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| State Bar Court of California Hearing Department Los Angeles DISBARMENT | | |
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| Counsel For The State Bar Kim Kasrellovich Deputy Trial Counsel 845 South Figueroa Street Los Angeles, CA 90017 (213) 765-1378 Bar # 261766 | Case Number(s): 13-O-11112, - PEM 13-O-11124, 13-O-11828, 13-O-13222, 13-O-13498, 13-O-14592 (unfiled), 13-O-14614 (unfiled), 13-O-14725 (unfiled), 13-O-15096 (unfiled), 13-O-17319 (unfiled), 13-O-17559 (unfiled), 14-O-01141 (unfiled) | For Court use only <div style="text-align: center; font-size: 1.2em; font-weight: bold;">PUBLIC MATTER</div> <div style="text-align: center; font-size: 1.5em; font-weight: bold;">FILED</div> <div style="text-align: center; font-weight: bold;">APR 04 2014</div> <div style="text-align: center; font-size: 0.8em;">STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</div> |
| In Pro Per Respondent Antonio Munoz 1131 W 6th St Ontario, CA 91762 (909) 391-9393 Bar # 169530 | Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT DISBARMENT <input type="checkbox"/> PREVIOUS STIPULATION REJECTED | |
| In the Matter of: ANTONIO MUNOZ Bar # 169530 A Member of the State Bar of California (Respondent) | | |

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **December 13, 1993**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of (20) pages, not including the order.
- (4) A statement of acts or omissions acknowledged by respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."

(Effective January 1, 2014)



- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- ☒ Costs to be awarded to the State Bar.
- ☐ Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
- ☐ Costs are entirely waived.
- (9) ORDER OF INACTIVE ENROLLMENT:
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 5.111(D)(1).

B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(f) & 1.5]. Facts supporting aggravating circumstances are required.

- (1) ☒ **Prior record of discipline**
- (a) ☒ State Bar Court case # of prior case **12-O-13177**
- (b) ☒ Date prior discipline effective **September 6, 2013**
- (c) ☒ Rules of Professional Conduct/ State Bar Act violations: **Rules of Professional Conduct, rules 4-100(A), 3-110(A), and 3-700(D)(2), and Business and Professions Code, sections 6106, 6068(m) and 6068(i).**
- (d) ☒ Degree of prior discipline **one year suspension stayed, two years of probation and six months of actual suspension to continue until restitution has been completed**
- (e) ☐ If respondent has two or more incidents of prior discipline, use space provided below:
- (2) ☐ **Dishonesty:** Respondent's misconduct was intentional, surrounded by, or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) ☐ **Trust Violation:** Trust funds or property were involved and respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) ☒ **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice. **For a further discussion of Harm, see the Stipulation at page 16.**
- (5) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

- (6) ☐ **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) ☒ **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. **For a further discussion of Multiple Acts, see the Stipulation at page 16.**
- (8) ☒ **Restitution:** Respondent failed to make restitution. **For a further discussion of Restitution, see the Stipulation at page 16.**
- (9) ☐ **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standards 1.2(g) & 1.6]. Facts supporting mitigating circumstances are required.

- (1) ☐ **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) ☐ **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3) ☐ **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) ☐ **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) ☐ **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) ☐ **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to respondent and the delay prejudiced him/her.
- (7) ☐ **Good Faith:** Respondent acted with a good faith belief that was honestly held and reasonable.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (9) ☐ **Severe Financial Stress:** At the time of the misconduct, respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) ☒ **Family Problems:** At the time of the misconduct, respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature. **For a further discussion of Family Problems, see the Stipulation at page 16.**
- (11) ☐ **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.

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(12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation.

(13) ☐ **No mitigating circumstances** are involved.

Additional mitigating circumstances:

D. Discipline: Disbarment.

E. Additional Requirements:

- (1) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (2) ☒ **Restitution:** Respondent must make restitution to **Luis Santana** in the amount of \$ **1,300** plus 10 percent interest per year from **April 20, 2012**. If the Client Security Fund has reimbursed **Luis Santana** for all or any portion of the principal amount, respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5. Respondent must pay the above restitution and furnish satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles no later than **N/A** days from the effective date of the Supreme Court order in this case.
- (3) ☒ **Other: For Further Restitution see the Stipulation at page 19.**

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF:

ANTONIO MUNOZ

CASE NUMBERS:

13-O-1112 – PEM, 13-O-11124, 13-O-11828, 13-O-13222,
13-O-13498, 13-O-14592 (unfiled), 13-O-14614 (unfiled),
13-O-14725, 13-O-15096 (unfiled), 13-O-17319 (unfiled),
13-O-17559 (unfiled), 14-O-01141(unfiled)

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct:

Case No. 13-O-11112 (State Bar Investigation)

FACTS:

1. Between the period of October 9, 2012 and November 5, 2012, Respondent caused three debits to be made against his client trust account, Chase Bank, account no. *****3275 ("CTA"), that were returned unpaid, due to insufficient funds and one withdrawal paid against insufficient funds. The transactions were as follows:

| <u>Transaction</u> | <u>Date</u> | <u>Status</u> | <u>Amount</u> | <u>CTA Balance</u> |
|--------------------|-------------|---------------|---------------|--------------------|
| Electronic Debit | 10/9/12 | Unpaid | \$8742.77 | \$7.88 |
| Electronic Debit | 10/12/12 | Unpaid | \$8742.77 | \$7.88 |
| Withdrawal | 11/1/12 | Paid | \$200.00 | \$82.88 |
| Electronic Debit | 11/5/12 | Unpaid | \$7.95 | \$2.88 |

2. At the time Respondent caused the debits to be made against his client trust account he was grossly negligent in not knowing that there were insufficient funds in the account.

3. On July 11, 2013, a State Bar investigator sent Respondent a letter setting forth the allegations of the complaint and requesting a response. The investigator sent the letter to Respondent's membership records address. Respondent received the letter and Respondent did not respond.

4. On August 1, 2013, the State Bar investigator sent Respondent a second letter setting forth the allegations of the complaint and requesting a response. The investigator sent the letter to Respondent's membership records address. Respondent received the letter and Respondent did not respond.

CONCLUSIONS OF LAW:

5. By repeatedly issuing checks and debits drawn upon Respondent's client trust account, between October 9, 2012 and November 5, 2012, when Respondent was grossly negligent in not knowing that there was insufficient funds in the client trust account to pay them, Respondent committed

an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

6. By failing to provide a written response to the allegations as requested by the State Bar investigator, Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent, in willful violation of Business and Professions Code, section 6068(i).

Case No. 13-O-11124 (Complainant: Luis Santana and Francisco Vega)

FACTS:

7. In April 2012, Luis Santana ("Santana") and his uncle, Francisco Vega ("Vega"), employed Respondent to prepare living trusts for them. Respondent quoted Santana a fee of \$1300 and Vega a fee of \$1000.

8. At their first meeting in April 2012, Santana paid Respondent \$500. On April 20, 2012, Santana and his wife returned to Respondent's office to complete paperwork for the trust. Respondent requested the \$800 balance of his fee and Santana paid Respondent with a personal check.

9. Vega also hired Respondent in April 2012 to prepare a living trust and paid Respondent \$1000 in fees. Respondent interviewed Vega and told Vega that he would have the trust completed in one week.

10. Santana tried to contact Respondent multiple times on behalf of himself and Vega. Santana left voicemail messages for Respondent when he could but Respondent's phone number eventually stopped working. Respondent never responded to the voicemail messages and to date he has not completed either living trust.

11. Respondent did not provide any legal services to Santana and Vega and did not earn any of the \$2,300 Santana and Vega paid to Respondent. To date, Respondent has not refunded any of the \$2,300.

CONCLUSIONS OF LAW:

12. By failing to complete a living trust for either Santana or Vega, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

13. By failing to refund the advanced attorney fees of \$2,300 paid by Santana and Vega, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 13-O-13222 (Complainant: Norberto Naranjo)

FACTS:

14. In April 2012, Norberto Naranjo ("Naranjo") engaged Respondent for several legal matters, including two business matters and one personal matter.

15. On April 15, 2012, Naranjo paid Respondent \$5,000 to defend him in a personal matter, entitled *Vern v. Ford of Montebello*. From April 13, 2012 through January 13, 2013, opposing counsel sent Respondent letters and made multiple phone calls in an attempt to reach Respondent. Respondent received the letters and phone calls. Respondent failed to respond to meet and confer letters, failed to respond to discovery requests, resulting in motions to compel, and failed to attend the deposition of the plaintiff, of which he had notice. In November 2012, opposing counsel contacted Naranjo directly to inquire as to whether Respondent was still representing him.

16. In early February 2013, Respondent accepted a tentative settlement agreement on behalf of Naranjo. On February 15, 2013, opposing counsel sent Respondent the final settlement release for execution. Thereafter, opposing counsel sent two letters, on March 5, 2013 and March 11, 2013, requesting the executed release. Respondent received the letters. Respondent never responded to opposing counsel and thereafter abandoned the case. Respondent never informed Naranjo that opposing counsel made a tentative settlement offer and Naranjo learned of it for the first time after he hired new counsel to represent him.

17. Naranjo's new attorney called Respondent numerous times and was never able to speak to Respondent or leave a voicemail for Respondent. Finally, the new attorney attended a court hearing with Naranjo and petitioned the court to substitute him into the case as counsel of record.

