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1 LAW OFFICES OF FRANKLIN S. ADLER  
State Bar Number: 056417  
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Beverly Hills, California 90212  
3 (310) 553-8533

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

4 Counsel for Respondent:  
MANUEL LOPEZ  
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8 STATE BAR COURT  
9 HEARING DEPARTMENT - SAN FRANCISCO  
10

11 In the Matter of:

Case Nos: 13-O-16607; 14-O-02064

12 MANUEL LOPEZ  
13 No. 40235

RESPONSE TO NOTICE OF  
DISCIPLINARY CHARGES

14 A Member of the State Bar  
15

16 Respondent, MANUEL LOPEZ, responds to the Notice of Disciplinary Charges filed herein  
17 as follows:

18 1. The address to which all further notices to respondent in relation to these proceedings may  
19 be sent as follows:

20 Franklin S. Adler, Esq.  
21 424 South Beverly Drive  
Beverly Hills, CA 90212

22 2. COUNT ONE: RPC Rule 3-110(A)

23 Respondent denies that he was employed by Omar Martinez on or about October 7,  
24 2012, and denies that he intentionally, recklessly or repeatedly failed to appear at a November 22,  
25 2012, traffic hearing.

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1           **3. COUNT TWO: RPC§Rule 3-700(a)(2)**

2           Respondent denies the allegations contained in Count Two.

3           **4. COUNT THREE: RPC Rule 3-700(d)(2)**

4           Respondent denies the allegations but admits that he paid \$1,200.00 to Omar Martinez

5           **5. COUNT FOUR: RPC Rule 3-4-100(B)(3)**

6           Respondent denies the allegations on the grounds that he has no recollection of what  
7 was contained in his office records because most of his records and files - including those pertaining  
8 to Mr. Martinez - were illegally appropriated by Ms. Ana Lopez for the purpose of stealing the  
9 identity of his clients and selling those identities to other individuals for nefarious purposes.

10           **6. COUNT FIVE: Business and Professions Code §6068(m)**

11           Respondent denies the allegation contained in Count Five.

12           **7. COUNT SIX: RPC Rule 4-100(A)**

13           Respondent denies the allegation contained in Count Six on the ground that he cashed  
14 those two Social Security checks and personally deposited small amounts of that cash to keep his Trust  
15 Account open. Further, none of those monies were commingled with client funds because there were  
16 no client funds in the Trust Account.

17           **8. COUNT SEVEN: RPC Rule 3-700(D)(2)**

18           Respondent denies the allegations in Count Six but acknowledges that he received  
19 \$2,000.00 from Ms. Luna who used the mere presence of Respondent to obtain a favorable settlement  
20 of her dissolution action whereby she received the real property (a house) from her husband in  
21 exchange for a waiver of spousal support. Respondent went to court at the San Bernardino  
22 Courthouse pursuant to a scheduled hearing on the dissolution matter but was late in arriving and upon  
23 his arrival was informed by the court Bailiff that the parties (Mr. and Mrs. Luna) had settled the matter  
24 prior to Respondent's arrival.

25           **9. COUNT EIGHT: RPC Rule 4-100(B)(3)**

26           Respondent denies the allegations contained in Count Eight on the grounds his  
27 employment was terminated when the matter was settled in court and no accounting was ever  
28 requested by Ms. Luna.

1           **10. COUNT NINE: RPC Rule 3-110(A)**

2           Respondent denies the allegations contained in Count Nine. Respondent was retained  
3 to assist Ms. Garduno-Carillo in a real-estate investment matter. Respondent read the investment  
4 documents given him by Ms. Garduno-Carillo and met with her at least twice between December 10<sup>th</sup>,  
5 2014, and January, 2015, to discuss the matter. The less than two months between his retention and  
6 termination did not provide Respondent with sufficient time file a proper lawsuit.

7           **11. COUNT TEN: RPC Rule 3-700(D)(2)**

8           Respondent denies the allegations contained in Count Ten. After receiving \$2,000.00  
9 from Ms. Garduno-Carillo to file a lawsuit, Respondent researched the matter, read documents, met  
10 at least twice with his client while preparing to file the requested lawsuit. Respondent believes that  
11 the time he spent on the matter before his unexpected termination justifies the fee paid by Ms.  
12 Garduno-Carillo and that she is not entitled to any refund of the monies paid.

13           **12. COUNT ELEVEN: Business and Professions Code, §6068(m)**

14           Respondent denies the allegations contained in Count Eleven. Respondent never  
15 refused to speak to or contact Ms. Garduno-Carillo.

16                           **EXTENUATING AND MITIGATING CIRCUMSTANCES**

17           *(Respondent Manuel Lopez repeats and expands a portion of his May 15<sup>th</sup>, 2015, Ex-Parte Motion to*  
18 *Set Aside Entry of Default addressing the unusual events surrounding his practice beginning in the*  
19 *Spring of 2014)*

20           During the early spring of 2014, I was introduced to Ana Lopez (not related to me) by Yadira  
21 Arredondo (“Arredondo”), a distant cousin of my wife. She (Arredondo) was attempting to learn the  
22 skills of a paralegal by on-the-job training at my office. Arredondo informed me that a woman named  
23 Ana Lopez (“Lopez”) could not then live with her mother and minor children because of her drug  
24 involvement and an Order of the Los Angeles Dependency Court giving custody of the children to  
25 their maternal grandmother but that Lopez was taking drug and parenting classes in an effort to regain  
26 her children and needed a fixed address to provide to the Social Worker on that case.

