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<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b> <b>DISBARMENT</b>		
<b>Counsel For The State Bar</b>  Mia R. Ellis Senior Trial Counsel 1149 South Hill Street Los Angeles, CA 90015 213-7675-1380  Bar # 228235	<b>Case Number(s):</b> 13-O-11844 13-O-11900 13-O-11926 13-O-12107 13-O-12216 13-O-12270 13-O-12311 13-O-12365 13-O-12589 <div style="background-color: black; width: 100px; height: 20px; margin: 5px 0;"></div> 13-O-13011 13-O-13019 13-O-13020 13-O-13021 13-O-13173 13-O-13299 13-O-13382 13-O-13457 13-O-13493 13-O-13613 13-O-13667 13-O-13691 13-O-13746 13-O-13749 13-O-13854 13-O-13856	<b>For Court use only</b>   <div style="text-align: center; font-size: 24pt; font-weight: bold;">FILED</div> <div style="text-align: center; font-size: 18pt; font-weight: bold;">OCT 18 2013</div> <div style="text-align: center; font-weight: bold;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</div> <div style="text-align: right; margin-top: 100px;"> 152 146 578   </div>
<b>In Pro Per Respondent</b>  Ernest George Georggin Georggin & Associates 6855 Friars Road, Unit 15 San Diego, CA 92108 858-205-5383  Bar # 60293	<b>Submitted to: Assigned Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT  <b>DISBARMENT</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
<b>In the Matter of:</b> <b>ERNEST GEORGE GEORGGIN</b>  Bar # 60293  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:**

(Effective January 1, 2011)

- (1) Respondent is a member of the State Bar of California, admitted July 2, 1974.
- (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 (16) 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."
- (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 [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.**

- (1) ☐ **Prior record of discipline**
  - (a) ☐ State Bar Court case # of prior case
  - (b) ☐ Date prior discipline effective
  - (c) ☐ Rules of Professional Conduct/ State Bar Act violations:
  - (d) ☐ Degree of prior discipline
  - (e) ☐ If respondent has two or more incidents of prior discipline, use space provided below:

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- (2) ☐ **Dishonesty:** Respondent's misconduct was 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. Please see stipulation page 10.
- (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. Please see stipulation page 10.
- (8) ☐ **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**C. Mitigating Circumstances [see standard 1.2(e)]. 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 or person who was the object of the misconduct.
- (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 in good faith.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct respondent suffered extreme emotional difficulties or physical 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 respondent no longer suffers from such difficulties or disabilities.

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- (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.
- (11) ☐ **Good Character:** Respondent's 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.
- (12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) ☐ **No mitigating circumstances** are involved.

**Additional mitigating circumstances:**

Please see stipulation page 10.

**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 \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ plus 10 percent interest per year from \_\_\_\_\_. If the Client Security Fund has reimbursed P 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 \_\_\_\_\_ days from the effective date of the Supreme Court order in this case.
- (3) ☒ **Other:** Restitution: Please see stipulation pages 12-14.

## **ATTACHMENT TO**

### **STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:

ERNEST GEORGE GEORGIN

CASE NUMBERS:

13-O-11844, 13-O-11900, 13-O-11926, 13-O-12107,  
13-O-12216, 13-O-12270, 13-O-12311, 13-O-12365,  
13-O-12589, 13-O-13011, 13-O-13019, 13-O-13020,  
13-O-13021, 13-O-13173, 13-O-13299, 13-O-13382,  
13-O-13457, 13-O-13493, 13-O-13613, 13-O-13667,  
13-O-13691, 13-O-13746, 13-O-13749, 13-O-13854,  
13-O-13856

