The order was properly served on respondent's counsel on May 2, 2014, by certified mail, return receipt requested.

State Bar reported in the petition that: (1) the State Bar has not had contact with respondent since the default was entered; (2) there are other investigations or disciplinary charges pending against respondent; (3) respondent has no prior record of discipline; and (4) the Client Security Fund (CSF) has not made any payments resulting from respondent's conduct. Respondent did not respond to the petition for disbarment or move to set aside or vacate the default. The case was submitted for decision on June 3, 2014.

**The Admitted Factual Allegations Warrant the Imposition of Discipline**

Upon entry of a respondent's default, the factual allegations in the NDC are deemed admitted and no further proof is required to establish the truth of such facts. (Rule 5.82.) As set forth below in greater detail, the factual allegations in the NDC support the conclusion that respondent is culpable of the rule and statutory violations as charged and, therefore, violated a statute, rule or court order that would warrant the imposition of discipline. (Rule 5.85(E)(1)(d).)

**1. Case Number 12-O-14077 (Advertising Matter)**

Count One - respondent willfully violated rule 1-400(D)(3) of the State Bar Rules of Professional Conduct (misleading communication/solicitation) by using radio advertisements, a website and law firm stationary under the name "S.C. Harris Law," although respondent had purchased the firm from attorney Samantha Harris (Harris) and respondent's name was not mentioned in any of the advertisements. This was misleading to the public, as it concealed the fact that respondent was the attorney responsible for the law firm activities, and it falsely implied that the law firm continued to be run by or affiliated with Harris and/or an attorney named S. C. Harris.

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Count Two – respondent willfully violated Business and Professions Code section<sup>7</sup> 6106 (moral turpitude) by filing or causing to be filed a complaint in superior court on behalf of a client using a signature stamp for attorney Harris when she knew or was grossly negligent in not knowing that Harris no longer represented the client.

Count Three – respondent willfully violated section 6068, subdivision (d) (attorney’s duty to employ means consistent with truth) by filing or causing to be filed a complaint in superior court on behalf of a client using a signature stamp for attorney Harris when Harris was no longer representing the client.

Count Four – respondent willfully violated section 6106 by filing or causing to be filed a demurrer and an answer to a complaint on behalf of her client in another superior court case, using a signature stamp for attorney Harris when she knew or was grossly negligent in not knowing that Harris no longer represented the client.

Count Five – respondent willfully violated section 6068, subdivision (d) by filing or causing to be filed a demurrer and an answer to a complaint in another superior court case on behalf of a client using a signature stamp for attorney Harris when Harris was no longer representing the client.

Count Six – respondent willfully violated section 6106 by falsely representing to her client in a telephone conversation that she was only at the office to assist attorney Harris when, in fact, respondent had purchased the law firm from Harris and knew that Harris was no longer representing the client.

Count Seven – respondent willfully violated section 6106 by sending or causing to be sent a letter to her clients, using a signature stamp for attorney Harris, when respondent knew that Harris no longer represented the clients.

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<sup>7</sup> All further references to section(s) refer to provisions of the Business and Professions Code.

Count Eight – respondent willfully violated rule 4-100(B)(3) of the State Bar Rules of Professional Conduct (maintain records of client property/render appropriate accounts) by failing to render an accounting to her clients in response to their request for a refund of advanced fees.

**2. Case Number 12-O-18180 (Velez Matter)**

Count Nine - respondent willfully violated rule 3-110(A) of the State Bar Rules of Professional Conduct (failing to perform legal services with competence) by intentionally, recklessly, or repeatedly failing to perform with competence by failing to (1) perform any services of value after filing a lawsuit on her clients' behalf; (2) properly supervise her non-attorney employees; (3) advise her clients that she had filed a lawsuit on their behalf; (4) discuss the likelihood of success or the amount of fees expected to be paid by the clients to successfully maintain their lawsuit; (5) oppose a demurrer on behalf of her clients; and (6) permitting her clients' lawsuit to be dismissed.

