

# PUBLIC MATTER

**FILED**

1 STATE BAR OF CALIFORNIA  
 OFFICE OF THE CHIEF TRIAL COUNSEL  
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AUG 01 2014  
 STATE BAR COURT  
 CLERK'S OFFICE  
 LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of: ) Case No. 13-O-14697  
 13 ROBERT HOWARD SACK ) NOTICE OF DISCIPLINARY CHARGES  
 14 No. 165033, )  
 15 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:**

- 17 (1) **YOUR DEFAULT WILL BE ENTERED;**
- 18 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**
- 19 **WILL NOT BE PERMITTED TO PRACTICE LAW;**
- 20 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER**
- 21 **IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY**
- 22 **MOTION AND THE DEFAULT IS SET ASIDE, AND;**
- 23 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
- 24 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET**
- 25 **ASIDE OR VACATE YOUR DEFAULT, THIS COURT WILL**
- 26 **ENTER AN ORDER RECOMMENDING YOUR DISBARMENT**
- 27 **WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE**
- 28 **5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF**  
**CALIFORNIA.**

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1 The State Bar of California alleges:

2 JURISDICTION

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 COUNT ONE

7 Case No. 13-O-14697

8 Business and Professions Code section 6106  
9 [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 June 30, 2013, Respondent submitted his financial declaration to the  
22 State Bar Court in Case No. 00-O-13349 in which he represented that he had payroll  
23 deductions of 7.9% or \$237 per month in government withholding, and that his take home  
24 pay was \$2,663 per month, when Respondent knew or was grossly negligent in not knowing  
25 the statements were false, and thereby committed an act involving moral turpitude,  
26 dishonesty or corruption in willful violation of Business and Professions Code section 6106.

**NOTICE - INACTIVE ENROLLMENT!**

1  
2 YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE  
3 BAR COURT FINDS, PURSUANT TO BUSINESS AND  
4 PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT  
5 POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS  
6 OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE  
7 INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF  
8 THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE  
9 IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE  
10 COURT.

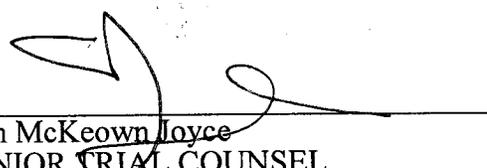
**NOTICE - COST ASSESSMENT!**

8 IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC  
9 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF  
10 COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION,  
11 HEARING AND REVIEW OF THIS MATTER PURSUANT TO  
12 BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

11 Respectfully submitted,

12 THE STATE BAR OF CALIFORNIA  
13 OFFICE OF THE CHIEF TRIAL COUNSEL

14  
15 DATED: July 31, 2014

14  
15 By:   
16 Erin McKeown Joyce  
17 SENIOR TRIAL COUNSEL

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 13-O-14697

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, 1149 South Hill Street, Los Angeles, California 90015, 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))

- 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 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.: 71969008911110068616 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:
Robert H. Sack	Law Office Robert Sack 1635 13th St Los Osos, CA 93402-2297	Electronic Address	rhsmedmal@charter.net rhstraffic@charter.net

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

N/A

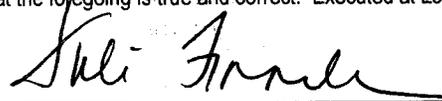
I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ("UPS"). In the ordinary course of the State Bar of California's practice, correspondence 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: July 31, 2014

SIGNED:



JULI FINNILA  
Declarant