

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED
DEC 23 2014
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

8 STATE BAR COURT

9 HEARING DEPARTMENT - LOS ANGELES

10
 11 In the Matter of:) Case Nos. 14-H-05806
 12 BRENDA LYNN MCCUNE,)
 No. 186945,) NOTICE OF DISCIPLINARY CHARGES
 13)
 14 A Member of the State Bar)

15 **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**
THE STATE BAR COURT TRIAL:

- 18 (1) **YOUR DEFAULT WILL BE ENTERED;**
 19 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**
WILL NOT BE PERMITTED TO PRACTICE LAW;
 20 (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;
 21 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
 22 **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.

25 ///
 26 ///
 27 ///



1 The State Bar of California alleges:

2 JURISDICTION

3 1. Brenda Lynn McCune ("Respondent") was admitted to the practice of law in the State
4 of California on December 16, 1996, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 14-H-05806
8 Rules of Professional Conduct, Rule 1-110
[Failure to Comply with Repeval Conditions]

9 2. Respondent failed to comply with conditions attached to the public reprovall
10 administered to Respondent by the State Bar in case no. 12-O-15197 as follows, in willful
11 violation of Rules of Professional Conduct, rule 1-110:

- 12
- 13 A) Failing to submit four quarterly reports by their due dates of January 10,
14 April 10, July 10, and October 2, 2014;
 - 15 B) Failing to contact the Office of Probation to schedule a meeting within 30
16 days from the effective date of the discipline;
 - 17 C) Failing to attend State Bar Ethics School within one year of the effective date
18 of the discipline; and
 - 19 D) Failing to take and provide proof of passage of the MPRE exam on or before
20 October 2, 2014.

21 NOTICE - INACTIVE ENROLLMENT!

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

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**

1 **AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND**
2 **PROFESSIONS CODE SECTION 6086.10.**

3 Respectfully submitted,

4 THE STATE BAR OF CALIFORNIA
5 OFFICE OF THE CHIEF TRIAL COUNSEL

6 DATED: December 22, 2014

7 By: Hugh G. Radigan
8 Hugh G. Radigan
9 Deputy Trial Counsel
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DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 14-H-05806

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, 1149 South Hill Street, Los Angeles, California 90015, 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.: 9414 7266 9904 2010 0913 18 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: Brenda L. McCune, 4676 Lakeview Ave Ste 103 Yorba Linda, CA 92886, 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: December 23, 2014

SIGNED:

Juli Finnila (handwritten signature)

JULI FINNILA
Declarant