

COPY

1 **CHRISTOPHER HAMMATT (State Bar No. 222209)**
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4 Telephone: (951) 348-1219

FILED

JUN 12 2014

5 In Pro Per

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

8 STATE BAR COURT

9 HEARING DEPARTMENT-LOS ANGELES

11 In the Matter of:)	Case No. 13-O-15850-DFM
12 CHRISTOPHER SCOTT HAMMATT,)	RESPONSE TO NOTICE OF
13 No. 222209)	DISCIPLINARY CHARGES;
14)	DECLARATION OF MICHAEL E. WINE
14 A Member of the State Bar)	

15 The following is the Response of Christopher Hammatt to the Notice of Disciplinary
16 Charges.

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18 1. I am unable to prepare this on my own and this pleading has been prepared for my
19 signature by MICHAEL E. WINE who spoke with me by phone on June 6, 2014 and who told
20 me he is my appointed counsel in a related matter. My wife Susan Hammatt was on the phone
21 during my talk with Mr. Wine. I would not be able to prepare this or any pleading on my own at
22 the present time.

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24 2. I do not remember the complainant LaVon Simmons-Robinson. I do recall the name
25 LaVon, but do not remember what any case involving her is about or what I was supposed to do
26 for her. I don't believe I have any file relating to any one named LaVon under my control. I

27 kwiktag® 048 639 090



1 think that all my files have been turned over to attorney Jack Osborn. I do not remember ever
2 seeing a Bar complaint letter regarding LaVon Simmons-Robinson.

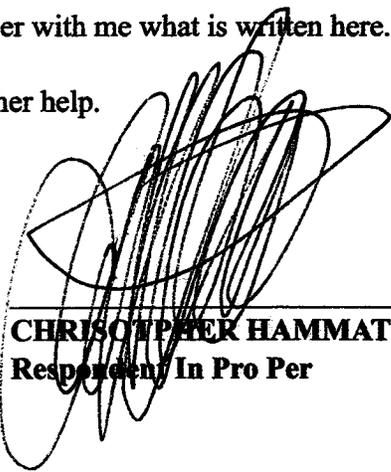
3 3. I have been dealing with many serious medical issues over the last year. I often have
4 difficulty getting out of bed. I am very angry a lot of the time. I have problems remembering
5 things from the past or even things that have happened recently.

6 4. I am not capable of representing myself in this case at the present time. I am not
7 capable of assisting counsel in this case since I don't remember anything about it.

8 5. All further notices and pleadings in this case should be sent to my address which is set
9 out above. I am requesting a courtesy copy of all notices and pleadings be sent to Mr. Wine.
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11 6. My wife Susan has read and gone over with me what is written here. I do not think I
12 could have understood it completely without her help.

13
14 Dated: June 5, 2014


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16 **CHRISTOPHER HAMMATT,**
17 **Respondent In Pro Per**
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DECLARATION OF MICHAEL E. WINE

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MICHAEL E. WINE hereby submits his declaration as a supplement to Respondent
CHRISTOPHER HAMMATT'S RESPONSE TO NOTICE OF DISCIPLINARY CHARGES.

1. I am an attorney duly licensed in the State of California, and am the court appointed attorney for the Respondent in a related matter..

2. I have been in practice for over forty years, the last nineteen plus of which I have spent almost exclusively practicing in the area of attorney licensing, ethics and discipline.

3. During these last nineteen years I would estimate that I have served as appointed counsel in both TT and TE matters between 25 to 40 times. In addition, in my private practice I have commenced both TT and TE matters on one occasion each. I am quite familiar with all of the issues in such proceedings, and the determination which the Court must make is such cases.

4. I became appointed counsel for the Respondent by order of the State Bar Court of September 9, 2013. On October 23, 2013, I had a Skype meeting with Respondent which lasted between 21 and 26 minutes (based upon my billing of .40 hours for the same), during which time I explained to Respondent who I was; the nature of the proceeding in which I was appointed counsel; and how that proceeding would likely play out. Since that time, my exclusive contact for fulfilling my professional responsibilities to my client has been his wife, Susan Hammatt, who is also the Temporary Limited Conservator of Respondent.

5. On June 6, 2014, I had a conference call with both Respondent and his wife. Based upon my billing of .50 hours for this conference, it would have lasted between 27 and 32

1 minutes. Although Respondent did not participate in this conference for the entire time, I would
2 estimate that his participation lasted for approximately one half of the billed time.

3 6. During this phone conversation with the Respondent I asked him several questions.
4 Initially, Respondent wondered who I was and had no recollection of our Skype call on October
5 23, 2013. I again explained who I was and what my role was and proceeded to question him
6 about the charges in this pending matter. A summary of Respondent's lack of recollection of the
7 facts underlying the charges set out in the NDC in this case is contained in paragraph 2 of the
8 Response to which this declaration is attached, and his responses to my questions concerning
9 his ability to represent himself or assist counsel in his defense are set out in paragraphs
10 1 and 4 of the Response.
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12 7. During our conversation, Respondent on more than one occasion gave rambling and
13 disjointed answers to specific questions of mine (e.g., in response to a question relating to his
14 capabilities in understanding and dealing with the charges in the NDC, Respondent began a
15 discourse on how he liked going to the mall with his family but would become tired quickly and
16 would have to return home). At another point in our conversation, Respondent did not recall
17 where Los Angeles was or how far it was from his home. By the end of our conversation,
18 Respondent did not recall my name.
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23 8. On June 7, 2014 I reviewed my notes of my conversation with the Hammatts and
24 prepared the Response to which this declaration is attached. Before I e-mailed the Response to
25 Susan Hammatt I called her and went over its provisions with her, and she confirmed their
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1 accuracy. She was to go over this pleading with Respondent, have him sign it, and return to me
2 for filing and service (I do not know why the date of June 5 was filled in on the Response).

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4 9. Based upon the records before the Court in the related matter in which I am appointed
5 counsel, my conversation with the Respondent on June 5, 2014, my numerous conversations and
6 e-mails with Susan Hammatt over the last nine plus months, and my nineteen years of experience
7 in handling TT and TE matters before this Court, it is my present opinion that Respondent is not
8 capable of representing himself or assisting counsel in this instant matter.
9

10 I make the above declaration under penalty of perjury pursuant to the laws of the State of
11 California that the foregoing is true and correct. Executed on June 11, 2014.

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15 **Michael E. Wine, Declarant**

PROOF OF SERVICE BY MAIL

I, MICHAEL E. WINE, declare as follows:

I am employed within the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to this action. My business address is 80 W. Sierra Madre Blvd., #355, Sierra Madre, CA 91024. I am readily familiar with the practice of my law office for the collection and processing of mail with the United States Postal Service. Pursuant to that practice, envelopes placed for collection at designated locations are deposited with the United States Postal Service with first class postage thereon fully prepaid that same day in the ordinary course of business. On June 11, 2014 I served the RESPONSE TO NOTICE OF DISCIPLINARY CHARGES; DECLARATION OF MICHAEL E. WINE to which this is attached by a placing a true copy thereof in an envelope addressed to each of the persons named below at the address as follows:

William Todd, Esq.
State Bar of California
Office of the Chief Trial Counsel
845 S. Figueroa Street
Los Angeles, CA 90017

and then by sealing and placing the envelope for collection at Sierra Madre, CA on the above date.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on June 11, 2014 at Sierra Madre, CA.


MICHAEL E. WINE