

# PUBLIC MATTER

1 STATE BAR OF CALIFORNIA  
 OFFICE OF THE CHIEF TRIAL COUNSEL  
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**FILED**

**DEC 05 2014**

**STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES**

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STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of: ) Case No. 14-O-03800  
 )  
 STEVEN JAY BROCK, ) NOTICE OF DISCIPLINARY CHARGES  
 No. 241870, )  
 )  
 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.**

1 The State Bar of California alleges:

2 JURISDICTION

3 1. STEVEN J. BROCK ("Respondent") was admitted to the practice of law in the  
4 State of California on February 19, 2006, 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-03800  
8 Rules of Professional Conduct, rule 3-110(A)  
9 [Failure to Perform with Competence]

10 2. On or about December 22, 2012, Penelope Morris employed Respondent to  
11 perform legal services, namely to defend her in a civil action she anticipated would be filed  
12 against her by her former employer, which Respondent intentionally, recklessly, or repeatedly  
13 failed to perform with competence, in willful violation of Rules of Professional Conduct, rule  
14 3-110(A), by

15 A) Not responding to the discovery requests served on Respondent, on or about  
16 March 21, 2013, April 8, 2013, and May 6, 2013, by the plaintiff in the case entitled  
17 *Delphi Connection Systems, LLC v. Penelope Morris*, Orange County Superior Court  
18 case number 30-2013-00623673-CU-IP-CJC (the "Delphi Action");

19 B) Not responding to the plaintiff's motions to compel discovery responses in the  
20 Delphi Action, served on Respondent on or about June 21, 2013,

21 C) Not responding to the plaintiff's motion for terminating sanctions in the Delphi  
22 Action, served on Respondent on or about October 15, 2013, and

23 D) Not returning to Morris's new attorney an executed substitution of attorney form.  
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COUNT TWO

Case No. 14-O-03800  
Business and Professions Code, section 6068(m)  
[Failure to Inform Client of Significant Development]

3. Respondent failed to keep Respondent's client, Penelope Morris, reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services, in willful violation of Business and Professions Code, section 6068(m), by failing to inform the client of the following:

- A) That, on or about March 21, 2013, April 8, 2013, and May 6, 2013, discovery requests had been served by the plaintiff in the case entitled *Delphi Connection Systems, LLC v. Penelope Morris*, Orange County Superior Court case number 30-2013-00623673-CU-IP-CJC (the "Delphi Action");
- B) That, on or about June 21, 2013, plaintiff in the Delphi Action had filed motions to compel discovery responses;
- C) That, on or about October 15, 2013, plaintiff in the Delphi Action had filed a motion for terminating sanctions;
- D) That, on or about February 6, 2014, a judgment had been entered against her in the Delphi Action; and
- E) That, on or about May 5, 2014, a writ of execution had been issued allowing the plaintiff in the Delphi Action to levy on her bank account.

COUNT THREE

Case No. 14-O-03800  
Rules of Professional Conduct, rule 3-700(A)(2)  
[Improper Withdrawal from Employment]

4. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's client, Penelope Morris, by constructively terminating Respondent's employment on or about April 4, 2013, by failing to

1 take any action on the client's behalf after filing the answer on that date to the civil complaint in  
2 the case entitled *Delphi Connection Systems, LLC v. Penelope Morris*, Orange County Superior  
3 Court case number 30-2013-00623673-CU-IP-CJC (the "Delphi Action"), and thereafter failing  
4 to inform the client that Respondent was withdrawing from employment, in willful violation of  
5 Rules of Professional Conduct, rule 3-700(A)(2).  
6

7 COUNT FOUR

8 Case No. 14-O-03800  
9 Rules of Professional Conduct, rule 3-700(D)(1)  
[Failure to Release File]

10 5. Respondent failed to release promptly, after termination of Respondent's  
11 employment on or about April 4, 2013, to Respondent's client, Penelope Morris, all of the  
12 client's papers and property following the client's request for the client's file on June 6, 2014, in  
13 willful violation of Rules of Professional Conduct, rule 3-700(D)(1).  
14

15 COUNT FIVE

16 Case No. 14-O-03800  
17 Rules of Professional Conduct, rule 4-100(B)(3)  
[Failure to Render Accounts of Client Funds]

18 6. On or about December 22, 2012, Respondent received from Respondent's client,  
19 Penelope Morris, the sum of \$3,500 as advanced fees for legal services to be performed.  
20 Respondent thereafter failed to render an appropriate accounting to the client regarding those  
21 funds following Respondent's termination of employment on or about April 4, 2013, in willful  
22 violation of the Rules of Professional Conduct, rule 4-100(B)(3).  
23

24 COUNT SIX

25 Case No. 14-O-03800  
26 Business and Professions Code, section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

27 7. Respondent failed to cooperate and participate in a disciplinary investigation  
28 pending against Respondent by failing to provide a substantive response to the State Bar's letter

1 of August 7, 2014, which Respondent received, that requested Respondent's response to the  
2 allegations of misconduct being investigated in case no. 14-O-03800, in willful violation of  
3 Business and Professions Code, section 6068(i).

4 **NOTICE - INACTIVE ENROLLMENT!**

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

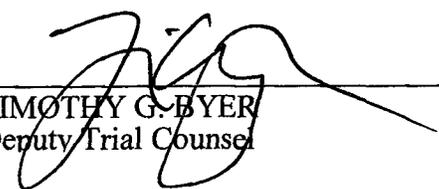
13 **NOTICE - COST ASSESSMENT!**

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

19 Respectfully submitted,

20 THE STATE BAR OF CALIFORNIA  
21 OFFICE OF THE CHIEF TRIAL COUNSEL

22 DATED: December 5, 2014

23 By:   
24 TIMOTHY G. BYER  
25 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-03800

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 0876 63 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: Steven J. Brock, Law Offices of Steven Jay Brock, Inc, APLC, 14071 Peyton Drive, Unit 430, Chino Hills, CA 91709, Electronic Address gembassy@hotmail.com

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: December 5, 2014

SIGNED:

Handwritten signature of Jason Peralta over a horizontal line.

Jason Peralta
Declarant