### **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 Nos. 13-O-11844 (Complainant: Michelle Ramirez), 13-O-11900 (Complainant: Mark Austerlitz), 13-O-11926 (Complainant: Kathy D. Smith), 13-O-12107 (Complainant: Ahmed Arsalan), 13-O-12216 (Complainant: Linawati Collier), 13-O-12270 (Complainant: Jennifer Phelan), 13-O-12311 (Complainant: Adrian Almodovar), 13-O-12365 (Complainants: Greg and Grace Yi), 13-O-12589 (Complainant: Michael Garcia), 13-O-13011 (Complainant: Mark Ramirez), 13-O-13019 (Complainants: Brian and Christie Constable), 13-O-13020 (Complainant: Victor Carrillo), 13-O-13021 (Complainant: Michael King), 13-O-13173 (Complainants: Maricruz and Rogelio Hernandez), 13-O-13299 (Complainants: Teresa and Joseph Sparks), 13-O-13382 (Complainant: Teresa Rose), 13-O-13457 (Complainants: Larry and Kathryn Marsh), 13-O-13493 (Complainant: Stephen Zeeb), 13-O-13613 (Complainant: Thomas Blanchard), 13-O-13667 (Complainants: Fabian and Rocio Ortiz), 13-O-13691 (Complainant: Paul Restelli), 13-O-13746 (Complainant: David Babashoff), 13-O-13749 (Complainant: Raymond Whitelockecr), 13-O-13854 (Complainant: Montielle Bennett), 13-O-13856 (Complainant: Lisa Rieman)

### **FACTS:**

1. At all times relevant to the stipulated facts herein, Respondent was a member of the State Bar of California and was licensed to practice law in this state.
2. In or about August 2010, Respondent and non-attorney Eric Phillips ("Phillips") formed Georggin Law (sometimes referred to herein as "law firm"). Respondent is the named owner of Georggin Law. Thomas Hurley ("Hurley") also was an attorney at the law firm. Hurley died on May 30, 2013.
3. The purported business purpose of Georggin Law was to provide credit repair services to clients. Phillips proposed opening the credit repair law office under Respondent's name and law license to bypass some of the restrictions of a credit repair business. At all times relevant to the stipulated facts herein, Respondent knew that Phillips was not licensed to practice law.

4. Respondent completely abdicated Georggin Law to Phillips and other non-attorneys. Although Georggin Law was in Respondent's name, Phillips was the true owner and operator of the law firm. Phillips paid Respondent a salary. Phillips retained and exercised full control and authority regarding all management aspects of the law firm's operations. Respondent had absolutely no authority, control or oversight over the daily operations of the law firm or of the purported legal services that were performed by the law firm's non-attorney employees. Phillips determined all of Georggin Law's operational and staffing needs, and he solely decided who to hire and who to terminate. Respondent had absolutely no authority or input in hiring or terminating any staff member.

5. Respondent had no authority and was not involved in evaluating or deciding whether or not to accept a new client on behalf of Georggin Law. Respondent did not conduct any of the initial consultations with prospective clients. Respondent also was not consulted by any of the law firm's non-attorney employees to determine whether or not they should accept a new client. Respondent did not have any authority to determine or set the legal fees to be charged to the clients. All of the decisions regarding whether to accept a client on behalf of the law firm and what amount of legal fees to charge the client were made by the law firm's non-attorney staff.

6. Phillips also instructed non-attorneys to open more than three (3) bank accounts at several different banks in the name of the law firm, because at all relevant times, Respondent had an existing IRS lien against him. At all relevant times, Phillips exercised full authority and control over the administration of all of the law firm's bank accounts. Phillips controlled what deposits and disbursements were made into and from each of these accounts. Respondent had absolutely no authority, control or input as to any deposits or disbursements pertaining to any of the law firm's bank accounts.

7. Respondent also obtained a stamp bearing his signature and gave it to Phillips and non-attorney employees so that they could use it to conduct any business transaction on behalf of the law firm using Respondent's name. Respondent did not require that Phillips or the non-attorney employees seek any authority, approval or input from Respondent for any such transactions.