Count Ten – respondent willfully violated rule 1-300(A) of the State Bar Rules of Professional Conduct (aiding the unauthorized practice of law) by (1) delegating intake responsibilities, including initial case consultation and discussions of case strategy, to employees who were not licensed to practice law in California; (2) permitting non-attorneys in her office to falsely identify themselves as attorney Harris; and (3) permitting non-attorneys to discuss with the clients all legal rights and remedies.

Count Eleven – respondent willfully violated section 6106.3(a) (violation of Civil Code section 2944.6 or 2944.7) by failing to provide her clients, with whom she negotiated, arranged, or offered to perform a loan modification for a fee paid by the borrower/clients, with the separate written statement, in not less than 14-point bold type, as required by Civil Code section 2944.6(a), prior to entering into a fee agreement with the borrower/clients.

Count Twelve – respondent willfully violated section 6106.3(a) by agreeing to attempt to negotiate a loan modification for a fee for clients and thereafter collecting \$5,000 from the clients before she had fully performed each and every service respondent had contracted to perform or represented she would perform in violation of Civil Code section 2944.7.

Count Thirteen – respondent willfully violated rule 3-700(A)(1) of the State Bar Rules of Professional Conduct (withdrawal from employment without permission of tribunal) by failing to obtain the permission of the court to withdraw from representation of her clients when the rules of court required that she do so.

Count Fourteen - respondent willfully violated rule 3-700(D)(2) of the State Bar Rules of Professional Conduct (failing to refund unearned fees) by failing to refund, at any time, upon termination of her employment, any part of the unearned \$1,200 advanced fee paid by her clients.

**3. Case Number 12-O-18191 (Coria Matter)**

Count Fifteen – respondent willfully violated section 6106 by personally representing to a client, or someone on her behalf representing to a client, that the client employed attorney Harris for legal services and that attorney Harris represented the client in providing those legal services, when respondent knew or was grossly negligent in not knowing that respondent was the attorney the client had employed and that respondent was the attorney who represented the client.

Count Sixteen – respondent willfully violated rule 1-300(A) of the State Bar Rules of Professional Conduct by (1) delegating intake responsibilities, including initial case consultation and discussions of case strategy, to employees who were not licensed to practice law in California; and (2) permitting non-attorneys in her office to falsely identify themselves as attorney Harris.

Count Seventeen – respondent willfully violated section 6106.3(a) by failing to provide her client, with whom she negotiated, arranged, or offered, as part of her services, to perform a loan modification for a fee paid by the borrower/client, with the separate written statement, in not less than 14-point bold type, as required by Civil Code section 2944.6(a), prior to entering into a fee agreement with the borrower/client.

Count Eighteen – respondent willfully violated section 6106.3(a) by agreeing, as part of her legal services, to attempt to negotiate a loan modification for a fee for a client and thereafter collecting \$3,800 from the client before she had fully performed each and every service respondent had contracted to perform or represented she would perform in violation of Civil Code section 2944.7.

Count Nineteen – respondent willfully violated rule 3-700(D)(2) of the State Bar Rules of Professional Conduct by failing to promptly refund, upon termination of her employment, any part of the unearned \$3,800 advanced fee paid by her client.<sup>8</sup>

Count Twenty – respondent willfully violated rule 4-100(B)(3) of the State Bar Rules of Professional Conduct by failing to promptly render an accounting to her client in response to the client’s request(s) for a refund of advanced fees.

**4. Case Number 13-O-10339 (Vicuna Matter)**

Count Twenty-One – respondent willfully violated rule 3-110(A) of the State Bar Rules of Professional Conduct by intentionally, recklessly, or repeatedly failing to perform with competence by failing to (1) properly supervise her non-attorney employees; (2) advise her client that she would not be filing a lawsuit or application to stay the foreclosure date until the day before the foreclosure sale; (3) file a lawsuit on behalf of her client between the date of her employment by the client and the date of the scheduled foreclosure on the client’s home; and

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<sup>8</sup> The court does not recommend that respondent pay restitution to her client in this matter, as the State Bar failed to prove how much of the \$3,800 paid by the client was unearned.

