



FILED

OCT 05 2015

**STATE BAR COURT
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LOS ANGELES**

1 **BREMER WHYTE BROWN & O'MEARA LLP**

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6 Attorneys for Respondent

William S. Tomasi

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STATE BAR COURT

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HEARING DEPARTMENT-LOS ANGELES

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12 In the Matter of:

) Case No. 13-O-13158 and 13-O-16281 YDR

13 WILLIAM S. TOMASI,

)

14 SBN 139518

) RESPONSE OF WILLIAM S. TOMASI

) TO NOTICE OF DISCIPLINARY

) CHARGES

15

A Member of the State Bar

)

) [Rule 5.4 (47)]

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18 TO THE PARTIES AND THEIR ATTORNEYS:

19 COMES NOW respondent William S. Tomasi to answer and to respond to the notice of

20 disciplinary charges in the above referenced case numbers to admit, deny and allege as follows.

21 The response in each paragraph corresponds to the charging paragraph in the notice of disciplinary

22 charges:

23 1. In response to paragraph one concerning the jurisdiction of this matter the plaintiff

24 admits that he was licensed to practice law in the state on December 27, 1988, was a member at all

25 times pertinent, and is currently a member of the State Bar of California.

26 COUNT ONE

27 2. Respondent denies that he violated rule 3-300 by acquiring a financial interest adverse to

28 client Layman in his 2006 Jeep Wrangler Rubicon. The client agreed to a written fee agreement for

1 work in regard to his charges for driving under the intoxication of alcohol, his Jeep was impounded
2 with fees of \$680, with the balance owing to the finance company, the client decided to leave the
3 Jeep impounded when respondent agreed to pay the impound fees and take over the payments in
4 payment for the attorney fees for the criminal matter, all of which agreement is explained and is
5 memorialized in writing with agreements between respondent and the client.

6 COUNT TWO

7 3. Respondent denies that he violated rule 3-300 by acquiring a financial interest adverse to
8 client Layman in his 2006 Jeep Wrangler Rubicon. The client agreed to a written fee agreement for
9 work in regard to his charges for driving under the intoxication of alcohol, his Jeep was impounded
10 with fees of \$680, with the balance owing to the finance company, the client decided to leave the
11 Jeep impounded when respondent agreed to pay the impound fees and take over the payments in
12 payment for the attorney fees for the criminal matter, all of which agreement is explained and is
13 memorialized in writing with agreements between respondent and the client. Respondent denies
14 that he received \$7500 as an advanced fee as explained above, and respondent further denies that
15 he violated rule 4-100 (B) (3).

16 COUNT THREE

17 4. Respondent denies that he violated rule 3-700(A)(1) on or after January 11, 2013, as
18 respondent was fighting for his life in a hospital and in rehabilitation following a CVA in
19 November 2012. Respondent obtained and arranged for substitute counsel for the client at all times
20 pertinent who appeared for the client in Ventura County, spoke to the prosecutor, the judges, and
21 the district attorneys.

22 COUNT FOUR

23 5. Respondent denies that he violated rule 4-100(B)(3) as respondent was fighting for his
24 life in a hospital and in rehabilitation following a CVA in November 2012. Respondent reached a
25 payment agreement with Ms. Watkins at \$100 per month, he has repaid her \$1500 so far, and
26 continues to pay \$100 per month.

27 COUNT FIVE

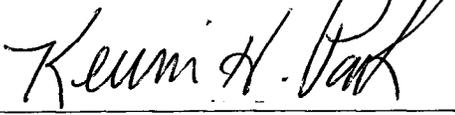
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6. Respondent denies that he violated rule 3-700(D)(2) as respondent was fighting for his life in a hospital and in rehabilitation following a CVA in November 2012. Respondent reached a payment agreement with Ms. Watkins at \$100 per month, he has repaid her \$1500 so far, and continues to pay \$100 per month.

October 1, 2015

BREMER WHYTE BROWN & O'MEARA LLP

By: 
John O'Meara
Kevin H. Park
Attorneys for Respondent

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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 21271 Burbank Boulevard, Suite 110, Woodland Hills, California 91367.

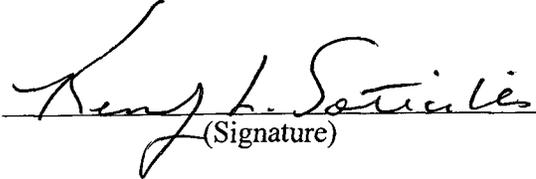
On October ⁵~~2~~, 2015, I served the within document(s) described as: RESPONSE TO DISCIPLINARY CHARGES CASE NUMBER 13158 AND 16281 on the interested parties in this action as stated on the attached mailing list.

(BY MAIL) By placing a true copy of the foregoing document(s) in a sealed envelope addressed as set forth on the attached mailing list. I placed each such envelope for collection and mailing following ordinary business practices. I am readily familiar with this Firm's practice for collection and processing of correspondence for mailing. Under that practice, the correspondence would be deposited with the United States Postal Service on that same day, with postage thereon fully prepaid at Woodland Hills, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on October ⁵~~2~~, 2015, at Woodland Hills, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Kemberly L. Sotirakis
(Type or print name)


(Signature)

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In Re: The Matter of William S. Tomasi

Case No. 11-0-18428-YDR

BWB&O CLIENT: William S. Tomasi
BWB&O FILE NO.: 6167.001

SERVICE LIST

Melanie J. Lawrence OFFICE OF THE CHIEF TRIAL COUNSEL 845 South Figueroa Street Los Angeles, CA 90017 (213) 765-1000	William Tomasi 1136 Del Verde Court Thousand Oaks, CA 91320	
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