

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED

APR 24 2015
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

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STATE BAR COURT

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HEARING DEPARTMENT - LOS ANGELES

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In the Matter of:

) Case No. 14-O-01463

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CATALINA L. MANZANO,
No. 191928,

) NOTICE OF DISCIPLINARY CHARGES

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A Member of the State Bar

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NOTICE - FAILURE TO RESPOND!

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

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(1) YOUR DEFAULT WILL BE ENTERED;

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**(2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
 WILL NOT BE PERMITTED TO PRACTICE LAW;**

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**(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;**

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**(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
 24 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
 25 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
 26 RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

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The State Bar of California alleges:

JURISDICTION

1. CATALINA L. MANZANO ("Respondent") was admitted to the practice of law in the State of California on December 4, 1997, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 14-O-01463
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

2. On or about August 14, 2013, Adrian Perez employed Respondent to perform legal services, namely to file a wrongful termination lawsuit against Perez's former employer, which Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A), by failing to file a complaint on behalf of the client or otherwise take any action to pursue the client's claims by May 27, 2014, when Respondent's employment was terminated.

COUNT TWO

Case No. 14-O-01463
Business and Professions Code, section 6068(m)
[Failure to Respond to Client Inquiries]

3. Respondent failed to respond promptly to six telephone calls regarding reasonable status inquiries made by Respondent's client, Adriana Perez, between August 14, 2013 and May 27, 2014, which Respondent received in a matter in which Respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m).

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COUNT THREE

Case No. 14-O-01463
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

4. On or about August 14, 2013, Respondent received advanced fees of \$1,500 from a client, Adrian Perez, to file a wrongful termination lawsuit against Perez's former employer. Respondent failed to file a wrongful termination lawsuit against Perez's former employer, or perform any legal services for the client, and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about May 27, 2014, any part of the \$1,500 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT FOUR

Case No. 14-O-01463
Rules of Professional Conduct, rule 4-100(B)(3)
[Failure to Render Accounts of Client Funds]

5. On or about August 14, 2013, Respondent received from Respondent's client, Adrian Perez, the sum of \$1,500 as advanced fees for legal services to be performed. Respondent thereafter failed to render an appropriate accounting to the client regarding those funds upon the termination of Respondent's employment on or about May 27, 2014, in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

NOTICE - INACTIVE ENROLLMENT!

YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE 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 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.

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

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: 4/24/15

By: Adriana M. Burger
ADRIANA M. BURGER
Deputy 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-01463

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 0840 20 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: CATALINA L. MANZANO, Troiani & Associates, PLC 4790 Irvine Blvd Ste 10533 Irvine, CA 92620, 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: April 24, 2015

SIGNED:

Handwritten signature of Kim Wimbish, followed by printed name KIM WIMBISH and title Declarant.