(4) file an ex parte application to stay the foreclosure sale date.

Count Twenty-Two – respondent willfully violated rule 1-300(A) of the State Bar Rules of Professional Conduct by delegating intake responsibilities, including initial case consultation and discussions of case strategy, to employees who were not licensed to practice law in California.

Count Twenty-Three – respondent willfully violated rule 3-700(D)(2) of the State Bar Rules of Professional Conduct by failing to promptly refund, upon termination of her employment, any part of the unearned \$4,800 advanced fee paid by her client.

Count Twenty-Four – respondent willfully violated rule 4-100(B)(3) of the State Bar Rules of Professional Conduct by failing to promptly render an accounting to her client in response to the client's requests for a refund of advanced fees.

**5. Case Number 13-O-10940 (Barcenas Matter)**

Count Twenty-Five – respondent willfully violated section 6106 by personally representing to a client, or someone on her behalf falsely representing to her clients, that the clients employed attorney Harris and/or an attorney named S.C. Harris to perform legal services, when respondent knew or was grossly negligent in not knowing that respondent was the attorney the clients had employed and respondent was the attorney who represented the clients.

Count Twenty-Six – respondent willfully violated rule 3-110(A) of the State Bar Rules of Professional Conduct by intentionally, recklessly, or repeatedly failing to perform with competency by (1) failing to properly supervise her non-attorney employees; (2) failing to perform any services of value on behalf of the clients relating to preventing the lender's foreclosure on their home; (3) improperly filing a joint Chapter 7 bankruptcy petition on behalf of her clients even though she knew or was grossly negligent in not knowing that the clients were divorced and were not eligible to file a joint bankruptcy petition; (4) improperly listing in

Schedule I of the Chapter 7 bankruptcy petition that the clients were married when respondent knew that they were divorced; (5) improperly listing in Schedule A of the Chapter 7 bankruptcy petition that the clients had an ownership interest in certain real property when respondent knew that property had been foreclosed upon and that the clients no longer had any ownership interest in the property; (6) failing to provide the required tax returns and the bankruptcy questionnaire for the clients to the bankruptcy trustee in the Chapter 7 bankruptcy case; (7) twice sending a contract attorney to appear in her place to the creditors meeting in the Chapter 7 bankruptcy case without having the contract attorney adequately prepared with the proper paperwork to handle the proceeding; (8) failing to submit a certificate that the clients had each completed the required Instructional Course Concerning Financial Management (Official Form 23) resulting in the dismissal of the bankruptcy case; and (9) failing to dismiss the jointly filed Chapter 7 bankruptcy petition on behalf of each client and failing to file proper petitions on behalf of each client.

Count Twenty-Seven – respondent willfully violated rule 1-300(A) of the State Bar Rules of Professional Conduct by delegating intake responsibilities, including initial case consultation and discussions of case strategy, to employees who were not licensed to practice law in California.

Count Twenty-Eight – respondent willfully violated rule 3-700(D)(2) of the State Bar Rules of Professional Conduct by failing to promptly refund, at any time, upon termination of her employment, any part of the unearned \$2,500 advanced fee paid by her clients.

**6. Case Number 13-O-11209 (Ayala Matter)**

Count Twenty-Nine – respondent willfully violated section 6106 by entering into a fee agreement with a client, whereby she misrepresented to the client that the client had employed attorney Harris and/or an attorney named S.C. Harris to perform legal services, when respondent

knew or was grossly negligent in not knowing that respondent was the attorney the client had employed and respondent was the attorney who represented the client.

