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PUBLIC MATTER

FILED

DEC 22 2014

STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

STATE BAR COURT

HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of: CHARLES GREGORY WILLIAMS, No. 172907, A Member of the State Bar	Case No. 14-O-02554 [14-O-03200; 14-O-02924; 14-O-4269] NOTICE OF DISCIPLINARY CHARGES

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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The State Bar of California alleges:

JURISDICTION

1. Charles Gregory Williams ("respondent") was admitted to the practice of law in the State of California on December 8, 1994, 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-02554
Business and Professions Code, section 6068(a)
[Failure to Comply With Laws – Unauthorized Practice of Law]

2. On or about July 12, 2013 until July 23, 2013, respondent held himself out as entitled to practice law and actually practiced law when respondent was not an active member of the State Bar by entering into a fee agreement with Niles Ventura on July 13, 2013 and by providing legal services to Niles Ventura from on or about July 12, 2013 until July 23, 2013, in violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

COUNT TWO

Case No. 14-O-02554
Business and Professions Code, section 6106
[Moral Turpitude]

3. On or about July 12, 2013 until July 23, 2013, respondent held himself out as entitled to practice law and actually practiced law when respondent knew, or was grossly negligent in not knowing, respondent was not an active member of the State Bar by entering into a fee agreement with Niles Ventura on July 13, 2013 and by providing legal services to Niles Ventura from on or about July 12, 2013 until July 23, 2013, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

COUNT THREE

Case No. 14-O-02554
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

4. On or about July 13, 2013, Niles Ventura employed respondent to perform legal services, namely to represent Niles Ventura in a civil action, for wrongful termination, against Menlo College and those professional legal services reasonably required to competently represent client, 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 respond to defendant's discovery requests, failing to respond to interrogatories, by failing to appear at a Case Management Conference, and by failing to file a response or opposition to defendant's motion to compel.

COUNT FOUR

Case No. 14-O-02554
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

5. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a substantive response to the State Bar's letters of May 22, 2014 and August 22, 2014, which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 14-O-02554, in willful violation of Business and Professions Code, section 6068(i).

COUNT FIVE

Case No. 14-O-03200
Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

6. On or about July 13, 2013, Dr. David Brice employed respondent to perform legal services, namely to represent Dr. David Brice in a civil action arising out of his employment with Menlo College, 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 respond to defendant's discovery requests, failing to respond to interrogatories, by failing to file a response or opposition to defendant's motion to compel, and by failing to respond to a Motion for Judgment on the Pleadings.

COUNT SIX

Case No. 14-O-03200
Business and Professions Code, section 6068(b)
[Failure to Obey a Court Order]

7. Respondent disobeyed or violated an order of the court requiring respondent to do or forbear an act connected with or in the course of respondent's profession which respondent ought in good faith to do or forbear by failing to comply with the May 22, 2014 Order to Pay Sanctions in William Brice v. Menlo College, INC, San Mateo County Superior Court, case no. CIV524787 in willful violation of Business and Professions Code, section 6068(b).

COUNT SEVEN

Case No. 14-O-03200
Business and Professions Code, section 6068(o)(3)
[Failure to Report Judicial Sanctions]

8. Respondent failed to report to the agency charged with attorney discipline, in writing, within 30 days of the time respondent had knowledge of the imposition of judicial sanctions against respondent by failing to report to the State Bar the $1,900 in sanctions the court imposed on respondent on or about May 22, 2014 in connection with William Brice v. Menlo College, INC, San Mateo County Superior Court, case no. CIV524787, in willful violation of Business and Professions Code section, 6068(o)(3).

COUNT EIGHT

Case No. 14-O-03200
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

9. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to respondent's client, Dr. David Brice, by constructively terminating respondent's employment on May 20, 2014 by failing to take any action on the client's behalf after appearing at the hearing on opposing counsel's Motion for Terminating Sanctions on May 20, 2014, and thereafter failing to inform the client that respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT NINE

Case No. 14-O-03200
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

10. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a substantive response to the State Bar's letters of June 9, 2014 and September 3, 2014, which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 14-O-03200, in willful violation of Business and Professions Code, section 6068(i).

