

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED

JUN 15 2015
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case Nos. 14-O-04053
) 14-0-04313
 14 GEORGE STEVEN WASS,)
 No. 161732,) NOTICE OF DISCIPLINARY CHARGES
 15)
 16 A Member of the State Bar)

NOTICE - FAILURE TO RESPOND!

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

- 20 (1) YOUR DEFAULT WILL BE ENTERED;
 21 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
 WILL NOT BE PERMITTED TO PRACTICE LAW;
 22 (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;
 23 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
 24 SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE
 OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN
 25 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
 26 RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

27 The State Bar of California alleges:

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COUNT TWO

Case No. 14-O-04053
Business and Professions Code, section 6068(m)
[Failure to Inform Client of Significant Development]

3. Respondent failed to keep respondent's client, Painter's Products, Inc., 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 that on or about May 22, 2014, in a matter pending before the American Arbitration Association, case no. 73-133-357-13, the adverse party, Eclectic Products, Inc., filed and served a motion to dismiss Painter's Products Inc.'s demand for arbitration for failure to prosecute and for failure to file a more definite statement of claims as ordered by the arbitrator on or about April 26, 2014 and May 16, 2014, despite respondent having notice of the motion to dismiss.

COUNT THREE

Case No. 14-O-04053
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

4. On or about March 17, 2013, Respondent received a total of \$10,000 in advanced fees from a client, Painter's Products, Inc., to file and prosecute a demand for arbitration in a civil matter against Eclectic Products, Inc. Respondent failed to provide the legal services for which he was hired, and therefore, did not earn all of the fees advanced by Painter's Products, Inc. Respondent failed to refund promptly, upon respondent's termination of employment on or about May 29, 2014, any part of the \$10,000 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT FOUR

Case No. 14-O-04053
Rules of Professional Conduct, rule 4-100(B)(3)
[Failure to Render Accounts of Client Funds]

5. On or about March 17, 2013, Respondent received from respondent's client, Painter's Products, Inc., the sum of \$10,000 as advanced fees for legal services to be performed. Respondent thereafter failed to render an appropriate accounting to the client regarding those

1 funds upon the termination of respondent's employment on or about May 29, 2014, in willful
2 violation of the Rules of Professional Conduct, rule 4-100(B)(3).

3 COUNT FIVE

4 Case No. 14-O-04053
5 Rules of Professional Conduct, rule 3-700(D)(1)
6 [Failure to Release File]

7 6. Respondent failed to release promptly, after termination of respondent's employment
8 on or about May 29, 2014, to respondent's client, Painter's Products, Inc., all of the client's
9 papers and property following the client's new attorney's requests for the client's file on June 30,
10 2014, July 7, 2014, and July 8, 2014, in willful violation of Rules of Professional Conduct, rule
11 3-700(D)(1).

12 COUNT SIX

13 Case No. 14-O-04313
14 Rules of Professional Conduct, rule 3-110(A)
15 [Failure to Perform with Competence]

16 7. On or about April 11, 2014, J. Dudley Williams employed respondent to perform
17 legal services, namely to file a lawsuit to contest the non-judicial foreclosure of J. Dudley
18 Williams' real property that was scheduled to take place on or about April 17, 2014, which
19 respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful
20 violation of Rules of Professional Conduct, rule 3-110(A), by failing to file a lawsuit on behalf of
21 J. Dudley Williams when he knew time was of the essence, or otherwise take any action on his
22 behalf by on or about April 25, 2014, when respondent's employment was terminated.

23 COUNT SEVEN

24 Case No. 14-O-04313
25 Rules of Professional Conduct, rule 3-700(D)(2)
26 [Failure to Refund Unearned Fees]

27 8. On or about April 17, 2014, respondent received advanced fees of \$7,500 from a
28 client, J. Dudley Williams, to file a lawsuit to contest the non-judicial foreclosure of his real
property. Respondent failed to file a lawsuit on behalf of his client, 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 April 25, 2014, any part of

1 the \$7,500 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-
2 700(D)(2).

3 COUNT EIGHT

4 Case No. 14-O-04313
5 Rules of Professional Conduct, rule 4-100(B)(3)
6 [Failure to Render Accounts of Client Funds]

7 9. On or about April 17, 2014, respondent received from respondent's client, J. Dudley
8 Williams, the sum of \$7,500 as advanced fees for legal services to be performed. Respondent
9 thereafter failed to render an appropriate accounting to the client regarding those funds upon the
10 termination of respondent's employment on or about April 25, 2014, in willful violation of the
11 Rules of Professional Conduct, rule 4-100(B)(3).

12 COUNT NINE

13 Case No. 14-O-04313
14 Business and Professions Code, section 6068(i)
15 [Failure to Cooperate in State Bar Investigation]

16 10. Respondent failed to cooperate and participate in a disciplinary investigation pending
17 against respondent by failing to provide a substantive response to the State Bar's letter of
18 October 28, 2014, which respondent received, that requested respondent's response to the
19 allegations of misconduct being investigated in case no. 14-O-04313, in willful violation of
20 Business and Professions Code, section 6068(i).

21 NOTICE - INACTIVE ENROLLMENT!

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

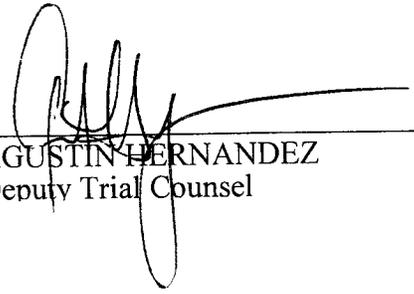
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AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: June 15, 2015

By: 
AGUSTIN HERNANDEZ
Deputy Trial Counsel

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 14-0-04053, 14-O-04313

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) to:

- (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.: 9414-7266-9904-2010-0722-32 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 via US Mail to:
George Steven Wass, 2145 E Tahquitz Canyon Way Ste 4-911 Palm Springs, CA 92262, CC via electronic address:

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

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: June 15, 2015

SIGNED: [Signature] Ana Botosaru-Nercessian Declarant