18. Respondent never contacted or replied to Naranjo, his new attorney, or opposing counsel again and effectively withdrew from Naranjo's case. Respondent failed to provide Naranjo any legal services of value. To date, Respondent has failed to refund the \$5,000 that Naranjo paid Respondent as advanced attorney fees which Respondent did not earn.

19. Separately, on April 15, 2012, Naranjo paid Respondent \$1600 to incorporate two businesses, DR Consulting and HR Cedar, at \$800 per incorporation. Respondent never incorporated the business and provided no legal services of value. To date, Respondent has failed to refund the \$1,600 that Naranjo paid Respondent as advanced attorney fees which Respondent did not earn.

20. On April 24, 2012, Naranjo also hired Respondent on behalf of his family-run company, Crystal Lighting Corporation ("CLC"), to obtain federal and state GSA minority numbers for CLC. Between April 2012 and October 2012, Naranjo paid \$13,000 in fees for the GSA minority numbers. Respondent failed thereafter to obtain the GSA Minority Numbers.

21. Respondent failed to provide any legal services of value to Naranjo in obtaining GSA minority numbers. To date, Respondent has failed to refund the \$13,000 that Naranjo paid Respondent as advanced attorney fees which Respondent did not earn.

22. A State Bar investigator sent letters to Respondent at his membership records address setting forth the allegations raised in Naranjo's complaint and requesting a written response on the following dates: June 5, 2013, June 24, 2013, July 9, 2013 and July 10, 2013. Respondent received the letters and failed to respond.

CONCLUSIONS OF LAW:

23. By failing to meet and confer, failing to respond to discovery, failing to attend the deposition of the plaintiff in *Vern v. Ford of Montebello*, and failing to incorporate DR Consulting and HR Cedar,

Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

24. By failing to refund the advanced attorney fees of \$5,000 paid by Naranjo for representation in *Vern v. Ford of Montebello*, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

25. By failing to communicate to Naranjo the written settlement offer by opposing counsel in *Vern v. Ford of Montebello*, Respondent did not communicate promptly to the client all terms and conditions of the offer, in willful violation of the Rules of Professional Conduct, rule 3-510.

26. By failing to take any action on Naranjo's behalf after March 11, 2013, and thereafter failing to inform Naranjo that Respondent was withdrawing from employment, Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's client in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

27. By failing to refund the advanced attorney fees of \$1,600 paid by Naranjo for Respondent to incorporate DR Consulting and HR Cedar, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

28. By failing to obtain state and federal GSA minority numbers for CLC, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

29. By failing to refund the advanced attorney fees of \$13,000 paid by Naranjo for Respondent to obtain state and federal GSA minority numbers for CLC, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

30. By failing to provide a written response to the allegations raised by Naranjo's complaint as requested by the State Bar investigator, Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent, in willful violation of Business and Professions Code, section 6068(i).

Case No. 13-O-13222 (Complainant: Francis Mendez)

FACTS:

31. On May 5, 2013, Francis Mendez ("Mendez") employed Respondent to incorporate his business, So-Cal Electric & Lighting. Mendez paid \$1,500 in fees which included "expedited services". Mendez understood that Respondent would have the business incorporated within a matter of days.

32. On May 14, 2013, Respondent and Mendez exchanged text messages. Since May 14, 2013, Mendez has sent Respondent two text messages, two emails and attempted to make phone calls but Respondent's phone was disconnected. Respondent received the text messages and emails. Respondent has never responded to Mendez, never incorporated the business and never refunded any of the unearned fees.

33. In June 2013, Mendez hired another attorney to incorporate his business and it was completed June 10, 2013.

34. An investigator for the State Bar sent letters to Respondent at his membership records address on August 1, 2013 and August 16, 2013, setting forth the allegations raised in Mendez's complaint and requesting a written response. Respondent received the letters but failed to respond to either one.

CONCLUSIONS OF LAW:

35. By failing to incorporate So-Cal Electric & Lighting, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

36. By failing to refund the \$1,500 in advanced attorney fees paid by Mendez for Respondent to incorporate So-Cal Electric & Lighting, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

37. By failing to respond to Mendez's requests for a status update, Respondent failed to respond promptly to reasonable status inquiries of a client in a matter in which Respondent had agreed to provide legal services, in willful violation of the Business and Professions Code, section 6068(m).

38. By failing to provide a written response to the allegations raised by Mendez's complaint as requested by the State Bar investigator, Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent, in willful violation of Business and Professions Code, section 6068(i).

Case No. 13-O-13498 (Complainant: Dora and Miguel Contreras)

FACTS:

39. On April 8, 2013, Dora and Miguel Contreras hired Respondent on behalf of National Drywall Corporation to assist with preparation of certificates of stock. National Drywall paid Respondent \$400 to begin. To date, Respondent has failed to provide National Drywall with the stock certificates. On May 31, 2013, National Drywall sent Respondent a letter terminating his services. Thereafter, National Drywall hired a new attorney to obtain the stock certificates.