8. As the true owner of the law firm, Phillips collected all of the legal fees advanced by the law firm's clients. Phillips paid all of the overhead and operating expenses of the law firm as well as the wages and salaries of every law firm employee, including Respondent, from the legal fees collected from clients. Phillips kept the remainder of the attorney fees collected for himself.

9. Respondent knowingly and willingly lent his name to Phillips so that he could continue operating their credit repair businesses and engage in the unauthorized practice of law under Respondent's name. Phillips and other non-attorneys signed Respondent's name to or used the rubber signature stamp on the fee agreements, representation letters, authorization letters, and other correspondence.

10. Clients who resided in California and in other states hired the law firm to provide credit repair services, often to remove foreclosures from their credit report.

11. Respondent did not perform any legal services of value on behalf of any of the law firm's clients, nor did he supervise any of the approximately eight non-attorney staff members who worked at the law firm. Instead, to the extent that any limited legal services were performed, they were performed

by non-attorneys without any instructions, supervision or oversight from Respondent. Thus, the non-attorney staff members engaged in the unauthorized practice of law.

12. Georggin Law's clients paid advanced attorney's fees as indicated below to the law firm for credit repair services:

<b>Case No.</b>	<b>Complainant</b>	<b>Date of Hire</b>	<b>Fees</b>
13-O-11844	Michelle Ramirez	February 10, 2012	\$6,668
13-O-11900	Mark Austerlitz	March 31, 2011	\$1,906
13-O-11926	Kathy D. Smith	April 17, 2012	\$4,182
13-O-12107	Ahmed Arsalan	February 29, 2012	\$6,500
13-O-12216	Linawati Collier	May 24, 2012	\$3,300
13-O-12270	Jennifer Phelan	June 10, 2011	\$3,056
13-O-12311	Adrian Almodovar	October 17, 2012	\$975
13-O-12365	Greg and Grace Yi	April 17, 2012	\$2,571
13-O-12589	Michael Garcia	October 2, 2012	\$2,971
13-O-13011	Mark Ramirez	October 13, 2011	\$2,890
13-O-13019	Brian and Christie Constable	November 7, 2011	\$12,471
13-O-13020	Victor Carrillo	June 23, 2011	\$2,556
13-O-13021	Michael King	January 13, 2012	\$3,001
13-O-13173	Maricruz and Rogelio Hernandez	September 12, 2012	\$2,971
13-O-13299	Teresa and Joseph Sparks	February 26, 2012	\$3,001
13-O-13382	Teresa Rose	January 6, 2011	\$3,578
13-O-13457	Larry and Kathryn Marsh	March 9, 2012	\$4,176
13-O-13493	Stephen Zeeb	June 14, 2012	\$2,986
13-O-13613	Thomas Blanchard	March 15, 2013	\$1,215
13-O-13667	Fabian and Rocio Ortiz	May 21, 2012	\$2,575
13-O-13691	Paul Restelli	September 19, 2011	\$2,556
13-O-13746	David Babashoff	February 14, 2012	\$4,182
13-O-13749	Raymond Whitelockecr	June 3, 2011	\$3,411
13-O-13854	Montielle Bennett	July 23, 2012	\$3,501
13-O-13856	Lisa Rieman	May 9, 2011	\$2,862

13. Respondent failed to perform any legal services of value on behalf of any of the twenty-five clients listed in paragraph twelve and did not earn any portion of the advanced fees paid by those clients.

14. The law firm's non-attorney staff members engaged in the unauthorized practice of law by conducting initial client consultations, determining whether or not to accept clients, and determining and setting legal fees.

15. In or about June 2013, Respondent closed the Georggin Law office. As of June 2013, there were approximately 650 clients who had employed Respondent to perform credit repair services. In June 2013, Respondent took custody and control of the approximately 650 physical client files.

16. To date, Respondent has not refunded any portion of the attorney's fees paid by Georggin Law's approximately 650 clients, including the clients listed above in paragraph twelve.



