

PUBLIC MATTER

STATE BAR OF CALIFORNIA
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FILED

JUL 22 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:)	Case No. 14-O-00751
)	
ANTHONY WILLOUGHBY,)	NOTICE OF DISCIPLINARY CHARGES
No. 137503,)	
)	
<u>A Member of the State Bar.</u>)	

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. ANTHONY WILLOUGHBY ("respondent") was admitted to the practice of law in
4 the State of California on December 7, 1988, 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-00751
8 Rules of Professional Conduct, rule 3-310(C)(1)
[Potential Conflict - Representing Multiple Clients]

9 2. On or about May 25, 2012, Respondent accepted representation of multiple clients,
10 Erica Licea and Jesus Licea, in joint representation for their injuries sustained in an automobile
11 collision. At that time he accepted their representation, the interests of the clients potentially
12 conflicted in that Jesus Licea was driving the vehicle in which Erica Licea was riding and Jesus
13 Licea may be liable, in part, to Erica Licea for her injuries. Respondent failed to inform the
14 clients of the relevant circumstances and of the actual and reasonably foreseeable adverse
15 consequences to the clients and failed to obtain the written consent of each client, in willful
16 violation of the Rules of Professional Conduct, rule 3-310(C)(1).

17 COUNT TWO

18 Case No. 14-O-00751
19 Rules of Professional Conduct, rule 3-510
[Failure to Communicate a Settlement Offer]

20 3. On or about November 19, 2013, while Respondent was representing Respondent's
21 clients, Erica Licea and Jesus Licea, in a civil matter, Respondent learned of a written offer of
22 settlement made to the clients in that civil matter, and Respondent did not communicate
23 promptly to the client all terms and conditions of the offer, in willful violation of the Rules of
24 Professional Conduct, rule 3-510.

25 NOTICE - INACTIVE ENROLLMENT!

26 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
27 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
28 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN

1 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
2 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
3 RECOMMENDED BY THE COURT.

4 **NOTICE - COST ASSESSMENT!**

5 IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
6 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
7 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING
8 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
9 PROFESSIONS CODE SECTION 6086.10.

10 Respectfully submitted,

11 THE STATE BAR OF CALIFORNIA
12 OFFICE OF THE CHIEF TRIAL COUNSEL

13 DATED: July 22, 2014

14 By: 

15 William Todd
16 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-O-00751

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 S. 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 9262** 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:
ANTHONY WILLOUGHBY	Willoughby & Associates 200 Corporate Pointe # 495 Culver City, CA 90230	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: July 22, 2014

SIGNED: _____

LAURA JETT
Declarant