40. Respondent provided no legal services of value to National Drywall regarding the preparation of certificates of stock and other corporate documents. Respondent has not refunded the \$400 National Drywall paid him as advanced attorney fees which were unearned.

41. With respect to another legal matter, on April 16, 2013, National Drywall paid Respondent \$2,400 to assist them with the release of three liens. Respondent completely failed to perform this service and to date has failed to refund the \$2,400 National Drywall paid Respondent as an advanced attorney fee which was unearned.

42. On all of the following dates National Drywall sent Respondent an email requesting a status update on either the liens, the stock certificates or both: April 11, 2013, April 15, 2013, April 23, 2013,

April 25, 2013, May 31, 2013, June 3, 2013, June 4, 2013, June 5, 2013, and August 26, 2013. Respondent received all of the emails from National Drywall on the above dates.

43. The May 31, 2013, email contained an attached letter which was also sent by U.S. mail. Respondent received the letter sent by U.S. mail. Respondent never provided a status update on the liens or the stock certificate.

44. The May 31, 2013 letter terminated Respondent's services and requested that Respondent return all files and related documents. In addition to requesting a status update, the emails on the following dates also requested that Respondent return the client's file, provide an accounting, and refund all unearned fees: May 31, 2013, June 3, 2013, June 4, 2013, June 5, 2013, and August 26, 2013. Respondent received all of the emails from National Drywall on the above dates.

45. Respondent never provided National Drywall with a status update on the liens or stock certificates. Respondent never returned the file and Respondent never provided an accounting.

46. On July 11, 2013, an investigator from the State Bar sent a letter to Respondent at Respondent's membership records address, setting forth the allegations contained in Contreras' complaint and requested that Respondent respond in writing. Respondent received the letter and failed to provide a response.

47. On August 16, 2013, an investigator from the State Bar sent a second letter to Respondent at Respondent's membership records address, setting forth the allegations contained in Contreras' complaint and requested that Respondent respond in writing. Respondent received the letter and failed to provide a response.

CONCLUSIONS OF LAW:

48. By failing to obtain the stock certificate and release the three liens on behalf of National Drywall Corporation, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

49. By failing to refund the \$2,800 in advanced attorney fees paid by the Contreras's for Respondent obtain a stock certificate and release three liens, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

50. By failing to respond to the Contreras's requests for a status update, Respondent failed to respond promptly to reasonable status inquiries of a client in a matter in which Respondent had agreed to provide legal services, in willful violation of the Business and Professions Code, section 6068(m).

51. By failing to release the Contreras's file, Respondent failed to release promptly, upon termination of employment, to the client, at the request of the client, all the client papers and property in willful violation of the Rules of Professional Conduct, rule 3-700(D)(1).

52. By not providing the Contreras's with an accounting for the \$2,800 in advanced fees paid by the Contreras's, Respondent failed to render appropriate accounts to a client regarding all funds coming into Respondent's possession in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

Case No. 13-O-14592 (Complainant: Lilia Lopez)

FACTS:

53. On May 5, 2013, Lilia Lopez ("Lopez") hired Respondent to file an unlawful detainer and paid Respondent \$1000 in cash. Respondent understood when he was hired that time was of the essence. Thereafter, Respondent failed to file the unlawful detainer.

54. Prior to June 21, 2013, Lopez spoke to Respondent on the phone and requested a refund. Respondent indicated that he would refund Lopez's money but to date, Respondent has failed to do so.

55. On June 21, 2013, Lopez filed the unlawful detainer on her own.

56. Respondent did not provide any legal services of value to Lopez and did not earn the \$1,000 Lopez paid him as advanced attorney fees.

57. At no time has Respondent refunded any of the \$1,000 Lopez paid him as advanced attorney fees.

CONCLUSIONS OF LAW:

58. By failing to file the unlawful detainer action, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

59. By failing to refund the \$1,000 in advanced attorney fees paid by Lopez for Respondent to file an unlawful detainer action, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 13-O-14614 (State Bar Investigation)

FACTS:

60. On June 1, 2013, Delio Arturo Jaramillo ("Jaramillo") issued a check to Respondent in the amount of \$327 for filing fees in a marriage dissolution. Respondent deposited the check from Jaramillo into his client trust account. By June 17, 2013, the balance in Respondent's client trust account was \$54.55. Between June 1, 2013 and June 17, 2013, Respondent did not file the Jaramillo marriage dissolution, nor did Respondent expend any funds on Jaramillo's behalf.

61. On July 23, 2013, Respondent caused a withdrawal of \$350 from his client trust account that was paid against insufficient funds. As of July 23, 2103, the balance in Respondent's client trust account was -\$335.45.

62. When Respondent caused the withdrawal from his client trust account, Respondent was grossly negligent in not knowing that there were insufficient funds in the account.

