

1 STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
2 JAYNE KIM, No. 174614
CHIEF TRIAL COUNSEL
3 JOSEPH R. CARLUCCI, No. 172309
DEPUTY CHIEF TRIAL COUNSEL
4 MIA R. ELLIS, No. 228235
ACTING ASSISTANT CHIEF TRIAL COUNSEL
5 BROOKE A. SCHAFER, No. 194824
SUPERVISING SENIOR TRIAL COUNSEL
6 ASHOD MOORADIAN, No. 194283
SENIOR TRIAL COUNSEL
7 845 South Figueroa Street
Los Angeles, California 90017-2515
8 Telephone: (213) 765-1004

FILED

OCT -1 2015

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

9
10
11
12
13
14
15
16
17

STATE BAR COURT
HEARING DEPARTMENT - LOS ANGELES

In the Matter of:) Case Nos.: 14-O-01968
JULIA SUSANNA SWANSON,)
No. 165039,) **NOTICE OF DISCIPLINARY CHARGES**
A Member of the State Bar.)

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.**

27 ///
28 ///

kwiktag • 197 145 809



1 The State Bar of California alleges:

2 JURISDICTION

3 1. JULIA SUSANNA SWANSON ("Respondent") was admitted to the practice of law
4 in the State of California on June 15, 1993, was a member at all times pertinent to these charges,
5 and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 14-O-01968
8 Business and Professions Code section 6106
[Moral Turpitude - Misrepresentation]

9 2. Between in or about January 2013 and in or about July 2013, Respondent simulated
10 as many as 78 plaintiff clients' signatures on verifications for responses to special
11 interrogatories ("Product Identification Questionnaires") which she then served or caused to be
12 served on opposing counsel in a matter entitled *Carlos Trevino, et al. v. Cummins, Inc., et al.*,
13 Los Angeles Superior Court case no. BC462323, when Respondent knew that each of the
14 responses to special interrogatories contained allegations of fact purportedly attributed to each
15 of her clients when said clients had not seen, reviewed, approved or confirmed the accuracy of
16 those allegations prior to their service on opposing defendants counsels, and when Respondent
17 knew that each of the simulated signatures on the verifications constituted a representation that
18 each client named on said verifications had in fact signed a verification for a response to the
19 special interrogatories prior to service on opposing defendants counsels, Respondent thereby
20 committed an act or acts involving moral turpitude, dishonesty or corruption in willful violation
21 of Business and Professions Code, section 6106.

22 COUNT TWO

23 Case No. 14-O-01968
24 Business and Professions Code section 6106
[Moral Turpitude - Misrepresentation]

25 3. Between in or about January 2013 and in or about July 2013, Respondent instructed,
26 directed and caused her employee to simulate as many as 78 plaintiff clients' signatures on
27 verifications for responses to special interrogatories ("Product Identification Questionnaires")
28 which Respondent then instructed, directed and caused her employee to serve on opposing

1 counsel in a matter entitled *Carlos Trevino, et al. v. Cummins, Inc., et al.*, Los Angeles Superior
2 Court case no. BC462323, when Respondent knew that each of the responses to special
3 interrogatories contained allegations of fact purportedly attributed to each of her clients when
4 said clients had not seen, reviewed, approved or confirmed the accuracy of those allegations
5 prior to their service on opposing defendants counsels, and when Respondent knew that each of
6 the simulated signatures on the verifications constituted a representation that each client named
7 on said verifications had in fact signed a verification for a response to the special interrogatories
8 prior to service on opposing defendants counsels, Respondent thereby committed an act or acts
9 involving moral turpitude, dishonesty or corruption in willful violation of Business and
10 Professions Code, section 6106.

11 COUNT THREE

12 Case No. 14-O-01968
13 Business and Professions Code section 6106
14 [Moral Turpitude - Misrepresentation]

15 4. On or about August 2, 2013, during a status conference in a matter entitled *Carlos*
16 *Trevino, et al. v. Cummins, Inc., et al.*, Los Angeles Superior Court case no. BC462323, in
17 response to opposing counsel's statement on the record that the verifications for responses to
18 special interrogatories ("Product Identification Questionnaires") looked like the signatures were
19 all by the same person, Respondent's co-counsel asked Respondent, out of hearing of the court,
20 about that allegation which Respondent expressly denied when Respondent knew or was grossly
21 negligent in not knowing that her reply was false and misleading because she had personally
22 simulated signatures on the verifications and had instructed, directed and caused her employee
23 to simulate signatures on verifications, Respondent thereby committed an act or acts involving
24 moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code,
25 section 6106.

25 ///

26 ///

27 ///

28 ///

1 signatures on the verifications, and thereby Respondent, knowing that these statements during
2 her testimony were false, sought to mislead the judge or judicial officer by an artifice or false
3 statement of fact or law, in willful violation of Business and Professions Code, section 6068(d).

4 COUNT SIX

5 Case No. 14-O-01968
6 Business and Professions Code, section 6068(d)
7 [Seeking to Mislead a Judge]

7 7. During a hearing held on March 10, 2014, in a matter entitled *Carlos Trevino, et al.*
8 *v. Cummins, Inc., et al.*, Los Angeles Superior Court case no. BC462323, Respondent testified
9 that she was entirely unaware that improper verifications for responses to special interrogatories
10 (“Product Identification Questionnaires”) had been served on opposing counsel until after
11 August 2, 2013; testified that she had no involvement in and did not direct her employee’s
12 simulation of client signatures on the verifications; and omitted the fact that she had also
13 personally simulated client signatures on the verifications, when Respondent knew of the
14 service of improper verifications before August 2, 2013; instructed, directed and caused her
15 employee to simulate client signatures on the verifications; and personally simulated client
16 signatures on the verifications, and thereby Respondent, knowing that these statements during
17 her testimony were false and involved material omissions of fact, sought to mislead the judge or
18 judicial officer by an artifice or false statement of fact or law, in willful violation of Business
19 and Professions Code, section 6068(d).

20 NOTICE - INACTIVE ENROLLMENT!

21 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
22 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
23 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
24 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
25 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
26 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**
27 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**
28 **RECOMMENDED BY THE COURT.**

26 ///

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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: October 1, 2015

By: 
ASHOD MOORADIAN
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-01968

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 0677 57 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: Julia S. Swanson, 1861 N. Topanga Canyon Blvd. Topanga, CA 90290, 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: October 1, 2015

SIGNED: Charles C. Bagai Declarant