17. In case number 13-O-12589, Michael Garcia lived in Florida and property in dispute was in Florida.

18. Florida Rules of Professional Conduct rule 4-5.5(b)(2) provides that a lawyer who is not admitted to practice in Florida shall not hold out to the public or otherwise represent that the lawyer is admitted to practice law in Florida. Florida Statutes Title XXII, chapter 454.23 provides: "Any person not licensed or otherwise authorized to practice law in this state who practices law in this state or holds himself or herself out to the public as qualified to practice law in this state, or who willfully pretends to be, or willfully takes or uses any name, title, addition, or description implying that he or she is qualified, or recognized by law as qualified, to practice law in this state, commits a felony of the third degree .

19. Respondent is not now, nor ever has been, admitted to practice law in the state of Florida.

20. Between April 16, 2013 and August 7, 2013, the State Bar opened investigations regarding the complaints submitted by the clients listed above in paragraph twelve.

21. Between April 16, 2013 and August 7, 2013, a State Bar Investigator sent Respondent separate letters properly addressed to his membership records address regarding the complaints from the above-referenced clients. Each letter requested a written response to the specific allegations of misconduct being investigated by the State Bar by a specific deadline outlined in the letters. Respondent received the letters but did not provide written responses to any of the letters.

#### CONCLUSIONS OF LAW:

22. By allowing Phillips and non-attorney staff members to engage in acts constituting the practice of law, Respondent aided a person or entity in the unauthorized practice of law, in willful violation of Rules of Professional Conduct, rule 1-300(A).

23. By lending his name to be used by Phillips and the other non-attorney staff members to engage in the unauthorized practice of law, Respondent lent his name to be used as attorney by another person who was not an attorney, in willful violation of Business and Professions Code section 6105.

24. By sharing legal fees with Phillips, Respondent shared legal fees with a non-lawyer, in willful violation of Rules of Professional Conduct, rule 1-320(A).

25. By failing to perform any legal services of value for the twenty-five (25) clients identified above, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A).

26. By failing to refund unearned advanced fees to the twenty-five clients listed above, Respondent failed to refund unearned advanced fees, in wilful violation of Rules of Professional Conduct, rule 3-700(D)(2).

27. By accepting employment by client Michael Garcia, a resident of Florida, when he was not licensed or otherwise entitled to practice law in Florida, Respondent held himself out as entitled to practice law in Florida and actually practiced law in Florida, in wilfull violation of the regulations of the profession in Florida and thereby wilfully violated Rules of Professional Conduct, rule 1-300(B).

28. By entering into an agreement for, charging, and collecting fees from client Michael Garcia of Florida, when he was not licensed to practice law in that jurisdiction, Respondent entered into an agreement for, charged, and collected an illegal fee, in willful violation of Rules of Professional Conduct, rule 4-200(A).

29. By abdicating his law practice to non-attorneys, Respondent willfully committed acts involving moral turpitude, dishonesty or corruption, in willful violation of Business and Professions Code, section 6106.

30. By engaging in a pattern of practice of misconduct involving aiding the unauthorized practice of law by non-attorneys, splitting fees with a non-attorney, failing to perform any legal services of value on behalf of clients, and failing to refund unearned advanced fees, Respondent committed acts of moral turpitude, dishonesty or corruption, in wilful violation of Business and Professions Code section 6106.

31. By failing to provide written responses to the State Bar Investigator's letters and by failing to otherwise cooperate and participate in the State Bar's investigation of the twenty-five complaints, Respondent failed to cooperate and participate in disciplinary investigations pending against Respondent, in willful violation of Business and Professions Code section 6068(i).

#### **AGGRAVATING CIRCUMSTANCES.**

**Harm (Std. 1.2(b)(iv)):** The current misconduct caused significant harm to at least twenty-five clients as outlined above. In each of these cases, Respondent's clients were desperate to repair their credit and sought Respondent's assistance at critical junctures in their lives. Respondent's failure to refund the advanced fees has deprived them of their money.