63. When Respondent caused the balance in his client trust account to fall below \$327 without ever having filed Jaramillo's marriage dissolution, he misappropriated with gross negligence, the \$327 that Jaramillo gave him for filing fees.

CONCLUSIONS OF LAW:

64. By misappropriating the \$327 Jaramillo gave Respondent for filing fees, Respondent committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

65. By making a withdrawal on his client trust account against insufficient funds, when Respondent was grossly negligent in not knowing that there was insufficient funds in the client trust account to pay them, Respondent committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

Case No. 13-O-14725 (State Bar Investigation)

FACTS:

66. On May 7, 2013, Respondent was sanctioned \$1,090 in *Felde v. Reel Em Incorporated*, for failing to attend court ordered arbitration with his client. Respondent was ordered to pay the sanctions within ten days. Respondent received notice of the order to pay sanctions.

67. At no time did Respondent report the sanctions to the State Bar.

68. To date, Respondent has failed to pay the sanctions as ordered by the court.

CONCLUSIONS OF LAW:

69. By failing to report the imposition of sanctions to the State Bar, Respondent failed to report to the agency charged with attorney discipline, in writing, within 30 days of the time Respondent had knowledge of the imposition of any judicial sanctions against Respondent in willful violation of Business and Professions Code, section 6068(o)(3).

70. By failing to pay the \$1,090 sanctions as ordered by the court, Respondent wilfully disobeyed or violated an order of the court requiring him to do or forbear an act connected with or in the course of Respondent's profession which he ought in good faith to do or forbear, in willful violation of Business and Professions Code, section 6103.

Case No. 13-O-15096 (Complainant: Gallegos)

FACTS:

71. On October 27, 2011, Jose Gallegos ("Gallegos") employed Respondent on behalf of his company, TJ's Metal Manufacturing, to file a civil lawsuit. On the same day, Gallegos paid Respondent \$5,000 in advanced attorney fees for the litigation.

72. Thereafter, Gallegos was unable to reach Respondent. Gallegos sent Respondent emails and left Respondent voicemails inquiring about the status of his case. Respondent received the emails and voicemails but Respondent never responded.

73. Respondent never filed the lawsuit and provided no legal services of value to Gallegos. Respondent did not earn the \$5,000 Gallegos paid to Respondent as advanced attorney fees. To date, Respondent has failed to refund the unearned fees.

CONCLUSIONS OF LAW:

74. By failing to file the lawsuit on behalf of Gallegos and TJ's Metal Manufacturing, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

75. By failing to refund the \$5,000 in advanced attorney fees paid by Gallegos for Respondent to file a civil lawsuit, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

76. By failing to respond to Gallegos' requests for a status update, Respondent failed to respond promptly to reasonable status inquiries of a client in a matter in which Respondent had agreed to provide legal services, in willful violation of the Business and Professions Code, section 6068(m).

Case No. 13-O-17319 (State Bar Investigation)

FACTS:

77. On November 12, 2013, Respondent caused a debit of \$80 from his client trust account that was returned unpaid due to insufficient funds. As of November 12, 2103, the balance in Respondent's client trust account was -\$131.14.

78. At the time Respondent caused the \$80 debit from his client trust account, he was grossly negligent in not knowing that there were insufficient funds in the account.

CONCLUSIONS OF LAW:

79. By making a withdrawal on his client trust account against insufficient funds, when Respondent was grossly negligent in not knowing that there was insufficient funds in the client trust account to pay them, Respondent committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

Case No. 13-O-17559 (Complainant: Daisy Trudeau)

FACTS:

80. On June 13, 2013, Daisy Trudeau ("Trudeau") hired Respondent on behalf of her company, Daisy Trudeau Insurance Services, to file an Answer to a civil case, *Lumberman's Underwriting Alliance v. Apex Enterprises, et. al.*, in which a client of Daisy Trudeau Insurance Services had been named.

81. Also on June 13, 2013, Trudeau paid Respondent \$400 in advanced attorney fees and \$435 in advanced costs for filing fees.

82. On June 28, 2013, Respondent filed an Answer in *Lumberman's Underwriting Alliance v. Apex Enterprises, et. al.*, but failed to include the proper filing fee.

83. On August 20, 2013, the Superior Court of Los Angeles County sent notice to Respondent that the Answer filed in *Lumberman's Underwriting Alliance v. Apex Enterprises, et. al.* had been voided due to Respondent's failure to remit the proper filing fee. Respondent received the notice but did not take any steps to refile the Answer.

84. Respondent did not inform Trudeau that the Answer had been voided. Trudeau learned of this fact on September 3, 2013 from another attorney involved in the case.

85. Between September 3, 2013 and November 9, 2013, Trudeau sent Respondent four emails and left Respondent several voicemails requesting a full refund of all funds paid to Respondent. Respondent received these requests.

