

# PUBLIC MATTER

STATE BAR OF CALIFORNIA  
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**FILED**

**JUN 24 2014**

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of: ) Case No. 13-O-17716  
CHRISTOPHER SCOTT HAMMATT, ) NOTICE OF DISCIPLINARY CHARGES  
No. 222209, )  
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:**

- (1) YOUR DEFAULT WILL BE ENTERED;**
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU  
WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (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;**
- (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  
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT  
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. CHRISTOPHER SCOTT HAMMATT ("Respondent") was admitted to the practice  
4 of law in the State of California on December 3, 2002, was a member at all times pertinent to  
5 these charges, and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 13-O-17716  
8 Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

9 2. On or about March 15, 2009, Kathy Shippen employed Respondent to perform legal  
10 services, namely to represent Shippen and to add her as a plaintiff in the matter of *Peralta v.*  
11 *Bame*, Riverside County Superior Court case no. RIC509580 ("*Peralta*"), which Respondent  
12 intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of  
13 Rules of Professional Conduct, rule 3-110(A), by failing to either represent Shippen or to add her  
14 as a plaintiff to *Peralta* as agreed, or otherwise provide any legal services of value.

15 COUNT TWO

16 Case No. 13-O-17716  
17 Rules of Professional Conduct, rule 3-700(D)(2)  
[Failure to Refund Unearned Fees]

18 3. On or about March 15, 2009, Respondent received advanced fees of \$1,000 from a  
19 client, Kathy Shippen, to represent Shippen and to add her as a plaintiff in the matter of *Peralta*  
20 *v. Bame*, Riverside County Superior Court case no. RIC509580. Respondent performed no  
21 services of value on behalf of the client and therefore earned none of the advanced fees paid.  
22 Respondent failed to refund promptly, upon Respondent's termination of employment on or  
23 about November 1, 2013 any part of the \$1,000 fee, in willful violation of Rules of Professional  
24 Conduct, rule 3-700(D)(2).

1 COUNT THREE

2 Case No. 13-O-17716  
3 Business and Professions Code, section 6068(j)  
4 [Failure to Update Membership Address]

5 4. On or about November 1, 2013, Respondent vacated Respondent's office at the  
6 address maintained on the official membership records of the State Bar and thereafter failed to  
7 comply with the requirements of Business and Professions Code section 6002.1, by failing to  
8 notify the State Bar of the change in Respondent's address within 30 days, in willful violation of  
9 Business and Professions Code, section 6068(j).

10 NOTICE - INACTIVE ENROLLMENT!

11 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**  
12 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**  
13 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**  
14 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**  
15 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**  
16 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**  
17 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**  
18 **RECOMMENDED BY THE COURT.**

19 NOTICE - COST ASSESSMENT!

20 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC**  
21 **DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS**  
22 **INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING**  
23 **AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND**  
24 **PROFESSIONS CODE SECTION 6086.10.**

25 Respectfully submitted,

26 THE STATE BAR OF CALIFORNIA  
27 OFFICE OF THE CHIEF TRIAL COUNSEL

28 DATED: June 24, 2014

By: 

William Todd  
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-17716**

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 1006 9422** 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:  |
|------------------------|---|--------------------|--|
| Christopher S. Hammatt | Law Offc Christopher S. Hammatt<br>23555 Karen Pl<br>Murrieta, CA 92562 | Electronic Address | Michael Wine<br><a href="mailto:ethicsatty@verizon.net">ethicsatty@verizon.net</a> |

☐

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

N/A

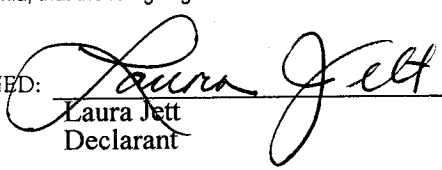
I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ("UPS"). In the ordinary course of the State Bar of California's practice, correspondence 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 24, 2014

SIGNED:

  
Laura Jett  
Declarant