

PUBLIC MATTER

FILED

1 STATE BAR OF CALIFORNIA
 OFFICE OF THE CHIEF TRIAL COUNSEL
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JUL 14 2014
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

8 STATE BAR COURT
 9 HEARING DEPARTMENT - LOS ANGELES
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11 In the Matter of:) Case No. 13-O-17168
 12 MARY DERPARSEGHIAN,)
 13 No. 224541,) NOTICE OF DISCIPLINARY CHARGES
 14)
 15 A Member of the State Bar)

NOTICE - FAILURE TO RESPOND!

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

- 19 (1) YOUR DEFAULT WILL BE ENTERED;
- 20 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
 WILL NOT BE PERMITTED TO PRACTICE LAW;
- 21 (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;
- 22 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
 SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE
 23 OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN
 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
 24 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. MARY DERPARSEGHIAN ("Respondent") was admitted to the practice of law in
4 the State of California on March 29, 2003, was a member at all times pertinent to these charges,
5 and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 13-O-17168
8 Rules of Professional Conduct, rule 3-110(A)
9 [Failure to Perform with Competence]

10 2. On or about July 23, 2011, Paul Merrigan employed Respondent to perform legal
11 services, namely to defend him and his corporation, Desert Classic Concours D'Elegance, and to
12 prosecute a cross complaint on his behalf and on behalf of Desert Classic Concours D'Elegance,
13 in *Image Lab Inc. v. Desert Classic Councours, et al.*, case no. INC1105053, in Riverside
14 Superior Court, which Respondent intentionally, recklessly, or repeatedly failed to perform with
15 competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by the
16 following:

- 17 A) failing to timely request a continuance of the trial held in the matter on January 14,
18 2013;
- 19 B) failing to prepare for the trial held in the matter on January 14, 2013;
- 20 C) advising the client on January 10, 2013, that the client's appearance in court in the
21 matter on January 14, 2013, was not needed;
- 22 D) failing to appear for the trial held in the matter on January 14, 2013; and
- 23 E) failing to appear for the hearing regarding the Proposed Judgment held in the matter
24 on February 20, 2013.

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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: July 14, 2014

By: 

Tyrone Sandoval
Contract Attorney for the State Bar

DECLARATION OF SERVICE

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

CASE NUMBER(s): 13-O-17168

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))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

- (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 1006 9569 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: BRIAN J. WARD, Law Offices of Brian J. Ward, PC, 46 Smith Aly Ste 200 Pasadena, CA 91103, 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).

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 14, 2014

SIGNED:

Handwritten signature of Kim Wimbish and printed name: KIM WIMBISH Declarant