

1 STATE BAR OF CALIFORNIA  
2 OFFICE OF THE CHIEF TRIAL COUNSEL  
3 JAYNE KIM, No. 174614  
4 CHIEF TRIAL COUNSEL  
5 JOSEPH R. CARLUCCI, No. 172309  
6 DEPUTY CHIEF TRIAL COUNSEL  
7 SUSAN I. KAGAN, No. 214209  
8 ASSISTANT CHIEF TRIAL COUNSEL  
9 SUSAN CHAN, No. 233229  
10 SENIOR TRIAL COUNSEL  
11 ROBIN BRUNE, No. 149481  
12 SENIOR TRIAL COUNSEL  
13 180 Howard Street  
14 San Francisco, California 94105-1639  
15 Telephone: (415) 538-2218  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PUBLIC MATTER**

**FILED**

**APR 23 2013**

**STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO**

**STATE BAR COURT**

**HEARING DEPARTMENT - SAN FRANCISCO**

In the Matter of: ) Case No. 12-O-16850; [13-O-11620]  
HAL WRIGHT, )  
No. 157814, ) NOTICE OF DISCIPLINARY CHARGES  
A Member of the State Bar )

**NOTICE - FAILURE TO RESPOND!**

**IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE  
WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT  
THE STATE BAR COURT TRIAL:**

- (1) YOUR DEFAULT WILL BE ENTERED;**
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU  
WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN  
THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION  
AND THE DEFAULT IS SET ASIDE, AND;**
- (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.  
SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE  
OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN  
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT  
FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,  
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**



1 The State Bar of California alleges:

2 JURISDICTION

3 1. Hal Wright ("Respondent") was admitted to the practice of law in the State of  
4 California on April 7, 1997, was a member at all times pertinent to these charges, and is currently  
5 a member of the State Bar of California.

6 COUNT ONE

7 Case No. 13-O-11620  
8 Business and Professions Code, section 6106  
9 [Moral Turpitude]

10 2. Respondent willfully violated Business and Professions Code, section 6106, by  
11 committing an act involving moral turpitude, dishonesty or corruption, as follows:

12 3. Steve Isaacson (hereinafter, "Isaacson") hired respondent in or about September,  
13 2010, to represent him in a personal injury matter in connection with a fall Isaacson sustained at  
14 the Big Idea Theater in Sacramento, California on June 5, 2010. The parties did not execute a  
15 written fee agreement.

16 4. Respondent settled Isaacson's claim against the Big Idea Theater with Northland  
17 Insurance Company on or about April 1, 2011 for the sum of \$40,000.

18 5. On or about April 1, 2011, respondent signed, or caused to be signed without their  
19 knowledge, consent or authority, Isaacson's signature, and his wife, Jan Isaacson's signature, on  
20 the General Release, Defense, Indemnity and Hold Harmless Agreement for the Isaacson matter  
21 (hereinafter, "release") and forwarded it to Northland Insurance Company.

22 6. Based upon receipt of the aforementioned release, Northland Insurance Company  
23 issued two checks in settlement of the claim.

24 7. The first check, check no. 9360, dated April 5, 2011, was issued to Steve and Jan  
25 Isaacson and their Attorney, Hal E. Wright, in the sum of \$5,000.

26 8. The second check, check no. 93601, also dated April 5, 2011, was issued to Steve and  
27 Jan Isaacson and their Attorney, Hal E. Wright, in the sum of \$35,000.

9. Respondent signed, or caused to be signed without their knowledge, consent or authority, the signatures of Isaacson and Jan Isaacson on the backs of each of the checks.

10. Respondent received the settlement funds from the checks and dishonestly spent the monies on matters unrelated to Isaacson.

11. Respondent misappropriated the Isaacson settlement funds to himself.

12. By misappropriating the Isaacson settlement monies to himself, respondent committed an act involving moral turpitude, dishonesty or corruption.