86. To date, Respondent has failed to refund the \$400 in advanced attorney fees and failed to return to Trudeau the \$435 in advanced filing fees.

CONCLUSIONS OF LAW:

87. By failing to remit the proper filing fee and thereby causing the Answer to be stricken in *Lumberman's Underwriting Alliance v. Apex Enterprises, et. al.* and thereafter failing to take any steps to refile, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

88. By failing to refund the \$400 in advanced attorney fees paid by Trudeau for Respondent to file an Answer in *Lumberman's Underwriting Alliance v. Apex Enterprises, et. al.*, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned because Respondent provided no legal services of value, in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

89. By failing to return to Trudeau the \$435 paid to Respondent for filing fees, Respondent, failed to pay promptly, as requested by a client, any funds in Respondent's possession which the client is entitled to receive in willful violation of the Rules of Professional Conduct, rule 4-100(B)(4).

90. By failing to inform Trudeau that the Answer had been voided, Respondent failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services in willful violation of the Business and Professions Code, section 6068(m).

Case No. 14-O-01141 (State Bar Investigation)

FACTS:

91. Between October 26, 2013 and December 5, 2013, Respondent deposited eight checks of personal funds from his general account to his client trust account totaling \$1,050.

CONCLUSIONS OF LAW:

92. By depositing \$1,050 of personal funds from his general account into his client trust account, Respondent deposited or commingled funds belonging to Respondent in a bank account labeled "Trust

Account," "Client's Funds Account" or words of similar import in willful violation of the Rules of Professional Conduct, rule 4-100(A).

AGGRAVATING CIRCUMSTANCES.

Prior Record of Discipline (Std. 1.5(a)): Respondent has one prior imposition of discipline. In case number 12-O-13177, effective September 6, 2013, the California Supreme Court ordered Respondent be suspended from the practice of law in California for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to certain conditions, including that he be actually suspended for six months and until he pays restitution. This case involved two client matters and two matters regarding Respondent's client trust account which were referred from the bank. In the client matters, Respondent was hired to assist in the formation of a corporation and file a civil action. In both cases Respondent completely failed to perform and in the civil action Respondent repeatedly misrepresented to the client the matter was proceeding when in fact he had failed to file the action. In total, Respondent stipulated to ten counts of misconduct.

Multiple Acts of Misconduct (Std. 1.5(b)): Respondent committed misconduct involving 11 separate matters resulting in 35 acts of misconduct over approximately two years. This clearly rises to the level of multiple acts of misconduct but does not constitute a pattern. (See, e.g. *In the Matter of Crane and DePew* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 139, 157 [Attorney committed multiple acts of misconduct but it did not rise to the level of a pattern which is a characterization reserved for only the most serious instances of misconduct over a prolonged period of time.]; *In the Matter of Valinoti* (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 498, 555 [Attorney committed multiple acts of misconduct, 18 charged and five uncharged, over a two and a half year period, all in immigration practice, which did not rise to a pattern.]; and *In the Matter of Berg* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 725, 737 [Where an attorney send multiple fraudulent billings every month on each of the 41 cases in which he was counsel over a ten month period, the misconduct rises to a pattern.])

Harm (Std. 1.5(f)): Respondent caused significant harm to his clients when he failed to perform any services after receiving payment and often left them unable to hire new counsel or forced to incur additional attorney fees. (See *In the Matter Casey* (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 117, 126 [Respondent's actions caused harm when his client had to hire new counsel, incurred a significant amount of attorney's fees, and suffered "three years of misery" in an unsuccessful attempt to undo the damage done by Respondent.])

Failure to Make Restitution (Std. 1.5(i)): To date, Respondent has failed to make restitution. Respondent has been difficult for clients to reach and still owes a significant amount of money, largely for unearned fees that Respondent has yet to return. (See also *In the Matter of Wells* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 896, 913.)

MITIGATING CIRCUMSTANCES.

Family Problems: During the period of misconduct Respondent underwent a series of personal and physical difficulties. Respondent's marriage soured and his wife of many years filed for divorce in November 2011. After a lengthy and emotionally debilitating process, the marriage was officially ended on August 20, 2013. The emotional toll of Respondent's divorce took Respondent's attention away from his practice, his clients, and his trust account.

In addition, Respondent was diagnosed with depression and anxiety and has been seeking psychiatric treatment to cope with these conditions. Respondent's doctor indicates that he has made improvements in his condition. Presently, Respondent is managing his anxiety and depression with ongoing treatment.