**Pattern of Misconduct (Std. 1.2(b)(ii)):** Respondent's misconduct evidences multiple acts of wrongdoing with respect to at least twenty-five clients and spanned two years. However, in total, Respondent's practice spanned three and half years, including approximately 650 clients, and consisted of a pattern of misconduct involving Respondent's abdication of his law license to non-attorneys, aiding the non-attorneys in engaging in the unauthorized practice of law and fee splitting with Phillips. (See *In the Matter of Berg* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 725, 737 [pattern of misconduct found where misconduct occurred over a span of 10 months].)

#### **MITIGATING CIRCUMSTANCES.**

**No Prior Discipline:** Respondent was admitted to the State Bar on July 2, 1974 and has no prior record of discipline. While Respondent's misconduct here is serious, Respondent's lack of a prior record of discipline in over thirty-five years of practice before the misconduct began is entitled to significant weight in mitigation. (*In the Matter of Bleeker* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 113, 127.)

**Prefiling Stipulation:** Respondent is entitled to mitigation for entering into a full stipulation with the Office of Chief Trial Counsel prior to the filing of disciplinary charges, thereby saving State Bar Court time and resources. (*In re Downey* (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 151, 156; *In the Matter of Van Sickle* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 980, 993-994.) However, the mitigation is tempered by Respondent's failure to cooperate and

participate in the State Bar investigation. Thus, Respondent's cooperation is entitled to some, but not great, weight in mitigation. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability].)

#### **AUTHORITIES SUPPORTING DISCIPLINE.**

The Standards for Attorney Sanctions for Professional Misconduct provide a "process of fixing discipline" pursuant to a set of written principles to "better discharge the purposes of attorney discipline as announced by the Supreme Court." (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, Introduction (all further references to standards are to this source).) The primary purposes of disciplinary proceedings and of the sanctions imposed are "the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession." (*In re Morse* (1995) 11 Cal.4th 184, 205; std. 1.3.)

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.) Any discipline recommendation different from that set forth in the applicable standards should clearly explain the reasons for the deviation. (*Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

Respondent admits to committing multiple acts of professional misconduct involving at least twenty-five client matters. Standard 1.6(a) requires that where a respondent acknowledges two or more acts of misconduct, and different sanctions are prescribed by the standards that apply to those acts, the sanction imposed shall be the more or most severe prescribed in the applicable standards.

The most severe sanction applicable to Respondent's misconduct is found in standard 2.3, which applies to Respondent's violations of Business and Professions Code section 6106 by engaging in acts of for the moral turpitude associated with Respondent's complete abdication of his law practice to non-attorneys and his pattern of misconduct. Standard 2.3 provides that culpability of an act of moral turpitude shall result in actual suspension or disbarment depending upon the extent to which the victim of the misconduct is harmed or misled and depending upon the magnitude of the act of misconduct and the degree to which it relates to the member's acts within the practice of law.

Here, Respondent's misconduct is directly related to the practice of law. Further, the magnitude of Respondent's misconduct is significant as the misconduct involves at least twenty-five separate client matters and spans a period of over two years. Respondent admits that his misconduct is not limited to the twenty-five complainants in this matter as he committed similar misconduct in connection with each of his approximately 650 clients who employed Georggin Law. The clients involved in all of these cases retained Respondent in desperate attempts to repair their credit. Each client paid for legal services, but Respondent abdicated his practice to non-attorneys and eventually failed to perform legal services of value for the clients and failed to refund unearned fees. Accordingly, Respondent's misconduct significantly harmed the clients. Further, Standard 2.4 requires disbarment for a pattern of willfully failing to perform services demonstrating the member's abandonment of the causes in which he was retained. While Respondent is entitled to some mitigation credit for admitting his misconduct,

cooperating with the State Bar in resolving these matters by stipulation and for his lack of a prior record of discipline, the mitigation is far outweighed by the nature and scope of Respondent's misconduct as well as the harm caused by Respondent's pattern of serious misconduct involving approximately 650 clients. Accordingly, pursuant to Standard 2.3, Respondent must be disbarred in order to protect the public, the courts and the integrity of the legal profession.