COUNT TWO

Case No. 13-O-11620  
Business and Professions Code, section 6106  
[Moral Turpitude]

13. Respondent willfully violated Business and Professions Code, section 6106, by committing an act involving moral turpitude, dishonesty or corruption, as follows:

14. The allegations of Count One are hereby incorporated by reference.

15. Isaacson did not know about, or agree to, the settlement of his personal injury matter against Big Idea Theater.

16. From the beginning of his representation until January, 2013, respondent made statements and representations to Isaacson indicating that he was pursuing the personal injury case, he had filed suit, and that litigation was proceeding forward.

17. In fact, respondent did not file a personal injury case against Big Idea Theater on behalf of Isaacson.

18. Respondent sent Isaacson numerous emails in which he misled Isaacson to believe that Isaacson's case was moving forward. The emails include, but are not limited to, the following:

i) On October 9, 2012, respondent sent Isaacson an email stating, "Hi Steve, Still working on getting you some jingle."



23. By misrepresenting to Northland Insurance company, that Isaacson knew and consented to the settlement, by way of signing, or causing to be signed without their knowledge, consent or authority, Isaacson and Jan Isaacson's signature on the April 1, 2011 release; and by misrepresenting to Northland Insurance Company, that Isaacson and Jan Isaacson had endorsed the checks by signing, or causing to be signed without their knowledge, consent or authority, Isaacson and Jan Isaacson's signatures on the checks, respondent committed acts involving moral turpitude, dishonesty or corruption.

COUNT FOUR

Case No. 13-O-11620  
Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

24. Respondent willfully violated Rules of Professional Conduct, rule 3-110(A), by intentionally, recklessly, or repeatedly failing to perform legal services with competence, as follows:

25. The allegations of Counts One through Three are hereby incorporated by reference.

26. By failing to obtain Isaacson's consent to the settlement; and by absconding with the settlement proceeds; respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence.

COUNT FIVE

Case No. 13-O-11620  
Business and Professions Code, section 6106  
[Moral Turpitude]

27. Respondent willfully violated Business and Professions Code, section 6106, by committing an act involving moral turpitude, dishonesty or corruption, as follows:

28. The allegations of Counts One through Four are hereby incorporated by reference.

29. In December, 2011, respondent told Isaacson that he intended to file suit on behalf of Isaacson for medical malpractice.

1       30. On or about August 1, 2012, pursuant to respondent's request, Isaacson wrote a  
2 check, check no. 6043, in the amount of \$390 to the Sacramento Court for the purpose of paying  
3 for the filing fees for his medical malpractice case and gave the check to the respondent.

4       31. Respondent received the check for \$390 from Isaacson. Respondent subsequently  
5 scratched out the payee, "Sac Superior Court", and wrote in "Hal Wright POA" and cashed the  
6 check.

7       32. Respondent dishonestly misappropriated the Court filing fees for his own use and  
8 purposes.

9       33. By misappropriating the court filing fees to himself, respondent committed acts  
10 involving moral turpitude, dishonesty or corruption.

11  
12                                   COUNT SIX

13                                   Case No. 13-O-11620  
14                                   Business and Professions Code, section 6106  
                                      [Moral Turpitude]

15       34. Respondent willfully violated Business and Professions Code, section 6106, by  
16 committing an act involving moral turpitude, dishonesty or corruption, as follows:

17       35. The allegations of Counts One through Five are hereby incorporated by reference.

18       36. Respondent never filed suit for malpractice on behalf of Isaacson.

19       37. By misrepresenting to Isaacson that he was going to file suit on behalf of Isaacson for  
20 medical malpractice, as a pretext to obtaining the check for \$390.00, respondent committed an  
21 act involving moral turpitude, dishonesty or corruption.

22  
23                                   COUNT SEVEN

24                                   Case No. 13-O-11620  
25                                   Business and Professions Code, section 6106  
                                      [Moral Turpitude]

26       38. Respondent willfully violated Business and Professions Code, section 6106, by  
27 committing an act involving moral turpitude, dishonesty or corruption, as follows:

1 39. The allegations of Counts One through Six are hereby incorporated by reference.

