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FILED

DEC 28 2015

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

8 **THE STATE BAR COURT**
9 **OF THE STATE BAR OF CALIFORNIA**
10 **HEARING DEPARTMENT - LOS ANGELES**

11 **In the Matter of**) **Case No. 13-0-13440-WKM**
12)
13) **RESPONSE TO FIRST AMENDED**
14 **SHELLY BARBARA ALBERT**) **NOTICE OF DISCIPLINARY**
15 **No. 174318**) **CHARGES**
16)
17)
18 **A Member of the State Bar**)

19 All further notices in relation to this proceeding are to be sent to:

20 Arthur L. Margolis, Esq.
21 MARGOLIS & MARGOLIS LLP
22 Attorneys at Law
23 2000 Riverside Drive
24 Los Angeles, CA 900039

25 **RESPONSE TO FIRST AMENDED NOTICE OF DISCIPLINARY CHARGES**

26 **JURISDICTION**

27 1. Responding to Paragraph 1 of the First Amended Notice of
28 Disciplinary Charges, Respondent admits the allegations stated in that
paragraph.

COUNT ONE

2. Responding to Paragraph 2 of Count One of the First Amended



1 Notice of Disciplinary Charges, Respondent denies the allegations stated in
2 that paragraph;

3 3. Responding to Paragraph 3 of Count One, Respondent denies the
4 allegations stated in that paragraph;

5 4. Responding to Paragraph 4 of Count One, Respondent denies the
6 allegations stated in that paragraph;

7 5. Responding to Paragraph 5 of Count One, Respondent denies the
8 allegations stated in that paragraph;

9 6. Responding to Paragraph 6 of Count One, Respondent denies the
10 allegations stated in that paragraph.

11 7. Responding to Paragraph 7 of Count One, Respondent denies the
12 allegations stated in that paragraph.

13 8. Count One of the Bar's First Amended Notice of Disciplinary
14 Charges should be dismissed pursuant to Rule of Procedure 5.124(C) & (E) in
15 that it does not state a disciplinable offense and, further, it is violative of
16 Respondent's right to due process.

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18 **COUNT TWO**

19 9. Responding to Paragraph 8 of Count Two of the Bar's First
20 Amended Notice of Disciplinary Charges, Respondent repeats and
21 incorporates her responses to Paragraphs 2 through 7 of Count One.

22 10. Responding to Paragraph 9 of Count Two, Respondent denies the
23 allegations stated in that paragraph.

24 11. Count Two of the Bar's First Amended Notice of Disciplinary
25 Charges should be dismissed pursuant to Rule of Procedure 5.124(C), (D), &
26 (E) on the separate and independent grounds that Count Two does not give
27

28

1 sufficient notice of the charges, fails to allege the elements of the charged
2 violation, does not state a disciplinable offense, and is violative of Ms. Albert's
3 right to due process.

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5 **MARGOLIS & MARGOLIS LLP**

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7 **December 28, 2015**

8 **By:** Arthur L. Margolis
9 **ARTHUR L. MARGOLIS**
10 **Counsel for Respondent**

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