Disbarment is also consistent with case law. Habitual disregard by an attorney of the interests of his clients justifies disbarment. (*Twohy v. State Bar* (1989) 48 Cal.3d 502.)

### **COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of September 11, 2013, the prosecution costs in this matter are \$25,927.37. 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.

### **RESTITUTION.**

Respondent must make restitution to Michelle Ramirez in the amount of \$6,668 plus 10 percent interest per year from February 10, 2012. If the Client Security Fund ("CSF") has reimbursed Michelle Ramirez for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Mark Austerlitz in the amount of \$1,906 plus 10 percent interest per year from March 31, 2011. If CSF has reimbursed Mark Austerlitz for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Kathy D. Smith in the amount of \$4,182 plus 10 percent interest per year from April 17, 2012. If CSF has reimbursed Kathy D. Smith for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Ahmed Arsalan in the amount of \$6,500 plus 10 percent interest per year from February 29, 2012. If CSF has reimbursed Ahmed Arsalan for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Linawati Collier in the amount of \$3,300 plus 10 percent interest per year from May 24, 2012. If CSF has reimbursed Linawati Collier for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Jennifer Phelan in the amount of \$3,056 plus 10 percent interest per year from June 10, 2011. If CSF has reimbursed Jennifer Phelan for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Adrian Almodovar in the amount of \$975 plus 10 percent interest per year from October 17, 2012. If CSF has reimbursed Adrian Almodovar for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Greg and Grace Yi in the amount of \$2,571 plus 10 percent interest per year from April 17, 2012. If CSF has reimbursed Greg and Grace Yi for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Michael Garcia in the amount of \$2,971 plus 10 percent interest per year from October 2, 2012. If CSF has reimbursed Michael Garcia for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Mark Ramirez in the amount of \$2,890 plus 10 percent interest per year from October 13, 2011. If CSF has reimbursed Mark Ramirez for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Brian and Christie Constable in the amount of \$12,471 plus 10 percent interest per year from November 7, 2011. If CSF has reimbursed Brian and Christie Constable for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Victor Carrillo in the amount of \$2,556 plus 10 percent interest per year from June 23, 2011. If CSF has reimbursed Victor Carrillo for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Michael King in the amount of \$3,001 plus 10 percent interest per year from January 13, 2012. If CSF has reimbursed Michael King for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Maricruz and Rogelio Hernandez in the amount of \$2,971 plus 10 percent interest per year from September 12, 2012. If CSF has reimbursed Maricruz and Rogelio Hernandez for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Teresa and Joseph Sparks in the amount of \$3,001 plus 10 percent interest per year from February 26, 2012. If CSF has reimbursed Teresa and Joseph Sparks for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Teresa Rose in the amount of \$3,578 plus 10 percent interest per year from January 6, 2011. If CSF has reimbursed Teresa Rose for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Larry and Kathryn Marsh in the amount of \$4,176 plus 10 percent interest per year from March 9, 2012. If CSF has reimbursed Larry and Kathryn Marsh for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Stephen Zeeb in the amount of \$2,986 plus 10 percent interest per year from June 14, 2012. If the CSF has reimbursed Stephen Zeeb for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Thomas Blanchard in the amount of \$1,215 plus 10 percent interest per year from March 15, 2013. If CSF has reimbursed Thomas Blanchard for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Fabian and Rocio Ortiz in the amount of \$2,575 plus 10 percent interest per year from May 21, 2012. If CSF has reimbursed Fabian and Rocio Ortiz for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Paul Restelli in the amount of \$2,556 plus 10 percent interest per year from September 19, 2011. If CSF has reimbursed Restelli for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to David Babashoff in the amount of \$4,182 plus 10 percent interest per year from February 14, 2012. If CSF has reimbursed David Babashoff for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Raymond Whitelockecr in the amount of \$3,411 plus 10 percent interest per year from June 3, 2011. If CSF has reimbursed Raymond Whitelockecr for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Montielle Bennett in the amount of \$3,501 plus 10 percent interest per year from July 23, 2012. If CSF has reimbursed Montielle Bennett for all or any portion of the principal amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