Count Thirty – respondent willfully violated rule 3-110(A) of the State Bar Rules of Professional Conduct by intentionally, recklessly, or repeatedly failing to perform with competence by (1) failing to properly supervise her non-attorney employees; (2) filing a lawsuit on behalf of the client and thereafter failing to perform any services of value; (3) failing to advise her client that she had filed a verified lawsuit on her behalf; (4) failing to discuss the likelihood of success or the amount of fees expected to be paid by the client to successfully maintain the lawsuit; and (5) dismissing the lawsuit without the client’s knowledge or consent.

Count Thirty-One – respondent willfully violated rule 1-300(A) of the State Bar Rules of Professional Conduct by (1) delegating intake responsibilities, including initial case consultation and discussions of case strategy, to employees who were not licensed to practice law in California; (2) permitting non-attorneys in her office to falsely identify themselves as attorney Harris; and (3) permitting non-attorneys to discuss with the client legal rights and remedies.

Count Thirty-Two – respondent willfully violated section 6106.3(a) by failing to provide her client, with whom she negotiated, arranged, or offered to perform a loan modification for a fee paid by the borrower/client, with the separate written statement, in not less than 14-point bold type, as required by Civil Code section 2944.6(a), prior to entering into a fee agreement with the borrower/client.

Count Thirty-Three – respondent willfully violated section 6106.3(a) by agreeing to attempt to negotiate a loan modification for a fee for a client and thereafter collecting \$13,400 from the client before she had fully performed each and every service respondent had contracted to perform or represented she would perform in violation of Civil Code section 2944.7.

Count Thirty-Four - respondent willfully violated rule 3-700(A)(2) of the State Bar Rules of Professional Conduct (improper withdrawal from employment) by failing, upon withdrawal from employment, to take reasonable steps to avoid reasonably foreseeable prejudice to her client by dismissing her client's case without her client's knowledge and consent.

**7. Case Number 13-O-11745 (Valencia Matter)**

Count Thirty-Five – respondent willfully violated rule 3-700(A)(2) of the State Bar Rules of Professional Conduct by failing, upon withdrawal from employment, to take reasonable steps to avoid reasonably foreseeable prejudice to her client by dismissing her client's case without her client's knowledge and consent.

Count Thirty-Six – respondent willfully violated rule 3-700(D)(2) of the State Bar Rules of Professional Conduct by failing to promptly refund, upon termination of her employment, any part of the unearned \$18,948<sup>9</sup> advanced fee paid by her client.

Count Thirty-Seven – respondent willfully violated section 6068, subdivision (e) (attorney's duty to maintain confidence and secrets of client) by making certain statements in her declaration in support of a motion to withdraw as counsel of record and in attaching an exhibit to the motion which contained communications from her to her client which were not necessary to the motion, thereby failing to maintain the confidence and secrets of her client.

**8. Case Number 13-O-12587 (Aguilera Matter)**

Count Thirty-Eight – respondent willfully violated section 6106 by entering into a fee agreement with her clients whereby she misrepresented to the clients that they had employed attorney Harris and/or an attorney named S.C. Harris to perform legal services, when respondent

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<sup>9</sup> Although the NDC alleges that respondent failed to refund promptly any part of the \$4,800 fee, this amount appears to be in error, as the NDC alleges that respondent received \$18,948 in advanced fees from her client and performed no services of value on her client's behalf. Accordingly, the court finds that respondent failed to promptly refund any part of the \$18,948 fee paid in advance by the client.

knew or was grossly negligent in not knowing that respondent was the attorney the clients had employed and respondent was the attorney who represented the clients.

Count Thirty-Nine – respondent willfully violated rule 3-110(A) of the State Bar Rules of Professional Conduct by intentionally, recklessly or repeatedly failing to perform with competence by (1) failing to properly supervise her non-attorney employees; (2) filing a lawsuit on behalf of her clients and thereafter failing to perform any services of value; and (3) dismissing the lawsuit without the clients' knowledge or consent.

