

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED

JUN 30 2014
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case Nos. 13-O-14823
 14 TANYA CORA ZEROUNIAN,) 13-O-16369
 15 No. 235207,) 14-O-03246
 16 A Member of the State Bar.) NOTICE OF DISCIPLINARY CHARGES

NOTICE - FAILURE TO RESPOND!

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

- 21 (1) YOUR DEFAULT WILL BE ENTERED;
- 22 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
 WILL NOT BE PERMITTED TO PRACTICE LAW;
- 23 (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;
- 24 (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
 25 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
 26 FURTHER HEARING OR PROCEEDING. SEE RULE 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. TANYA CORA ZEROUNIAN ("Respondent") was admitted to the practice of
4 law in the State of California on January 3, 2005, was a member at all times pertinent to these
5 charges, and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 13-O-14823
8 Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

9 2. On or about November 7, 2009, Irma Chacon employed Respondent to perform
10 legal services, particularly to obtain a discharge of her debt through a Chapter 7 bankruptcy
11 petition. Respondent intentionally, recklessly, or repeatedly failed to perform with competence,
12 in willful violation of Rules of Professional Conduct, rule 3-110(A), by performing no legal
13 services of value on behalf of the client, including failing to file a bankruptcy petition on behalf
14 of the client.

15 COUNT TWO

16 Case No. 13-O-14823
17 Business and Professions Code, section 6068(m)
[Failure to Inform Client of Significant Development]

18 3. Respondent failed to keep Respondent's client, Irma Chacon, reasonably informed
19 of a significant development in a matter in which Respondent had agreed to provide legal
20 services by failing to inform the client that sometime after January 2010, Respondent had
21 determined not to file a bankruptcy petition on behalf of the client after Respondent had agreed
22 to file a bankruptcy petition for the client on or about November 9, 2009, in willful violation of
23 Business and Professions Code, section 6068(m)

24 COUNT THREE

25 Case No. 13-O-14823
26 Rules of Professional Conduct, rule 3-700(D) (2)
[Failure to Refund Unearned Fees]

27 4. Between November 7, 2009 through January 10, 2010, Respondent received
28 advanced fees of \$1,000 from her client, Irma Chacon, for the purpose of obtaining a discharge

1 of her debt through a Chapter 7 bankruptcy petition. Respondent performed no services of value
2 on behalf of the client and therefore earned none of the advanced fees paid. Respondent failed to
3 refund promptly, upon Respondent's termination of employment in or about early 2012, any part
4 of the \$1,000 advanced fee, in willful violation of Rules of Professional Conduct, rule
5 3-700(D)(2).

6 COUNT FOUR

7 Case No. 13-O-14823
8 Rules of Professional Conduct, rule 4-100(B)(4)
9 [Failure to Pay Client Funds Promptly]

10 5. On or about January 12, 2010, Respondent received on behalf of Respondent's
11 client, Irma Chacon, a money order payable to Respondent in the sum of \$500 for costs,
12 including court fees necessary to file a Chapter 7 bankruptcy petition for Irma Chacon.
13 Respondent did not file any bankruptcy petition for Irma Chacon and did not use any of the \$500
14 received for costs. On or about April 30, 2013, the client requested that Respondent return the
15 \$500 in unused costs. To date, Respondent has failed to pay promptly, as requested by
16 Respondent's client, any portion of the \$500, to which Irma Chacon was entitled, in
17 Respondent's possession in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

18 COUNT FIVE

19 Case No. 13-O-14823
20 Business and Professions Code, section 6106
21 [Moral Turpitude - Misappropriation]

22 6. On or about January 12, 2010, Respondent received on behalf of Respondent's
23 client, Irma Chacon, a money order payable to Respondent in the sum of \$500 for costs,
24 including court fees necessary to file a Chapter 7 bankruptcy petition for Irma Chacon.
25 Respondent did not file any bankruptcy petition for Irma Chacon, did not use any of the \$500
26 received for costs, did not return the \$500 in unused costs to Irma Chacon upon termination of
27 Respondent's employment in or about early 2012, and dishonestly or grossly negligently
28 misappropriated for Respondent's own purposes \$500 that the client was entitled to receive, and
thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation
of Business and Professions Code, section 6106.