2 40. Isaacson hired respondent for a second matter in May, 2012. In his capacity as board  
3 member and Vice President of the Davis Musical Theater company, (hereinafter, "DMTC")  
4 Isaacson hired respondent to obtain the proceeds of a bequeath to the DMTC that a theater  
5 patron, Evalynn "Bridget" F. Davis, (hereinafter, "Bridget's Trust") had left to DMTC in her  
6 will. The parties did not execute a written fee agreement.

7 41. In or about May, 2012, Isaacson gave the letter regarding the inheritance and related  
8 documents to the respondent.

9 42. On or about October 1, 2012, respondent executed a document entitled Beneficiary  
10 Waiver of Account and Consent to Final Distribution in connection with the Bridget's Trust  
11 matter.

12 43. On or about November 19, 2012, respondent received a check, check no. 1113, for  
13 \$15,500 from Janice Townsend, Trustee, on behalf of Bridget's Trust, issued to the Davis  
14 Musical Theater Group, constituting the Bridget Trust's payment to DMTC.

15 44. Respondent endorsed, or caused to be endorsed, the check from Bridget's Trust.

16 45. Respondent obtained the funds from the \$15,500 check from Bridget's Trust and  
17 dishonestly appropriated them to himself. Neither Isaacson nor DMTC ever received the  
18 \$15,500 in funds from Bridget's Trust.

19 46. By misappropriating the Bridget Trust funds to himself, respondent committed an act  
20 involving moral turpitude, dishonesty or corruption.

21

22

### COUNT EIGHT

23

24

Case No. 13-O-11620  
Rules of Professional Conduct, rule 4-100(B)(1)  
[Failure to Notify of Receipt of Client Funds]

25

26

27

28

47. Respondent willfully violated Rules of Professional Conduct, rule 4-100(B)(1), by  
failing to notify a client promptly of the receipt of the client's funds, as follows:

29

30

48. The allegations of Counts One through Seven are hereby incorporated by reference.

1 49. Respondent did not advise Isaacson when he received the \$15,500 from Bridget's  
2 Trust.

3 50. By failing to advise Isaacson when he received the \$15,500 from Bridget's Trust,  
4 Respondent failed to notify a client promptly of the receipt of the client's funds.

5  
6 COUNT NINE

7 Case No. 12-O-16850  
8 Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

9 51. Respondent willfully violated Rules of Professional Conduct, rule 3-110(A), by  
10 intentionally, recklessly, or repeatedly failing to perform legal services with competence, as  
11 follows:

12 52. On or about March 29, 2010, Steven and Kathleen Ramirez (the "Ramirez") hired  
13 respondent to obtain a trademark for their company, Ramirez Tow, as well as to obtain two  
14 limited liability corporations, and seek to vacate a judgment against them. The Ramirez's paid  
15 the respondent the sum of \$3,000 as an advanced fee.

16 53. Thereafter, respondent took no substantive action on their behalf.

17 54. By failing to take substantive action on the Ramirez's behalf, respondent  
18 intentionally, recklessly, or repeatedly failed to perform legal services with competence.

19  
20 COUNT TEN

21 Case No. 12-O-16850  
22 Business and Professions Code, section 6106  
[Moral Turpitude]

23 55. Respondent willfully violated Business and Professions Code, section 6106, by  
24 committing an act involving moral turpitude, dishonesty or corruption, as follows:

25 56. The allegations of Count Nine are hereby incorporated by reference.

26 57. On or about December 17, 2010; January 13, 2011; October 5, 2011; and January 19,  
27 2012, the Ramirez's sent respondent emails requesting the status of their legal matter.



58. On or about October 5, 2011, respondent sent an email to Kathy Ramirez indicating that he had downloaded and filled out forms to get a copyright/servicemark registered in California and "mailed them, along with the required fee, about three weeks ago." Ramirez received this October 5, 2011 email from respondent.

59. In fact, respondent did not submit a request for copyright or servicemark on behalf of the Ramirez's to any California registration process.

60. By misrepresenting to the clients that he had taken action on their behalf when in fact he had not done so, respondent committed an act involving moral turpitude, dishonesty or corruption.