Respondent, who has insulin dependent diabetes, also began experiencing elevated and uncontrolled blood sugar levels in 2012. Respondent repeatedly fell ill, was hospitalized twice in 2013 and advised by his doctor to limit his work hours. At present, Respondent is managing his diabetes through diet and medication. In several cases the court has afforded mitigation for mental health and medical conditions in the absence of complete rehabilitation finding that steady progress towards rehabilitation has been shown. (*Ballard v. State Bar* (1983) 35 Cal.3d 274, 289; *In the Matter of Deierling* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 552, 560-561.)

The physical and emotional difficulties experienced by Respondent over the last two years have caused him to neglect his practice and his clients and mismanage his client trust account. The problems experienced by Respondent also resulted in his inability to complete many of the services he was hired to perform.

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct "set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances." (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to Standards are to this source.)

The Standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to "great weight" and should be followed "whenever possible" in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a Standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) "Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure." (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given Standard, in addition to the factors set forth in the specific Standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member's willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

Respondent admits to committing 35 acts of professional misconduct. Standard 1.7 (a) requires that where a Respondent acknowledges two or more acts of misconduct, and the Standards specify different sanctions for each act, the most severe sanction must be imposed.

The most severe sanction applicable to Respondent's misconduct is found in Standard 2.7 which applies to the six checks and debits that Respondent issued from his client trust account against insufficient

funds in violation of Business and Professions Code, section 6106 (moral turpitude). The same sanction, actual suspension to disbarment, is also found in Standard 2.1(b) which applies to Respondent's other violation of Business and Professions Code, section 6106 (misappropriation) and in Standard 2.8(a) which applies to Respondent's violation of Business and Professions Code, section 6103 (violation of a court order).

When assessing the totality of Respondent's misconduct under Standard 2.7, there is evidence of significant harm to Respondent's clients through his neglect of them and his practice. All of Respondent's clients came to him for a service, paid him fees, and received nothing in return. Respondent did not perform any legal services of value for any of the clients in this complaint and to date, he has failed to return any of the fees they paid to him.

In mitigation, Respondent was suffering from severe physical and emotional difficulties that subsequently impacted his practice. In aggravation, Respondent has a prior record of discipline, committed multiple acts of misconduct and has failed to make restitution .

Respondent's prior misconduct, case no. 12-O-13177, et.al., effective September 6, 2013, occurred between October 2011 and September 2012. The misconduct in the the present case is very similar to the prior case and occurred from October 2011 through November 2013. Therefore, it is appropriate to consider *In the Matter of Sklar*.

In *In the Matter of Sklar* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 602, 619 the court noted "...part of the rationale for considering prior discipline as having an aggravating impact is that it is indicative of a recidivist attorney's inability to conform his or her conduct to ethical norms (see *In the Matter of Bach* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 631, 646)..." Accordingly, the Review Department considered the "totality of the findings in the two cases to determine what the discipline would have been had all the charged misconduct in this period been brought as one case." (*Id.*)

The reasoning in *Sklar* is applicable because of the clear overlap in time which occurred in Respondent's prior and present discipline. By the time the stipulation was entered into in the prior matter, April 2013, Respondent had already committed most of the misconduct in the present matter. The similarity of the misconduct and the overlapping time period make it appropriate to consider the totality of the misconduct in all the cases combined to determine what the discipline would be had all the charged misconduct been considered collectively.

If all charged misconduct had been considered together, the discipline would have been substantially higher than the six months actual suspension agreed upon in the prior stipulation. Given the breadth and depth of Respondent's misconduct, and on balance with the aggravation and mitigation present, disbarment is only appropriate level of discipline to protect the public.

Disbarment is also supported by case law. Habitual disregard by an attorney of the interests of his clients justifies disbarment. (*Twohy v. State Bar* (1989) 48 Cal.3d 502.) In addition, both the California Supreme Court and the State Bar Court Review Department have repeatedly held that in cases involving widespread misconduct where the Respondent has a prior record of discipline, disbarment is appropriate. (See *Farnham v. State Bar* (1988) 47 Cal.3d 429 [seven instances of abandonment with prior disciplinary record, disbarment]; *Slaten v. State Bar* (1988) 46 Cal.3d 48 [disbarment because failed to perform for seven clients, commingled funds, advised client to act in violation of law and had an extensive discipline record]; *In the Matter of Gadda* (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 416 [disbarment for 16 counts of misconduct in nine client matters and one non-client matter for failing to

perform competently, to return a client's file promptly, to respond to client inquiries, and to notify clients of significant developments, plus commingling funds and an act of moral turpitude for issuing checks on account with insufficient funds, aggravated by prior six-month suspension for the same misconduct, multiple acts of misconduct, significant harm to clients and indifference toward rectification].) Even though the misconduct in the instant matter is subject to analysis under *Sklar*, the volume of misconduct present is far greater than the volume of misconduct in cases where the court has found disbarment to be appropriate.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of March 5, 2014, the prosecution costs in this matter are \$3,419. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

FURTHER RESTITUTION.