Respondent must make restitution to Lisa Rieman in the amount of \$2,862 plus 10 percent interest per year from May 9, 2011. If CSF has reimbursed Lisa Rieman for all or any portion of the principal

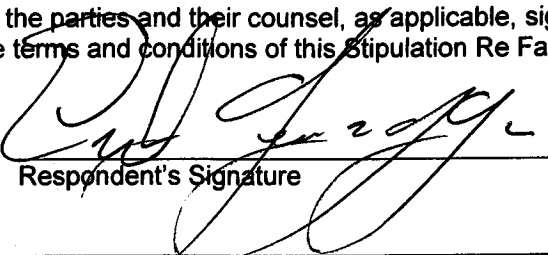
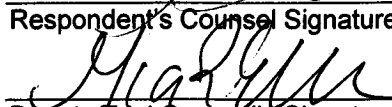
amount, Respondent must also pay restitution to CSF in the amount paid plus applicable interests and costs in accordance with Business and Professional Code Section 6140.5.

(Do not write above this line.)

In the Matter of: ERNEST GEORGE GEORGIN	Case number(s): 13-O-11844, 13-O-11900, 13-O-11926, 13-O-12107, 13-O-12216, 13-O-12270, 13-O-12311, 13-O-12365, 13-O-12589, 13-O-13011, 13-O-13019, 13-O-13020, 13-O-13021, 13-O-13173, 13-O-13299, 13-O-13382, 13-O-13457, 13-O-13493, 13-O-13613, 13-O-13667, 13-O-13691, 13-O-13746, 13-O-13749, 13-O-13854, 13-O-13856
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### 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.

9/17/13		Ernest Georggin
Date	Respondent's Signature	Print Name
9/19/13		Mia Ellis
Date	Deputy Trial Counsel's Signature	Print Name



(Do not write above this line.)

In the Matter of: ERNEST GEORGE GEORGIN	Case Number(s): 13-O-11844, 13-O-11900, 13-O-11926, 13-O-12107, 13-O-12216, 13-O-12270, 13-O-12311, 13-O-12365, 13-O-12589, 13-O-13011, 13-O-13019, 13-O-13020, 13-O-13021, 13-O-13173, 13-O-13299, 13-O-13382, 13-O-13457, 13-O-13493, 13-O-13613, 13-O-13667, 13-O-13691, 13-O-13746, 13-O-13749, 13-O-13854, 13-O-13856
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### 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.

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 Ernest George Georggin 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.

Date

10/17/13

Judge of the State Bar Court  
**RICHARD A. HONN**

## 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 Los Angeles, on October 18, 2013, 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:

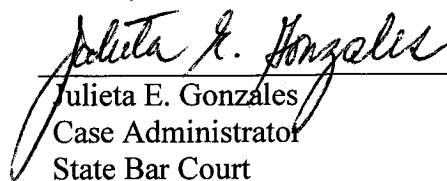
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ERNEST GEORGE GEORGIN  
GEORGIN & ASSOCIATES  
6855 FRIARS RD UNIT 15  
SAN DIEGO, CA 92108

- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Mia R. Ellis, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 18, 2013.

  
\_\_\_\_\_  
Julieta E. Gonzales  
Case Administrator  
State Bar Court