

FILED

AUG 25 2014

**STATE BAR COURT
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LOS ANGELES**

1 Leon R. Arakelian (SBN 243180)
19407 Lorne St.
2 Reseda, CA 91335
Tel. (818)471-3219
3 Email: LeonArakelian@gmail.com
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6 CALIFORNIA STATE BAR COURT
7 HEARING DEPARTMENT – LOS ANGELES

8 In the Matter of:

Case No.: 14-N-02368

9 LEON ARAKELIAN
10 (SBN 243180)

**RESPONSE TO NOTICE OF DISCIPLINARY
CHARGES**

11 A Member of the State BAR
12

13 Respondent LEON ARAKELIAN (hereinafter "Respondent"), hereby submits this RESPONSE
14 to the NOTICE OF DISCIPLINARY CHARGES (hereinafter "Complaint") initiated by the Office of the
15 Chief Trial Counsel, alleging Respondent willfully violated California Rules of Court Rule 9.20.

16 Respondent responds and alleges as follows:
17

18 **GENERAL DENIAL**

19 Notwithstanding the stated admission(s) below, Respondent denies he willfully violated
20 California Rules of Court, Rule 9.20.
21

22 **SPECIFIC DENIALS AND ADMISSIONS**

- 23 1. Admit the allegations in paragraph 1 of the Complaint.
24 2. Deny the allegations found in paragraph 2 of the Complaint, namely that he willfully
25 violated Order S214210 issued by the Supreme Court of California.

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1 **AFFIRMATIVE DEFENSES**

2 **FIRST AFFIRMATIVE DEFENSE - GENERAL DEMURRER**

3 As the first and separate affirmative defense, Respondent is informed and believes and thereon
4 alleges that the single count Complaint fails to state facts sufficient to constitute a cause of action against
5 this answering Respondent, specifically facts alleging willful failure to comply with the provisions of
6 Rule 9.20.

7
8 **SECOND AFFIRMATIVE DEFENSE - NO WILLFUL INTENT**

9 As the second and separate affirmative defense, Respondent is informed and believes and thereon
10 alleges that he was in compliance, or was substantially in compliance with Rule 9.20, and not acting with
11 the willful intent to violate said Rule.

12
13 **THIRD AFFIRMATIVE DEFENSE - CAUSATION**

14 ~~As the third and separate affirmative defense, Respondent is informed and believes and thereon~~
15 alleges that he was not the direct or proximate cause of any Rule 9.20 violation.

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17 **FOURTH AFFIRMATIVE DEFENSE – JUSTIFIED CONDUCT**

18 As a fourth separate and affirmative defense, Respondent is informed and believes and thereon
19 alleges that his conduct was justified, since all acts done by Respondent were performed fairly, in good
20 faith, for a lawful purpose, and with the level of competence attorneys in California are held to.

21
22 **FIFTH AFFIRMATIVE DEFENSE – REASONABLE CARE**

23 As a fifth separate and affirmative defense, Respondent is informed and believes and thereon
24 alleges that Respondent exercised reasonable care and did not have knowledge of and, in the exercise of
25 reasonable care, could not have acquired knowledge of any of the alleged wrongful conduct attributable
26 to a Rule 9.20 violation.

27 Respondent reserves the right to amend the answer if and when additional affirmative defenses
28 are discovered.

1 WHEREFORE Respondent prays for judgment as follows:

- 2 1. That Count One of the NDC be dismissed;
- 3 2. The Office of the Chief Trial Counsel pay Respondent for costs incurred; and
- 4 3. For such other and further relief as the Court deems just and proper

5

6 Dated: 08/20/2014

7 By:

8 
LEON B. ARAKELIAN

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11 **VERIFICATION**

12 I, LEON ARAKELIAN, am the respondent in the above-entitled action. I have read the foregoing

13 RESPONSE TO DISCIPLINARY CHARGES and know the contents thereof. The same is true of my

14 ~~own knowledge, except as to those matters which are therein alleged on information and belief, and as to~~

15 those matters, I believe it to be true.

16 I declare under penalty of perjury that the foregoing is true and correct, and that this declaration

17 was executed in Los Angeles, California.

18

19 August 20, 2014

20 
LEON ARAKELIAN

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1 **DECLARATION OF SERVICE/PROOF OF SERVICE**

2 [in the matter of LEON B. ARAKELIAN]

(Case. No. 14-N-02368)

3 I am a resident of Los Angeles County, State of California and over the age of 18. I am a party to the
4 within action. My business address is 19407 Lomo St. Reseda CA 91335.

5 On August 21, 2014, I served the following document(s):

6 **RESPONSE TO NOTICE OF DISCIPLINARY CHARGES**

7 I served the documents on the following persons at the addresses.

8
9 State BAR of California
10 DEPUTY CHARLES CALIX
845 S. Figueroa St. 3rd Floor
11 Los Angeles, CA 90017-2515

State BAR of California
HEARING DEPARTMENT
845 S. Figueroa St.
Los Angeles, CA 90017-2515

12 **The documents were served by the following means:**

13 (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package addressed to the
14 persons at the addresses listed above and (specify one):

15 Deposited the sealed envelope/package with the US Postal Service, postage fully prepaid.

16 Placed the envelope or package for collection and mailing, following our ordinary
17 business practices. I am readily familiar with the firm's practice for collection and
18 processing correspondence for mailing. Under that practice, on the same day that mail is
19 placed for collection and mailing, it is deposited in the ordinary course of business with
the U.S. Postal Service, in a sealed envelope/package, postage fully prepaid.

20 (BY FACSIMILE/e-Mail) I transmitted the foregoing document to interested parties in this action
electronically.

21 (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices, person, or agent
22 of the addressee.

23 I declare under penalty of perjury under the laws of the State of California that the above is true
24 and correct.

25 Executed on 8/21/2014

26 
27 Berj D. Bedrosian
28