In addition to the restitution amounts set forth on page five of this stipulation, Respondent must pay the following additional restitution on the same terms as set forth on page five and provide satisfactory proof of payment to the Office of Probation. If the Client Security Fund ("CSF") has reimbursed one or more of the payees for all or any portion of the principal amount(s) identified below, Respondent must also pay restitution to CSF in the amounts paid, plus applicable interest and costs.

Respondent must pay Francisco Vega the principal amount of \$1,000 plus interest of 10% per annum from April 15, 2012, by the date set forth on the Financial Conditions page of this stipulation.

Respondent must pay Norberto Naranjo the principal amount of \$19,600 plus interest of 10% per annum from October 1, 2012, by the date set forth on the Financial Conditions page of this stipulation.

Respondent must pay Francis Mendez the principal amount of \$1,500 plus interest of 10% per annum from May 5, 2012, by the date set forth on the Financial Conditions page of this stipulation.

Respondent must pay Dora and Miguel Contreras obo National Drywall Corporation the principal amount of \$2,800 plus interest of 10% per annum from April 16, 2013, by the date set forth on the Financial Conditions page of this stipulation.

Respondent must pay Lilia Lopez the principal amount of \$1,000 plus interest of 10% per annum from May 20, 2013, by the date set forth on the Financial Conditions page of this stipulation.

Respondent must pay Jose Gallegos the principal amount of \$5,000 plus interest of 10% per annum from October 27, 2011, by the date set forth on the Financial Conditions page of this stipulation.

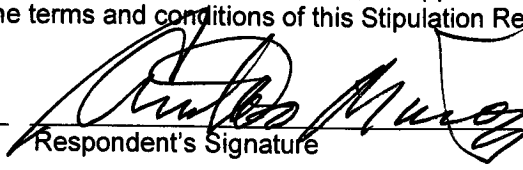
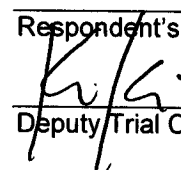
Respondent must pay Daisy Trudeau the principal amount of \$835 plus interest of 10% per annum from June 13, 2013, by the date set forth on the Financial Conditions page of this stipulation.

(Do not write above this line.)

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| In the Matter of: ANTONIO MUNOZ | Case number(s): 13-O-11112 - PEM, 13-O-11124, 13-O-11828, 13-O-13222, 13-O-13498, 13-O-14592 (unfiled), 13-O-14614 (unfiled), 13-O-14725 (unfiled), 13-O-15096 (unfiled), 13-O-17319 (unfiled), 13-O-17559 (unfiled), 14-O-01141 (unfiled) |
|------------------------------------|---|

SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

| | | |
|------------------------|---|---------------------------------------|
| <u>3/21/14</u> Date |  Respondent's Signature | <u>Antonio Munoz</u> Print Name |
| <u>3/21/14</u> Date |  Respondent's Counsel Signature | <u>Kim Kasreliovich</u> Print Name |
| | <u>Deputy Trial Counsel's Signature</u> | <u>Print Name</u> |

| | |
|---|--|
| In the Matter of: Antonio Munoz | 13-O-11112 et al.; 13-O-14592 (unfiled) et al. |
|---|--|

DISBARMENT ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- ☐ The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- ☒ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- ☐ All Hearing dates are vacated.

On page 5 of the stipulation, in paragraph E(2), the last sentence, which begins "Respondent must pay the," is DELETED in its entirety.

On page 19 of the stipulation, under the heading "Further Restitution," in the first paragraph, the following text at the end of the first sentence is DELETED: "on the same terms as set forth on page five and provide satisfactory proof of payment to the Office of Probation."

On page 19 of the stipulation, under the heading "Further Restitution," in each of the second, third, fourth, fifth, sixth, seventh, and eight paragraphs, the phrase at the end of the first sentence is DELETED: "by the date set forth on the Financial Conditions page of this stipulation."

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

Respondent **Antonio Munoz** is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three (3) calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 5.111(D)(2) of the Rules of Procedure of the State Bar of California, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

April 3, 2014
Date

George E. Scott
GEORGE E. SCOTT, JUDGE PRO TEM
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on April 4, 2014, I deposited a true copy of the following document(s):


STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND
ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT

in a sealed envelope for collection and mailing on that date as follows:

- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:
- | | |
|----------------------------|---------------------------|
| ANTONIO MUNOZ | ANTONIO MUNOZ |
| 8821 ORANGE ST | 1131 W 6 TH ST |
| RANCHO CUCAMONGA, CA 91701 | ONTARIO, CA 91762 |
- ☐ by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:
- ☐ by overnight mail at , California, addressed as follows:
- ☐ by fax transmission, at fax number . No error was reported by the fax machine that I used.
- ☐ By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Kim Kasreliovich, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on April 4, 2014.


George Hue
Case Administrator
State Bar Court