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FILED

MAR 09 2015

**STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES**

7 STATE BAR COURT
8 HEARING DEPARTMENT-LOS ANGELES

9
10 In the Matter of:

11 George A Saba
12 Member No. 134316

13 A Member of the State Bar.

)
) **CASE NO.: 13-O-13320 & 13-O-**
) **16221**

) **RESPONDENT'S ANSWER TO NOTICE**
) **OF DISCIPLINARY CHARGES**

) **JUDGE: The Honorable Donald F.**
) **Miles**
)
)

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17 George A Saba, Respondent herein, answers the allegations of the
18 Notice of Disciplinary Charges, dated December 30, 2014, which was
19 served upon Respondent by email on February 17, 2015, as follows:
20

21 **JURISDICTION**

22 1. Respondent admits the allegations of paragraph 1 of the Notice of
23 Disciplinary Charges.

24 **COUNT ONE**

25 Case No. 13-O-13320
26 Business and Professions Code, section 6068(c)
27 [Maintaining an Unjust Action]
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RESPONDENT'S ANSWER TO NOTICE OF DISCIPLINARY CHARGES

1 2. Respondent denies each and all, generally and specifically, each
2 of the allegations of paragraph 2 of the Notice of Disciplinary
3 Charges.

4 **COUNT TWO**

5 Case No. 13-O-13320
6 Business and Professions Code, section 6103
7 [Failure to Obey a Court Order]

8 3. Respondent denies each and all, generally and specifically, each
9 of the allegations of paragraph 3 of the Notice of Disciplinary
10 Charges. Respondent contends that there is a lack of clear and
11 convincing evidence to support this culpability finding.

12 **COUNT THREE**

13 Case No. 13-O-13320
14 Business and Professions Code, section 6068(o)(3)
15 [Failure to Report Judicial Sanctions]

16 4. Respondent admits the allegations of paragraph 4 of the Notice of
17 Disciplinary Charges, simply because Respondent was never sanctioned
18 before and therefore was unaware of that particular statute to report
19 such sanctions.

20 **COUNT FOUR**

21 Case No. 13-O-16621
22 Business and Professions Code, section 6068(c)
23 [Maintaining an Unjust Action]

24 5. Respondent denies each and all, generally and specifically, each
25 of the allegations of paragraph 5 of the Notice of Disciplinary
26 Charges. Respondent contends that there is a lack of clear and
27 convincing evidence to support this culpability finding.
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6. Respondent denies each and all, generally and specifically, each of the allegations of paragraph 6 of the Notice of Disciplinary Charges. Respondent contends that there is a lack of clear and convincing evidence to support this culpability finding.

Respondent alleges that the Subject Orders to pay sanctions were procured by fraud on the Court and is voidable if not Void.

Respondent alleges that the State Bar is barred from any relief or recovery against Respondent, because of the Complaining Party's unclean hands, which relate directly to the Orders that are the subject of the State Bar's claims.

Respondent alleges that the State Bar is barred from relief under the doctrine of Equitable Estoppel.

Respondent alleges that the State Bar is barred from relief under the doctrine of Laches.

Respondent alleges that the State Bar is barred from relief under the doctrine of Collateral Estoppel.

The Notice of Disciplinary Charges, and each count thereof, fails to state any claim upon which relief can be granted.

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EIGHTH AFFIRMATIVE DEFENSE

If there was any unlawfulness with respect to the matters against Respondent charged in Counts One to Five, such unlawfulness was not apparent to Respondent at the time the events occurred, and thus no violation took place. *Anderson v. Creighton* (1987) 483 U.S. 635, 640.

If there was any unlawfulness with respect to the matters against Respondent charged in Counts One to Five, such unlawfulness was not apparent to Respondent at the time the events occurred, and thus no violation took place. *Anderson v. Creighton* (1987) 483 U.S. 635, 640.

Respondent reserves the right to assert additional affirmative defenses if and when further preparation and discovery procedures may reveal the same.

1. Dismissing the Charges and denying all relief to the State Bar;
and granting judgment in Respondent's favor;
2. Granting such other and further relief as may be permitted by law
and as the Court may deem just and proper.

~~GEORGE A SABA~~
Respondent

DECLARATION OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I am employed in the County of Riverside, State of California. I am, and was at the time mentioned in this declaration, over the age of 18 years. I am not a party to the within action. My address is:

2514 GLENBUSH CIRCLE
CORONA, CA 92882-8600

On March 7, 2015 following ordinary business practices, I served the foregoing described as:

RESPONDENT'S ANSWER TO NOTICE OF DISCIPLINARY CHARGES

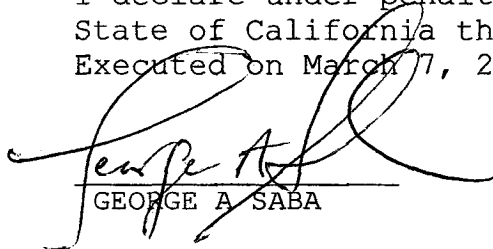
On the parties in this action by placing a true copy thereof enclosed in sealed envelope(s) addressed as follows:

(X) MAIL: I deposited the envelope with the United States Postal Service on the same day with postage thereon fully prepaid at Corona, California.

**STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
845 SOUTH FIGUEROA STREET
LOS ANGELES, CA 90017-2515**

**ASHOD MOORADIAN, ESQ.
ASSOCIATED CO-COUNSEL
STATE BAR OF CALIFORNIA
845 SOUTH FIGUEROA STREET
LOS ANGELES, CA 90017-2515**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on March 7, 2015 at Corona, California.


GEORGE A SABA