

COPY

1 STATE BAR OF CALIFORNIA
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PUBLIC MATTER

FILED

AUG 26 2014

STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of:) Case No. 13-O-14697
13 ROBERT HOWARD SACK) FIRST AMENDED NOTICE OF
14 No. 165033,) DISCIPLINARY CHARGES
15 A Member of the State Bar)

NOTICE - FAILURE TO RESPOND!

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

- 20 (1) **YOUR DEFAULT WILL BE ENTERED;**
- 21 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**
22 **WILL NOT BE PERMITTED TO PRACTICE LAW;**
- 23 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER**
24 **IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY**
25 **MOTION AND THE DEFAULT IS SET ASIDE, AND;**
- 26 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
27 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET**
28 **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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The State Bar of California alleges:

JURISDICTION

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3 1. Respondent Robert Howard Sack was admitted to the practice of law in the State
4 of California on June 15, 1993, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6
7 COUNT ONE

8 Case No. 13-O-14697

9 Business and Professions Code section 6106
[Moral Turpitude - Misrepresentation]

10 2. On or about September 25, 2013, Respondent submitted his application for
11 unemployment mortgage assistance benefits to the Keep Your Home California program, and
12 represented that he was unemployed and that his only source of income was EDD benefits,
13 when Respondent knew or was grossly negligent in not knowing the statements he made to
14 the Keep Your Home California program were false, and thereby committed an act involving
15 moral turpitude, dishonesty or corruption in willful violation of Business and Professions
16 Code section 6106.

17 COUNT TWO

18 Case No. 13-O-14697

19 Business and Professions Code section 6106
20 [Moral Turpitude - Misrepresentation]

21 3. On or about April 10, 2013, April 27, 2013, June 5, 2013, and June 20, 2013,
22 Respondent submitted his financial declarations to the State Bar Court in Case Nos.
23 00-O-13349 and 09-V-10729 in which he represented that he had payroll deductions of 7.9%
24 or \$237 per month in government withholding, and that his take home pay was \$2,663 per
25 month, when Respondent knew or was grossly negligent in not knowing the statements were
26 false, and thereby committed an act involving moral turpitude, dishonesty or corruption in
27 willful violation of Business and Professions Code section 6106.
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NOTICE - INACTIVE ENROLLMENT!

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

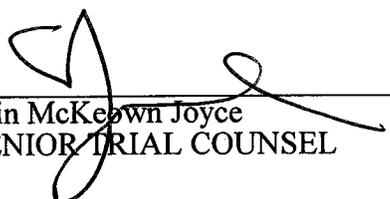
NOTICE - COST ASSESSMENT!

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

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: August 22, 2014

By: 
Erin McKelown Joyce
SENIOR TRIAL COUNSEL

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 13-O-14697

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that I am not a party to the within action; that 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; that 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; that I am aware that on motion of 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; and that 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, on the date shown below, a true copy of the within:

FIRST AMENDED NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, **Article No.: 7196 9008 9111 6410 7194**, at Los Angeles, on the date shown below, addressed to:

**Robert H. Sack
Law Office of Robert H. Sack
1635 13th Street
Los Osos, CA 93402-2297**

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: August 22, 2014

Signed: 
Carmen Corona
Declarant