# PUBLIC MATTER

STATE BAR OF CALIFORNIA 1 OFFICE OF THE CHIEF TRIAL COUNSEL FILED JAYNE KIM, No. 174614 2 CHIEF TRIAL COUNSEL JOSEPH R. CARLUCCI, No. 172309 3 DEPUTY CHIEF TRIAL COUNSEL DEC 0 4 2013 SUSAN I. KAGAN, No. 214209 4 ASSISTANT CHIEF TRIAL COUNSEL ERICA L. M. DENNINGS, No. 145755 STATE BAR COURT CLERK'S OFFICE SENIOR TRIAL COUNSEL SAN FRANCISCO 180 Howard Street 6 San Francisco, California 94105-1639 Telephone: (415) 538-2452 7 8 9 STATE BAR COURT 10 HEARING DEPARTMENT - SAN FRANCISCO 11 12 In the Matter of: Case Nos. 12-O-15071;12-O-15072 13 ROBERT L. ANDERSON. NOTICE OF DISCIPLINARY CHARGES 14 No. 40025, 15 SCOTT L. STEEVER No. 180189, 16 Members of the State Bar. 17 **NOTICE - FAILURE TO RESPOND!** 18 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE 19 WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 20 (1) YOUR DEFAULT WILL BE ENTERED; 21 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW; 22 (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION 23 AND THE DEFAULT IS SET ASIDE, AND; (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 24 SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN 25 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., 26 RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA. 27 kwiktag\* The State Bar of California alleges: 28

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### JURISDICTION

- 1. ROBERT L. ANDERSON ("ANDERSON") was admitted to the practice of law in the State of California on January 26, 1967, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.
- 2. SCOTT L. STEEVER ("STEEVER") was admitted to the practice of law in the State of California on December 6, 1995, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.
  - 3. ANDERSON and STEEVER will be referred to herein collectively as "Respondents."

#### **COUNT ONE**

Case Nos. 12-O-15071; 12-O-15072 Rules of Professional Conduct, rule 4-100(A) [Failure to Maintain Client Funds in Trust Account]

4. Prior to on or about November 13, 2009 Respondents received on behalf of Respondents' client, Bonnie Margolin, a check from Protective Life Insurance Company made payable to the client in the sum of \$318,903.94. On or about November 13, 2009, Respondents deposited the \$318,903.94 check into Respondents' client trust account at the American River Bank, Account number XXXXXX6438¹ on behalf of the client. Of this sum, the client was entitled to at least \$209,000. Respondents failed to maintain a balance of \$209,000 on behalf of the client in Respondents' client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

<sup>&</sup>lt;sup>1</sup> The full account number is redacted to protect against identity theft.

#### **COUNT TWO**

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Case Nos. 12-O-15071; 12-O-15072 Business and Professions Code, section 6106 [Moral Turpitude-Misappropriation]

5. Prior to on or about November 13, 2009 Respondents received on behalf of Respondents' client, Bonnie Margolin a check from Protective Life Insurance Company made payable to the client in the sum of \$318,903.94. On or about November 13, 2009, Respondents deposited the \$318,903.94 check into Respondents' client trust account at the American River Bank, Account number XXXXXX6438<sup>2</sup> on behalf of the client. Between on or about November 13, 2009 and April 30, 2010, Respondents dishonestly or grossly negligently misappropriated for Respondents' own use and purposes at least \$209,000 that the client was entitled to receive, and thereby committed an act involving moral turpitude, dishonesty or corruption in wilful violation of Business and Professions Code section 6106.

#### **COUNT THREE**

Case Nos. 12-O-15071;12-O-15072 Rules of Professional Conduct, rule 4-100(B)(4) [Failure to Pay Client Funds Promptly]

6. Prior to on or about November 13, 2009 Respondents received on behalf of Respondents' client, Bonnie Margolin a check from Protective Life Insurance Company made payable to the client in the sum of \$318,903.94. Of this sum, the client was entitled to at least \$209,000. On or about June 27, 2012, the client requested that Respondents disburse \$209,000 to her. To date, Respondents have failed to pay promptly, as requested by Respondents' client, any portion of the \$209,000 in Respondents' possession in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

<sup>&</sup>lt;sup>2</sup> The full account number is redacted to protect against identity theft.

# DATED: December 4, 2013

# **NOTICE - INACTIVE ENROLLMENT!**

YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.

# **NOTICE - COST ASSESSMENT!**

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA OFFICE OF THE CHIEF TRIAL COUNSEL

By: Erica L. M. Dennings
Deputy Trial Counsel

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#### DECLARATION OF SERVICE BY REGULAR MAIL, CERTIFIED MAIL AND EMAIL 1 CASE NUMBER: 12-O-15071;12-O-15072 2 3 I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the 5 United States Postal Service; that in the ordinary course of the State Bar of California's practice. correspondence collected and processed by the State Bar of California would be deposited with 6 the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or 7 package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of 8 mail, I deposited or placed for collection and mailing in the City and County of San Francisco, on the date shown below, a true copy of the within 9 10 NOTICE OF DISCIPLINARY CHARGES 11 in a sealed envelope placed for collection and mailing as regular mail, email and certified mail, return receipt requested, Article No.: 7196 9008 9111 6240 1010; 7196 9008 9111 6240 1027, at 12 San Francisco, on the date shown below, addressed to: 13 Robert L. Anderson, Robert L. Anderson, Attorney at Law P.O. Box 5227 14 Santa Rosa, CA 95402 Article No.: 7196 9008 9111 6240 1010 15 Email: rlalaw2012@gmail.com 16 Scott Loren Steever 979 Golf Course Drive, #3 Rohnert Park. CA 94928 Article No.: 7196 9008 9111 6240 1027 Email: Eps010457@aol.com

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

25 DATED: December 4, 2013

Signed Declarant

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