COUNT ELEVEN

Case No. 12-O-16850  
Rules of Professional Conduct, rule 4-100(B)(3)  
[Failure to Render Accounts of Client Funds]

61. Respondent willfully violated Rules of Professional Conduct, rule 4-100(B)(3), by failing to render appropriate accounts to a client regarding all funds coming into Respondent's possession, as follows:

62. The allegations of Counts Nine and Ten are hereby incorporated by reference.

63. On or about February 22, 2012, Kathy Ramirez sent an email to the respondent requesting an accounting and a full refund.

64. Respondent received Kathy Ramirez's February 22, 2012 email.

65. Respondent failed to provide Kathy Ramirez with a timely accounting.

66. Respondent provided a belated accounting to the State Bar on or about February 13, 2013.

67. By failing to provide a timely accounting at his client's request, respondent failed to render appropriate accounts to a client regarding all funds coming into Respondent's possession.

//

11

COUNT TWELVE

Case No. 12-O-16850  
Rules of Professional Conduct, rule 3-700(D)(2)  
[Failure to Refund Unearned Fees]

68. Respondent willfully violated Rules of Professional Conduct, rule 3-700(D)(2), by failing to refund promptly any part of a fee paid in advance that has not been earned, as follows:

69. The allegations of Counts Nine through Eleven are hereby incorporated by reference.

70. The Ramirez's obtained new counsel, Terry Carlone, to assist them.

71. On or about March 28, 2012, Terry Carlone sent an email to respondent and requested a full refund of \$3,000 in thirty days.

72. Respondent refused to provide a refund and sought to negotiate a payment plan, but otherwise agreed to a full refund.

73. Respondent provided no service of value to the Ramirez's and owed a full refund of \$3,000.<sup>1</sup>

74. Respondent made one payment of \$500 on or about June 8, 2012 but made no further payments.

75. By failing to refund \$2,500 in unearned fees, respondent failed to refund promptly any part of a fee paid in advance that has not been earned.

**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.**

///

<sup>1</sup> In respondent's belated accounting, he indicates a total refund of \$1050 is owed. Respondent made one payment of \$500, leaving an additional \$550 still due and owing.

**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

DATED: April 19 2013

By: Robin Brune

Robin Brune  
Senior Trial Counsel

1                    **DECLARATION OF SERVICE BY CERTIFIED AND REGULAR MAIL**

2   **HAL WRIGHT**  
3   **CASE NOS.: 12-O-16850 [13-O-11620]**

4   I, the undersigned, over the age of eighteen (18) years, whose business address and place of  
5   employment is the State Bar of California, 180 Howard Street, San Francisco, California  
6   94105, declare that I am not a party to the within action; that I am readily familiar with the  
7   State Bar of California's practice for collection and processing of correspondence for mailing  
8   with the United States Postal Service; that in the ordinary course of the State Bar of  
9   California's practice, correspondence collected and processed by the State Bar of California  
10   would be deposited with the United States Postal Service that same day; that I am aware that  
11   on motion of party served, service is presumed invalid if postal cancellation date or postage  
12   meter date on the envelope or package is more than one day after date of deposit for mailing  
13   contained in the affidavit; and that in accordance with the practice of the State Bar of  
14   California for collection and processing of mail, I deposited or placed for collection and  
15   mailing in the City and County of San Francisco, on the date shown below, a true copy of the  
16   within

10                    **NOTICE OF DISCIPLINARY CHARGES**

11   in a sealed envelope placed for collection and mailing as ***certified mail, return receipt***  
12   **requested**, and in an additional sealed envelope as ***regular mail***, at San Francisco, on the date  
13   shown below, addressed to:

14                    **Article No. 7196 9008 9111 6240 0631:**

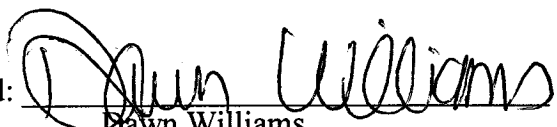
15                    **Hal E. Wright**  
                     **216 F St., #116**  
                     **Davis, CA 95616**

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

17                    **N/A**

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

20   DATED: April 23, 2013

Signed: 

Dawn Williams  
Declarant