27           ///

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1           Although my West Sunset building was not a rental unit, it had sleeping quarters that  
2 Arredondo was then using. I soon discovered that both Arredondo and Lopez were sharing the room.  
3 I acquiesced to this arrangement so as not to offend my wife's family.

4           Arredondo left my building in May, 2014, and went to work in Mexico, leaving Lopez as the  
5 sole occupant of the room.

6           Without seeking my permission, Lopez began answering my office telephone, greeting clients  
7 and occasionally cleaning my office spaces. Despite my repeatedly saying "no," she utilized my  
8 building for her social purposes and as a "crash-pad" for her friends.

9           She told me that she would be leaving in July, 2014, when she expected to comply with the  
10 orders of the Dependency Court and regain custody of her children.

11           In late July, 2014, I discovered that she was intercepting my mail and contacting my clients  
12 without asking for or receiving my permission. Much to my chagrin, I also learned from clients that  
13 she was attempting to divert them to other legal representation.

14           Based upon these revelations, I ordered her out of my building.

15           Instead of leaving my building, Lopez took matters into her own hands by locking me out of  
16 my building and bringing in what appeared to be gang members to effectuate her takeover of my  
17 building.

18           I replaced the locks on my building three times to get into my office and three times she  
19 replaced those locks herself and broke my lock on my mailbox at least three times enabling her to  
20 continue intercepting my mail.

21           Despite my repeated requests to the Los Angeles Police Department to rectify the situation and  
22 three visits by said officers (one time when my locksmith was replacing her locks at a cost to me of  
23 \$900.00), all that has been accomplished is the officers telling her to stay away from my files and the  
24 office portion of the building (with which she has failed to comply) and and telling me that this was  
25 a civil matter.

26           In early January, 2015, I informed the United States Postal Inspector of the problem of my  
27 intercepted mail concerning Ms. Lopez and an investigation was undertaken under their case  
28 #CA121735518.

1 The effect of Lopez' arrival at and occupying my office building by force has resulted in severe  
2 damage to my practice and severe problems with my family.

3 *[New material in Extenuation and Mitigation]*

4 One of the many problems that arose with arrival of Ms. Lopez was that she stole the identities  
5 of my clients from their files and sold that information to third parties for criminal purposes.

6 Ms. Lopez had a confederate in her assault on my practice. A Ms. Laverne Harden, a para-legal  
7 from Upland, California, assisted Ms. Lopez in remaining on my property by encouraging her to rifle  
8 through my case files and materials. Ms. Harden prepared a document in a civil action in which I  
9 represented the plaintiff in the Central Branch of the Los Angeles County Superior Court and forged  
10 my name on a motion (Diane Luckey v. Bank of America (#BC531565)) complaint in my office name  
11 and forged my signature on that document. In addition, on July 14<sup>th</sup>, 2014, Ms. Harden filed a civil  
12 complaint in the Central Branch of the Los Angeles County Superior Court on behalf of a Mr. Jorge  
13 Tista and forged my signature.

14  
15 WHEREFORE, Respondent prays that the Hearing Panel find that the act(s) charged did not  
16 constitute professional misconduct or, if misconduct, is found, that it be excused by virtue of the  
17 mitigating circumstances submitted.

18 Dated: August 5, 2015

19 LAW OFFICES OF FRANKLIN S. ADLER

20  
21 By   
22 FRANKLIN S. ADLER  
23 Attorney for Respondent  
24 MANUEL LOPEZ  
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**PROOF OF SERVICE**

I, FRANKLIN S. ADLER, am an active member of the State Bar of California, not a party to this action, and my business address is 424 South Beverly Drive, Beverly Hills, California 90212.

On August 5, 2015, I deposited in the mail at Beverly Hills, California, copies of the attached **RESPONSE TO NOTICE OF DISCIPLINARY CHARGES** in sealed envelopes, with postage fully prepaid to:

(1) Judge Pat McElroy  
State Bar of California  
180 Howard Street  
6<sup>th</sup> Floor  
San Francisco, CA 94105 (via Fed-Ex)

(2) State Bar of California  
845 South Figueroa Street  
Los Angeles, CA 90017

(3) Ms. Lara Bairamian  
State Bar of California  
845 South Figueroa Street  
Los Angeles, CA 90017

(4) Mr. James Murphy  
State Bar of California  
845 South Figueroa Street  
Los Angeles, CA 90017

I declare under penalty of perjury that the foregoing is true and correct and that this Declaration was executed on August 5, 2015, at Beverly Hills, California..

  
FRANKLIN S. ADLER