COUNT TEN

Case No. 14-O-02924
Business and Professions Code, section 6106
[Moral Turpitude – Issuance of NSF Checks]

11. On or about January 31, 2014, respondent, by the following transaction, overdrew respondent's client trust account at Bank of America, account no. xxxxx4183, when respondent knew or was grossly negligent in not knowing that there was insufficient funds in the CTA to pay it, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106:

DATE	AMOUNT	TRANSACTIONS	RETURNED/PAID
01/31/14	$250	Check No. 1119	PAID

COUNT ELEVEN

Case No. 14-O-02924
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

12. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a substantive response to the State Bar's letters of September 4, 2014,which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 14-O-02924, in willful violation of Business and Professions Code, section 6068(i).

COUNT TWELVE

Case No. 14-O-04269
Business and Professions Code, section 6106
[Moral Turpitude - Misappropriation]

13. On or about December 4, 2013, respondent received on behalf of respondent's client, Barbara Soules, a settlement check from Berkeley Insurance Company, made payable to respondent via Golden State Employment Law in the sum of $25,000. On or about December 10, 2013, respondent deposited the $25,000 into respondent's client trust account at Bank of America, account number xxxxx4183. From on or about December 10, 2013 until January 10,

2014, respondent dishonestly or grossly negligently misappropriated for respondent's own purposes the $25,000 that respondent was required to maintain on behalf of the client, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

COUNT THIRTEEN

Case No. 14-O-04269
Rules of Professional Conduct, rule 4-100(A)
[Failure to Maintain Client Funds in Trust Account]

14. On or about December 4, 2013, respondent received on behalf of respondent's client, Barbara Soules, a settlement check from Berkeley Insurance Co. made payable to respondent via Golden State Employment Law in the sum of $25,000. On or about December 10, 2013, respondent deposited the $25,000 into respondent's client trust account at Bank of America, xxxxx4183 on behalf of the client. Of this sum, the client was entitled to $25,000. Respondent failed to maintain a balance of $25,000 on behalf of the client in respondent's client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

COUNT FOURTEEN

Case No. 14-O-04269
Rules of Professional Conduct, rule 4-100(B)(3)
[Failure to Render Accounts of Client Funds]

15. On or about December 4, 2013, respondent received on behalf of respondent's client, Barbara Soules, a settlement check from Berkeley Insurance Co. made payable to respondent via Golden State Employment Law in the sum of $25,000. Respondent thereafter failed to render an appropriate accounting to the client regarding those funds following the client's request for such accounting on or about February 12, 2014 and February 19, 2014, upon respondent's failure to timely disperse the funds, in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

COUNT FIFTEEN

Case No. 14-O-04269
Rules of Professional Conduct, rule 4-100(B)(4)
[Failure to Pay Client Funds Promptly]

16. On or about December 4, 2013, respondent received on behalf of respondent's client, Barbara Soules, a settlement check from Berkeley Insurance Co. made payable to respondent via Golden State Employment Law in the sum of $25,000. Of this sum, the client was entitled $25,000. On or about February 12, 2014, the client requested that respondent pay the settlement funds to her. To date, respondent has failed to pay promptly, as requested by respondent's client, any portion of the $25,000 in respondent's possession in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

COUNT ELEVEN

Case No. 14-O-04269
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

17. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a substantive response to the State Bar's letter of September 18, 2014,which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 14-O-04269, in willful violation of Business and Professions Code, section 6068(i).

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.

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: Dec 22, 2014

By: Jonathan Cesena
Jonathan Cesena
Deputy Trial Counsel

DECLARATION OF SERVICE

by

U.S. CERTIFIED MAIL and U.S. FIRST-CLASS MAIL

CASE NUMBER(s): **14-O-2554, 14-O-03200; 14-O-02924; 14-O-4269**

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, 180 Howard Street, San Francisco, California 94105, 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))**
- 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 San Francisco.

☐ **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 San Francisco, addressed to: *(see below)*

☒ *(for Certified Mail)* in a sealed envelope placed for collection and mailing as certified mail, return receipt requested,
Article No.: ***7160 3901 9845 1536 1713**** *at San Francisco, 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:
Charles Gregory Williams, Respondent	Charles G. Williams 46542 Paseo Padre Pkwy Fremont, CA 94539	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 San Francisco, California, on the date shown below.

DATED: December 22, 2014

SIGNED: Meagan McGowan
Meagan McGowan
Declarant