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FILED

DEC 18 2014

**STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES**

6 Attorneys for Respondent
7 DENNIS SCOTT CARRUTHERS

9 BEFORE THE STATE BAR COURT
10 OF THE STATE OF CALIFORNIA
11 HEARING DEPARTMENT – LOS ANGELES

12 In The Matter of)

Case No. 14-O-00594

13 DENNIS SCOTT CARRUTHERS,)

**RESPONSE TO NOTICE OF
DISCIPLINARY CHARGES**

14 Member No. 68745,)

15 A Member of the State Bar.)
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20 Respondent Dennis Scott Carruthers responds to the Notice of Disciplinary Charges as
21 follows:
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THIRD AFFIRMATIVE DEFENSE

(Good Faith)

Respondent acted in good faith. An attorney is not culpable of moral turpitude where he reasonably believed he had authority to sign a client's name. *See, In the Matter of Respondent H* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 234, 240-241.

FOURTH AFFIRMATIVE DEFENSE

(Lack of Intent to Mislead)

Respondent had no intention to attempt to mislead the court. Attorney not culpable under § 6068, subd. (d), because "it does not appear that petitioner intentionally attempted to mislead the court" *Schaefer v. State Bar* (1945) 26 Cal.2d 739, 748.

FIFTH AFFIRMATIVE DEFENSE

(Lack of Materiality)

The facts on which some or all of the Notice of Disciplinary Charges are based allege immaterial or irrelevant omissions or statements that do not constitute "misrepresentations" or "concealment."

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PROOF OF SERVICE

In the Matter of Dennis Scott Carruthers

I declare that I am over the age of eighteen (18) and not a party to this action. My business address is 1010 Sycamore Ave., Suite 308, South Pasadena, California 91030.

On December 17, 2014, I served the foregoing document(s) described as:

RESPONSE TO NOTICE OF DISCIPLINARY CHARGES

on all interested parties in this action by placing a true copy of each document, enclosed in a sealed envelope addressed as follows:

Ashod Mooradian, Senior Trial Counsel
Office of the Chief Trial Counsel
Enforcement
The State Bar of California
845 S. Figueroa Street
Los Angeles, CA 90017-2515

Courtesy copy via fax: (213) 765-1383

(X) **BY MAIL:** as follows: I am "readily familiar" with the firm's practice of collection and processing of correspondence for mailing with the United States Postal Service. I know that the correspondence was deposited with the United States Postal Service on the same day this declaration was executed in the ordinary course of business. I know that the envelope was sealed and, with postage thereon fully prepaid, placed for collection and mailing on this date in the United States mail at South Pasadena, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on December 17, 2014, at South Pasadena, California.



Annette Herrera