

PUBLIC MATTER

STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
JAYNE KIM, No. 174614
CHIEF TRIAL COUNSEL
JOSEPH R. CARLUCCI, No. 172309
DEPUTY CHIEF TRIAL COUNSEL
ALAN B. GORDON, No. 125642
ASSISTANT CHIEF TRIAL COUNSEL
WILLIAM TODD, No. 259194
DEPUTY TRIAL COUNSEL
845 South Figueroa Street
Los Angeles, California 90017-2515
Telephone: (213) 765-1491

FILED

MAR 05 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:) Case Nos. 13-O-14229, 13-O-14297,
CHRISTOPHER SCOTT HAMMATT,) 13-O-14390
No. 222209,) NOTICE OF DISCIPLINARY CHARGES
A Member of the State Bar.)

NOTICE - FAILURE TO RESPOND!

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

- (1) YOUR DEFAULT WILL BE ENTERED;**
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN
THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION
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.**



1 The State Bar of California alleges:

2 JURISDICTION

3 1. Christopher Scott Hammatt ("Respondent") was admitted to the practice of law in the
4 State of California on December 3, 2002, 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-14229
8 Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

9 2. Respondent failed, upon termination of employment, to take reasonable steps to avoid
10 reasonably foreseeable prejudice to Respondent's client, Kathleen Nelson, by constructively
11 terminating Respondent's employment March 8, 2013 by failing to take any action on the
12 client's behalf after appearing at a March 8, 2013 hearing, and thereafter failing to inform the
13 client that Respondent was withdrawing from employment, in willful violation of Rules of
14 Professional Conduct, rule 3-700(A)(2).

15 COUNT TWO

16 Case No. 13-O-14229
17 Business and Professions Code, section 6068(m)
[Failure to Respond to Client Inquiries]

18 3. Respondent failed to respond promptly to multiple telephonic reasonable status
19 inquiries made by Respondent's client, Kathleen Nelson, between March 8, 2013 and July 19,
20 2013 that Respondent received in a matter in which Respondent had agreed to provide legal
21 services, in willful violation of Business and Professions Code, section 6068(m).

22 COUNT THREE

23 Case No. 13-O-14229
24 Rules of Professional Conduct, rule 3-700(D)(1)
[Failure to Release File]

25 4. Respondent failed to release promptly, after termination of Respondent's employment
26 on or about July 19, 2013, to Respondent's client, Kathleen Nelson, all of the client's papers and
27 property following the client's request for the client's file on July 19, 2013, in willful violation of
28 Rules of Professional Conduct, rule 3-700(D)(1).

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Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

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Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

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Business and Professions Code, section 6068(m)
[Failure to Respond to Client Inquiries]

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1 COUNT SEVEN

2 Case No. 13-O-14297
3 Rules of Professional Conduct, rule 3-700(D)(1)
4 [Failure to Release File]

5 8. Respondent failed to release promptly, after termination of Respondent's employment
6 on or about September 10, 2013, to Respondent's clients, Keith and Joy Klintworth, all of the
7 clients' papers and property following the clients' request for the clients' file on September 10,
8 2013, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

9 COUNT EIGHT

10 Case No. 13-O-14297
11 Rules of Professional Conduct, rule 3-700(D)(2)
12 [Failure to Refund Unearned Fees]

13 9. On or about May 8, 2013, Respondent received advanced fees of \$2,000 from a
14 clients, Keith and Joy Klintworth, for representation in a civil matter. Respondent performed no
15 services of value on behalf of the clients and therefore earned none of the advanced fees paid.
16 Respondent failed to refund promptly, upon Respondent's termination of employment on or
17 about July 25, 2013 any part of the \$2,000 fee, in willful violation of Rules of Professional
18 Conduct, rule 3-700(D)(2).

19 COUNT NINE

20 Case No. 13-O-14297
21 Business and Professions Code, section 6068(i)
22 [Failure to Cooperate in State Bar Investigation]

23 10. Respondent failed to cooperate and participate in a disciplinary investigation pending
24 against Respondent by failing to provide a substantive response to the State Bar's letters of
25 August 15, 2013 and September 10, 2013, which Respondent received, that requested
26 Respondent's response to the allegations of misconduct being investigated in case no. 13-O-
27 14297, in willful violation of Business and Professions Code, section 6068(i).
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1 September 9, 2013, which Respondent received, that requested Respondent's response to the
2 allegations of misconduct being investigated in case no. 13-O-14390, in willful violation of
3 Business and Professions Code, section 6068(i).

4 **NOTICE - INACTIVE ENROLLMENT!**

5 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
6 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
7 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
8 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
9 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
10 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**
11 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**
12 **RECOMMENDED BY THE COURT.**

13 **NOTICE - COST ASSESSMENT!**

14 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC**
15 **DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS**
16 **INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING**
17 **AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND**
18 **PROFESSIONS CODE SECTION 6086.10.**

19 Respectfully submitted,

20 THE STATE BAR OF CALIFORNIA
21 OFFICE OF THE CHIEF TRIAL COUNSEL

22 DATED: March 5, 2014

23 By: 

24 William Todd
25 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-14229, 13-O-14297, 13-O-14390

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, 845 S. Figueroa Street, Los Angeles, California 90017, 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))

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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 1837 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	Courtesy Copy to:
CHRISTOPHER SCOTT HAMMATT	Law Offc Christopher S. Hammatt 41877 Enterprise Cir N Ste 211 Temecula, CA 92590	Electronic Address	

☐ via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

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: March 5, 2014

SIGNED:

LAURA JETT
Declarant

State Bar of California

DECLARATION OF SERVICE