Count Forty – respondent willfully violated rule 1-300(A) of the State Bar Rules of Professional Conduct by (1) delegating intake responsibilities, including initial case consultation and discussions of case strategy, to employees who were not licensed to practice law in California; (2) permitting non-attorneys in her office to falsely identify themselves as attorney Harris; and (3) permitting non-attorneys to discuss with the clients legal rights and remedies.

Count Forty-One – respondent willfully violated section 6016.3(a) by failing to provide her clients, with whom she negotiated, arranged, or offered to perform a loan modification for a fee paid by the borrowers/clients, with the separate written statement, in not less than 14-point bold type, as required by Civil Code section 2944.6(a), prior to entering into a fee agreement with the borrowers/clients.

Count Forty-Two – respondent willfully violated section 6106.3(a) by agreeing to attempt to negotiate a loan modification for a fee for clients and thereafter collecting \$6,800 from the clients before she had fully performed each and every service respondent had contracted to perform or represented she would perform in violation of Civil Code section 2944.7.

**9. Case Number 13-O-12707 (Coloma Matter)**

Count Forty-Three – respondent willfully violated rule 3-700(A)(2) of the State Bar Rules of Professional Conduct by failing, upon withdrawal from employment, to take reasonable

steps to avoid reasonably foreseeable prejudice to her client by dismissing her client's case without her client's knowledge and consent.

**10. Case Number 13-O-13111 (Ruiz-Robles Matter)**

Count Forty-Four – respondent willfully violated section 6106 by entering into two fee agreements with a client, whereby she misrepresented to the client that the client had employed attorney Harris and/or an attorney named S.C. Harris to perform legal services, when respondent knew or was grossly negligent in not knowing that respondent was the attorney the client had employed and respondent was the attorney who represented the client.

Count Forty-Five – respondent willfully violated rule 3-110(A) of the State Bar Rules of Professional Conduct by intentionally, recklessly or repeatedly failing to perform with competence by (1) failing to properly supervise her non-attorney employees; (2) filing two Chapter 13 bankruptcy petitions on behalf of her client and permitting the cases to be dismissed due to filing deficiencies which respondent failed to cure; and (3) failing to perform any services of value with respect to the client's matter.

Count Forty-Six – respondent willfully violated rule 1-300(A) of the State Bar Rules of Professional Conduct by delegating intake responsibilities, including initial case consultation and discussions of case strategy, to employees who were not licensed to practice law in California.

Count Forty-Seven – respondent willfully violated rule 3-700(D)(2) of the State Bar Rules of Professional Conduct by failing to refund any part of the unearned \$3,750 advanced fee paid by her client.

Count Forty-Eight – respondent willfully violated rule 3-700(D)(1) of the State Bar Rules of Professional Conduct (failure to return client papers/property) by failing to promptly release to her client, after termination of her employment, all the client's property and papers following the client's request for the client's file.

Count Forty-Nine – respondent willfully violated rule 4-100(B)(3) of the State Bar Rules of Professional Conduct by failing, upon the client’s request, to render an appropriate accounting to her client regarding advanced fees paid by the client.

**11. Case Number 13-O-13693 (Tapia Matter)**

Count Fifty – respondent willfully violated section 6106 by entering into a fee agreement with clients, whereby she misrepresented to the clients that the clients had employed attorney Harris and/or an attorney named S.C. Harris to perform legal services, when respondent knew or was grossly negligent in not knowing that respondent was the attorney the clients had employed and respondent was the attorney who represented the clients.

Count Fifty-One – respondent willfully violated rule 3-110(A) of the State Bar Rules of Professional Conduct by intentionally, recklessly or repeatedly failing to perform with competence by (1) failing to properly supervise her non-attorney employees; and (2) failing to perform any services of value to her clients.

Count Fifty-Two – respondent willfully violated rule 1-300(A) of the State Bar Rules of Professional Conduct by (1) delegating intake responsibilities, including initial case consultation and discussions of case strategy, to employees who were not licensed to practice law in California; (2) permitting non-attorneys in her office to falsely identify themselves as attorney Harris; and (3) permitting non-attorneys to discuss with the clients legal rights and remedies.

