

1 STATE BAR OF CALIFORNIA  
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**FILED**

**DEC 11 2013**

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

8  
9 STATE BAR COURT

10 HEARING DEPARTMENT - LOS ANGELES

11  
12 In the Matter of: ) Case No. 13-O-13151  
JENNIFER LYNN KAMMERER, )  
13 No. 204888, ) NOTICE OF DISCIPLINARY CHARGES  
14 )  
A Member of the State Bar. )

15 **NOTICE - FAILURE TO RESPOND!**

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

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

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Jennifer Lynn Kammerer ("Respondent") was admitted to the practice of law in the  
4 State of California on December 8, 1999, was a member at all times pertinent to these charges,  
5 and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 13-O-13151  
8 Business and Professions Code, section 6068(a)  
9 [Failure to Comply With Laws – Unauthorized Practice of Law]

10 2. Between on or about November 8, 2012 and December 25, 2012, Respondent held  
11 herself out as entitled to practice law and actually practiced law when Respondent was not an  
12 active member of the State Bar by agreeing to provide legal services to client Susan Shain and  
13 accepting advanced legal fees from Shain and by holding herself out as an attorney to Shain, in  
14 emails, and in her business card, in violation of Business and Professions Code, sections 6125  
15 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

15 COUNT TWO

16 Case No. 13-O-13151  
17 Business and Professions Code, section 6106  
18 [Moral Turpitude]

19 3. Between on or about November 8, 2012 and December 25, 2012, Respondent held  
20 herself out as entitled to practice law and actually practiced law when Respondent knew, or was  
21 grossly negligent in not knowing, that Respondent was not an active member of the State Bar by  
22 agreeing to provide legal services to client Susan Shain and accepting advanced legal fees from  
23 Shain and by holding herself out as an attorney to Shain, in emails, and her business card, and  
24 thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation  
25 of Business and Professions Code, section 6106.

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COUNT THREE

Case No. 13-O-13151  
Rules of Professional Conduct, rule 4-200(A)  
[Illegal Fee]

4. On or about November 16, 2012, while Respondent was suspended and not entitled to practice law, Respondent charged and collected an illegal fee of \$500 from client Susan Shain to perform legal services, in willful violation of Rules of Professional Conduct, rule 4-200(A).

COUNT FOUR

Case No. 13-O-13151  
Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

5. On or about November 16, 2012, Susan Shain employed Respondent to perform legal services, namely to assist Shain in collecting unclaimed shares of stock from the Disney company, which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to provide any legal services of value to the client.

COUNT FIVE

Case No. 13-O-13151  
Business and Professions Code, section 6068(m)  
[Failure to Respond to Client Inquiries]

6. Respondent failed to respond promptly to two written reasonable status inquiries made by Respondent's client, Susan Shain, on or about December 29, 2012 and December 30, 2012 that Respondent received, in a matter in which Respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

COUNT SIX

Case No. 13-O-13151  
Rules of Professional Conduct, rule 3-700(D)(2)  
[Failure to Refund Unearned Fees]

7. On or about November 16, 2012, Respondent received advanced fees of \$500 from a client, Susan Shain, to assist Shain in collecting unclaimed shares of stock from the Disney company. Respondent performed no services of value on behalf of the client and therefore

1 earned none of the advanced fees paid. Respondent failed to refund promptly, upon  
2 Respondent's termination of employment in or about April 2013, any part of the \$500 fee, in  
3 willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

4 COUNT SEVEN

5 Case No. 13-O-13151  
6 Rules of Professional Conduct, rule 4-100(B)(3)  
7 [Failure to Render Accounts of Client Funds]

8 8. On or about November 16, 2012, Respondent received from Respondent's client,  
9 Susan Shain, the sum of \$500 as advanced fees for legal services to be performed. Respondent  
10 thereafter failed to render an appropriate accounting to the client regarding those funds upon the  
11 termination of Respondent's employment in or about April 2013, in willful violation of the Rules  
12 of Professional Conduct, rule 4-100(B)(3).

13 COUNT EIGHT

14 Case No. 13-O-13151  
15 Rules of Professional Conduct, rule 3-700(D)(1)  
16 [Failure to Release File]

17 9. Respondent failed to release promptly to Respondent's client, Susan Shain, all of the  
18 client's papers and property after termination of Respondent's employment in or about April  
19 2013 and following the client's request for the client's file in or about April 2013, in willful  
20 violation of Rules of Professional Conduct, rule 3-700(D)(1).

21 NOTICE - INACTIVE ENROLLMENT!

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

NOTICE - COST ASSESSMENT!

**IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC  
DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS  
INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING**

1 **AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND**  
2 **PROFESSIONS CODE SECTION 6086.10.**

3 Respectfully submitted,

4 THE STATE BAR OF CALIFORNIA  
5 OFFICE OF THE CHIEF TRIAL COUNSEL

6 DATED: December 11, 2013

7 By: 

8 Anand Kumar  
9 Deputy Trial Counsel  
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# DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 13-O-13151

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California 90015, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

## NOTICE OF DISCIPLINARY CHARGES

- By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))**  
- in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.
- By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))**  
- in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles.
- By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))**  
- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').
- By Fax Transmission: (CCP §§ 1013(e) and 1013(f))**  
Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.
- By Electronic Service: (CCP § 1010.6)**  
Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)

(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested,  
Article No.: 7196 9008 9111 1008 1714 at Los Angeles, addressed to: (see below)

(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS,  
Tracking No.: \_\_\_\_\_ addressed to: (see below)

Person Served	Business-Residential Address	Fax Number	VIA REGULAR USPS
JENNIFER LYNN KAMMERER	7660 Fay Ave., Ste. H266 La Jolla, CA 92037	Electronic Address	7660 Fay Ave., Ste. H266 La Jolla, CA 92037
		jklaw2@gmail.com	

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ('UPS'). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

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

DATED: December 11, 2013

SIGNED:

Sandra Reynolds  
Sandra Reynolds  
Declarant