

**PUBLIC MATTER**

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1 STATE BAR OF CALIFORNIA  
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**FILED**

**NOV 25 2014**

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of: ) Case No.: 14-O-00594  
14 DENNIS SCOTT CARRUTHERS, ) **NOTICE OF DISCIPLINARY CHARGES**  
No. 68745, )  
15 )  
16 A Member of the State Bar. )  
17 )

**NOTICE - FAILURE TO RESPOND!**

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

- 23 (1) **YOUR DEFAULT WILL BE ENTERED;**
- 24 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**  
25 **WILL NOT BE PERMITTED TO PRACTICE LAW;**
- 26 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN**  
27 **THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION**  
28 **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.**

///

1 The State Bar of California alleges:

2 JURISDICTION

3 1. DENNIS SCOTT CARRUTHERS ("Respondent") was admitted to the practice of  
4 law in the State of California on June 25, 1976, was a member at all times pertinent to these  
5 charges, and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 14-O-00594  
8 Business and Professions Code section 6106  
[Moral Turpitude]

9 2. On or about June 28, 2012, Respondent filed or caused to be filed, in the Superior  
10 Court of Contra Costa County, in a case entitled *Mountain Lion Acquisitions, Inc. v. Alicia G.*  
11 *Skinner, et al.*, bearing case no. CIVMSL12-01150, a pleading entitled *Prepared Testimony in*  
12 *Lieu of Direct Testimony* that was signed under penalty of perjury purportedly by Louis Ochoa,  
13 in his capacity as Vice President of CashCall. In fact, the purported signature of Louis Ochoa  
14 was written by or at the direction of Respondent. Prior to the time of filing the pleading,  
15 Respondent knew or was grossly negligent in not knowing that the pleading did not bear the  
16 actual signature of Mr. Ochoa, that Mr. Ochoa had not been provided a copy of the pleading for  
17 his review and approval as to the accuracy or truth of the pleading's contents and that Mr.  
18 Ochoa had in fact not reviewed or approved the contents of the pleading, thereby committing an  
19 act or acts involving moral turpitude, dishonesty or corruption in willful violation of Business  
20 and Professions Code, section 6106.

21 COUNT TWO

22 Case No. 14-O-00594  
23 Business and Professions Code, section 6068(d)  
[Seeking to Mislead a Judge]

24 3. On or about June 28, 2012, Respondent filed or caused to be filed, in the Superior  
25 Court of Contra Costa County, in a case entitled *Mountain Lion Acquisitions, Inc. v. Alicia G.*  
26 *Skinner, et al.*, bearing case no. CIVMSL12-01150, a pleading entitled *Prepared Testimony in*  
27 *Lieu of Direct Testimony* that was signed under penalty of perjury purportedly by Louis Ochoa,  
28 in his capacity as Vice President of CashCall. In fact, the purported signature of Louis Ochoa

1 was written by or at the direction of Respondent. Respondent knew, prior to the time he filed or  
2 caused to be filed the pleading, that the pleading was not actually signed by Mr. Ochoa and the  
3 facts alleged in the prepared testimony pleading were not based on Mr. Ochoa's personal  
4 knowledge of the facts or the complaint and thereby Respondent sought to mislead the judge or  
5 judicial officer by an artifice or false statement of fact or law, in willful violation of Business  
6 and Professions Code, section 6068(d).

7 **NOTICE - INACTIVE ENROLLMENT!**

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

16 **NOTICE - COST ASSESSMENT!**

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

22 Respectfully submitted,

23 THE STATE BAR OF CALIFORNIA  
24 OFFICE OF THE CHIEF TRIAL COUNSEL

25 DATED: November 25, 2014

26 By: 

27 **ASHOD MOORADIAN**  
28 Senior Trial Counsel

DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 14-O-00594

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.: 9414 7266 9904 2010 0877 93 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: James I. Ham, Pansky Markle Ham LLP, 1010 Sycamore Ave Unit 308, South Pasadena, CA 91030, 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: November 25, 2014

SIGNED:

Handwritten signature of Charles C. Bagai over a horizontal line, with the name and title 'Charles C. Bagai Declarant' printed below.