

1 STATE BAR OF CALIFORNIA
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PUBLIC MATTER

FILED

DEC 06 2013

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

8 STATE BAR COURT

9 HEARING DEPARTMENT - LOS ANGELES
10

11 In the Matter of:

) Case No. 12-O-16924

12 JOSEPH DARRELL PALMER,
13 No. 125147,

) NOTICE OF DISCIPLINARY CHARGES
14)

15 A Member of the State Bar

NOTICE - FAILURE TO RESPOND!

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

- 19 (1) YOUR DEFAULT WILL BE ENTERED;
20 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
WILL NOT BE PERMITTED TO PRACTICE LAW;
21 (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;
22 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE
23 OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
24 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Joseph Darrell Palmer ("Respondent") was admitted to the practice of law in the State
4 of California on December 15, 1986, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 12-O-16924
8 Business and Professions Code, section 6106
9 [Moral Turpitude - Misrepresentation]

10 2. On or about June 2, 2010, Respondent filed an Affidavit in support of a Motion for
11 Admission Pro Hac Vice in *Gemelas v. The Dannon Co., Inc.*, case no. 1:08-CV-00236, in
12 United State District Court, Northern District of Ohio, Eastern Division, in which Respondent
13 declared under oath "I have never been the subject of disciplinary action of any kind before any
14 bar or court" when, in fact, Respondent knew or was grossly negligent in not knowing the
15 declaration was false, and thereby committed an act involving moral turpitude, dishonesty or
16 corruption in willful violation of Business and Professions Code, section 6106.

17 COUNT TWO

18 Case No. 12-O-16924
19 Business and Professions Code, section 6106
20 [Moral Turpitude - Misrepresentation]

21 3. On or about January 7, 2011 Respondent filed an Application for Leave to Appear Pro
22 Hac Vice in *Mark A. Arthur et.al. v. Sallie Mae, Inc.*, case no. 10-CV-00198-JLR in United State
23 District Court, Western District of Washington, in which Respondent declared under penalty of
24 perjury "I have not been disbarred or formally censured by a court of record or by a state bar
25 association....," when, in fact, Respondent knew or was grossly negligent in not knowing the
26 declaration was false, and thereby committed an act involving moral turpitude, dishonesty or
27 corruption in willful violation of Business and Professions Code, section 6106.

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COUNT THREE

Case No. 12-O-16924
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

4. On or about July 5, 2012 Respondent filed an Application for Leave to Appear Pro Hac Vice in *Alyson Herfert, et al. v. Crayola, LLC*, case no. 11-CV-1301-JCC, in United State District Court, Western District of Washington, in which Respondent declared under penalty of perjury "I have not been disbarred or formally censured by a court of record or by a state bar association..." when, in fact, Respondent knew or was grossly negligent in not knowing the declaration was false, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

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.

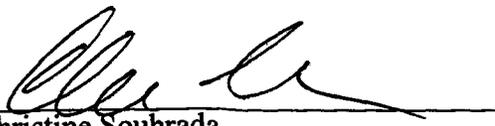
NOTICE - COST ASSESSMENT!

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

DATED: December 6, 2013

By: 
Christine Souhrada
Senior Trial Counsel

DECLARATION OF SERVICE BY CERTIFIED MAIL

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CASE NUMBER: 12-O-16924

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California 90015, 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 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 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 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 mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within

NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 6410 5893, at Los Angeles, on the date shown below, addressed to:

**Joseph D. Palmer
PO Box 548
Cardiff, CA 92007**

And Courtesy Regular U.S. Mail:

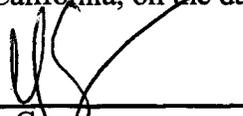
**Susan Lynn Margolis
Margolis & Margolis LLP
2000 Riverside Dr
Los Angeles, CA 90039**

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 Los Angeles, California, on the date shown below.

DATED: December 6, 2013

Signed: 

Max Carranza
Declarant