Count Fifty-Three – respondent willfully violated section 6106.3(a) by failing to provide her clients, with whom she negotiated, arranged, or offered to perform a loan modification for a fee paid by the borrowers/clients, with the separate written statement, in not less than 14-point bold type, as required by Civil Code section 2944.6(a), prior to entering into a fee agreement with the borrowers/clients.

Count Fifty-Four – respondent willfully violated section 6106.3(a) by agreeing to attempt to negotiate a loan modification for a fee for clients and thereafter collecting \$3,800 from the clients before she had fully performed each and every service respondent had contracted to perform or represented she would perform in violation of Civil Code section 2944.7.

**12. Case Numbers 12-O-14077; 12-O-18180; 12-O-18191; 13-O-11209; 13-O-11745; 13-O-12587; 13-O-13693**

Count Fifty-Five – respondent willfully violated section 6106 by entering into fee agreements with several clients, which ostensibly indicated they were for services other than loan modifications, when the clients were seeking loan modifications, with the intention and purpose of circumventing Civil Code section 2944.7.

**13. Case Numbers 12-O-14077; 12-O-18180; 12-O-18191; 13-O-10339; 13-O-10940; 13-O-11209; 13-O-11745; 13-O-12587; 13-O-12707; 13-O-13111; 13-O-13693**

Count Fifty-Six – respondent willfully violated section 6106 by habitually disregarding the interests of several clients.

**Disbarment is Recommended**

Based on the above, the court concludes that the requirements of rule 5.85(E) have been satisfied, and respondent’s disbarment is recommended. In particular:

(1) the NDC was served on respondent’s counsel;

(2) respondent had actual notice of the proceedings prior to the entry of her default, as she filed a response to the NDC and originally participated in this matter through her counsel. However, respondent thereafter sought to withdraw her response to the NDC, setting forth that it was her intent to default in this matter, and the court granted respondent’s request;

(3) the default was properly entered; and

(4) the factual allegations in the NDC deemed admitted by the entry of the default support a finding that respondent violated a statute, rule or court order that would warrant the imposition of discipline.

Despite actual notice and opportunity, respondent failed to participate in this disciplinary proceeding. As set forth in the Rules of Procedure of the State Bar, the court recommends disbarment.

### **RECOMMENDATION**

#### **Disbarment**

The court recommends that respondent Laura Furuta be disbarred from the practice of law in the State of California and that her name be stricken from the roll of attorneys.

#### **Restitution**

The court also recommends that respondent be ordered to make restitution to the following payees:

- (1) Maria Velez and Gerardo Velez in the amount of \$1,200 plus 10 percent interest per year from October 8, 2012;
- (2) Jose Vicuna in the amount of \$4,800 plus 10 percent interest per year from October 10, 2012;
- (3) Esteban Barcenas and Azucena Barcenas in the amount of \$2,500 plus 10 percent interest per year from November 16, 2012;
- (4) Maria Ayala in the amount of \$13,400 plus 10 percent interest per year from July 27, 2012;
- (5) Arcelia Valencia in the amount of \$18,948 plus 10 percent interest per year from January 24, 2013; and
- (6) Olga Mirna Ruiz-Robles in the amount of \$3,750 plus 10 percent interest per year from November 25, 2011.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

**California Rules of Court, Rule 9.20**

The court also recommends that respondent be ordered to comply with the requirements of California Rules of Court, rule 9.20, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court order in this proceeding.

**Costs**

The court further recommends that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, such costs being enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**ORDER OF INVOLUNTARY INACTIVE ENROLLMENT**

In accordance with Business and Professions Code section 6007, subdivision (c)(4), the court orders that Laura Furuta, State Bar number 210198, be involuntarily enrolled as an inactive member of the State Bar of California, effective three calendar days after the service of this decision and order. (Rule 5.111(D).)

Dated: August 28, 2014

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RICHARD A. PLATEL  
Judge of the State Bar Court