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COUNT SIX

Case No. 13-O-14823
Business and Professions Code, section 6106
[Moral Turpitude - Misrepresentation]

7. On or about February 27, 2013, Respondent stated in writing to the State Bar of California that her client, Irma Chacon, had agreed to pay Respondent a total fee of \$1,500 for representation in a Chapter 7 bankruptcy and provided copies of her fee agreement and payment plan with Irma Chacon for the representation which had been altered to reflect that Respondent's fee was \$1,500, when Respondent knew or was grossly negligent in not knowing that her statement and copies of her fee agreement and payment plan were false, and thereby committed acts involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

COUNT SEVEN

Case Nos. 13-O-14823 and 13-O-16369
Rules of Professional Conduct, rule 4-100(A)
[Failure to Maintain Client Funds in Trust Account]

8. On or about November 9, 2009, Respondent received on behalf of Respondent's client, Juan Jose Orozco, a \$500 money order made payable to Respondent as advanced costs for his bankruptcy. On or about November 9, 2009, Respondent deposited the \$500 into Respondent's client trust account at Citibank, account number xxxx8107, on behalf of the client. Without paying costs related to the client's bankruptcy, Respondent failed to maintain the \$500 on behalf of the client in Respondent's client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

COUNT EIGHT

Case Nos. 13-O-14823 and 13-O-16369
Business and Professions Code, section 6106
[Moral Turpitude - Misappropriation]

9. On or about November 9, 2009, Respondent received on behalf of Respondent's client, Juan Jose Orozco, a \$500 money order made payable to Respondent as advanced costs for his bankruptcy. On or about November 9, 2009, Respondent deposited the \$500 into Respondent's client trust account at Citibank, account number xxxx8107, on behalf of the client.

1 Between November 9 and November 13, 2009, without paying costs related to the client's
2 bankruptcy, Respondent dishonestly or grossly negligently misappropriated for Respondent's
3 own purposes the \$500, and thereby committed an act involving moral turpitude, dishonesty or
4 corruption in willful violation of Business and Professions Code, section 6106.

5 COUNT NINE

6 Case No. 13-O-16369
7 Rules of Professional Conduct, rule 3-110(A)
8 [Failure to Perform with Competence]

9 10. On or about November 17, 2009, Elvira Cruz employed Respondent to perform legal
10 services, particularly to obtain a discharge of her debt through a Chapter 7 bankruptcy petition.
11 Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful
12 violation of Rules of Professional Conduct, rule 3-110(A), by performing no legal services of
13 value on behalf of the client, including failing to file a bankruptcy petition on behalf of the client.

14 COUNT TEN

15 Case No. 13-O-16369
16 Rules of Professional Conduct, rule 3-700(D)(2)
17 [Failure to to Refund Unearned Fees]

18 11. On or about November 17, 2009, Respondent received advanced fees of \$1,400
19 from a client, Elvira Cruz, for the purpose of obtaining a discharge of her debt through a Chapter
20 7 bankruptcy petition. Respondent performed no services of value on behalf of the client and
21 therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon
22 Respondent's termination of employment in or about 2010, any part of the \$1,400 advanced fee,
23 in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

24 COUNT ELEVEN

25 Case No. 13-O-16369
26 Rules of Professional Conduct, rule 3-700(D) (1)
27 [Failure to Release File]

28 12. On Respondent failed to release promptly, after termination of Respondent's
employment in or about 2010, to Respondent's client, Elvira Cruz, all of the client's papers and
property following the client's written request for the client's file on or about September 14,
2011, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

1 COUNT TWELVE

2 Case No. 14-O-03246
3 Business and Professions Code, section 6068(k)
4 [Failure to Comply with Conditions of Probation]

5 13. Respondent failed to comply with conditions attached to Respondent's disciplinary
6 probation in State Bar case nos. 11-O-11437, 11-O-15689, and 12-O-10217 as follows, in willful
7 violation of Business and Professions Code, section 6068(k):

- 8 A. Failed to schedule a meeting within 30 days from the effective date of discipline,
9 or by May 6, 2013, with Respondent's assigned probation deputy to discuss the
10 terms and conditions of the probation;
- 11 B. Failed to timely file a quarterly report by the due date of July 10, 2013;
- 12 C. Failed to file a quarterly report by the due date of January 10, 2014;
- 13 D. Failed to make installment restitution payments to Thelma Herrera, Daniel
14 Sanchez, and Jose Terrazas Hernandez beginning May 1, 2014; and
- 15 E. Failed to provide to the Office of Probation satisfactory proof of attendance at a
16 session of Ethics School and passage of the test given at the end of that session
17 within one year of the effective date of discipline, or by April 6, 2014.

18 **NOTICE - INACTIVE ENROLLMENT!**

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

27 **NOTICE - COST ASSESSMENT!**

28 **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.**

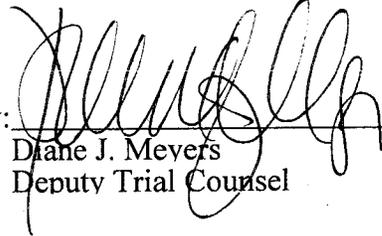
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Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL



DATED: June 30, 2014

By: _____
Diane J. Meyers
Deputy 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-14823; 13-O-16369; 14-O-03246

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 South 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))

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 6409 9437 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)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to. Row 1: PAUL VIRGO, 9909 TOPANGA BLVD., #282 CHATSWORTH, CA 91311, 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: June 30, 2014

SIGNED:

Sandra Jones signature and name: SANDRA JONES Declarant