

PUBLIC MATTER

FILED

AUG 06 2015

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

1 STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
2 JAYNE KIM, No. 174614
CHIEF TRIAL COUNSEL
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8
9 STATE BAR COURT

10 HEARING DEPARTMENT - LOS ANGELES

11
12 In the Matter of:) Case Nos. 14-O-04721, 14-O-04898,
) 14-O-05764, 14-O-05841, 15-O-10608
13 WILLIAM ROBERT TROIANI,)
No. 236916,) NOTICE OF DISCIPLINARY CHARGES
14)
)
15 A Member of the State Bar)

16 **NOTICE - FAILURE TO RESPOND!**

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

- 19 (1) **YOUR DEFAULT WILL BE ENTERED;**
20 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**
WILL NOT BE PERMITTED TO PRACTICE LAW;
21 (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;
22 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
23 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**
24 **OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN**
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.**



1 The State Bar of California alleges:

2 JURISDICTION

3 1. WILLIAM ROBERT TROIANI ("Respondent") was admitted to the practice of
4 law in the State of California on June 1, 2005, was a member at all times pertinent to these
5 charges, and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 14-O-04721
8 Business & Professions Code, section 6106.3
9 [Violation of Civil Code, section 2944.7(a)(1)-Illegal Advanced Fee]

10 2. On or about August 3, 2013, Respondent agreed to attempt to negotiate a home
11 mortgage loan modification or other mortgage loan forbearance for a fee for a client, Jesse
12 Quiroz, and on that same date received \$1,000 from Quiroz, and received another \$1,000 from
13 Quiroz on or about August 29, 2013, before Respondent had fully performed each and every
14 service Respondent had been contracted to perform or represented to Quiroz that Respondent
15 would perform, in violation of Civil Code, section 2944.7, and in willful violation of Business
16 and Professions Code, section 6106.3.

17 COUNT TWO

18 Case No. 14-O-04721
19 Rules of Professional Conduct, rule 4-200(A)
20 [Illegal Fee While Suspended]

21 3. On or about September 28, 2013, Respondent collected a fee of \$500 from Jesse
22 Quiroz, and collected another fee of \$1,000 from Quiroz on each the following dates: on or about
23 November 2, 2013, December 3, 2013, January 3, 2014, February 3, 2014, and March 6, 2014,
24 all of which were collected to perform legal services (to attempt to negotiate a home mortgage
25 loan modification or other mortgage loan forbearance) that were illegal while Respondent was
26 suspended and not entitled to practice law, in willful violation of Rules of Professional Conduct,
27 rule 4-200(A).

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COUNT THREE

Case No. 14-O-04721
Rules of Professional Conduct, Rule 1-300(A)
[Aiding the Unauthorized Practice of Law]

4. From on or about September 1, 2013 through about April 2014, Respondent aided Alan Razani, who is not licensed to practice law in California, in the unauthorized practice of law, by permitting Razani to attempt to negotiate a home mortgage loan modification or other mortgage loan forbearance between Jesse Quiroz and Wells Fargo Bank, without attorney supervision, in willful violation of Rules of Professional Conduct, rule 1-300(A).

COUNT FOUR

Case No. 14-O-04721
Rules of Professional Conduct, rule 4-100(A)
[Commingling – Payment of Personal Expenses from Client Trust Account]

5. Between about December 23, 2013, and about November 12, 2014, Respondent issued the following checks from Respondent’s client trust account at J.P. Morgan Chase Bank, N.A., account no. _____ 2450¹, for the payment of personal expenses, in willful violation of Rules of Professional Conduct, rule 4-100(A):

<u>CHECK #</u>	<u>PAYEE</u>	<u>\$ AMT OF CHECK/WITHDRAWAL</u>
1606	AT&T	\$371.43
1618	Michael Moini	\$250.00
1620	Anthem Blue Cross	\$113.95
1621	Nestle (Arrowhead)	\$29.17
1625	Jocelyn Ramirez	\$881.00
1626	Berenise Salas	\$1,221.00
1627	DMV	\$5.00
1628	Anthem Blue Cross	\$340.94
1629	Xochitl Rivera	\$4,800.00
1630	Michael Moini	\$375.00
1631	Jocelyn Ramirez	\$200.00
1632	Michael Moini	\$125.00
1633	Wells Fargo Dealer Svcs.	\$6,732.62
1634	Jocelyn Ramirez	\$370.66
1635	Dorita LLC	\$4,200.00
1636	Jocelyn Ramirez	\$400.00
1640	Berenise Salas	\$742.50
1641	Jocelyn Ramirez	\$46.00

¹ Full account number is redacted for privacy reasons.

1	1642	Tuning Acosta	\$300.00
	1643	Xochitl Rivera	\$700.00
2	1645	AT&T	\$60.53
	1646	Jocelyn Ramirez	\$340.00
3	1647	Alan Razani	\$500.00
	1648	Carlos Mario Beltran	\$200.00
4	1649	Fariba Daneshfor	\$3,000.00
	1650	Jocelyn Ramirez	\$612.00
5	1651	Berenise Salas	\$850.30
	1653	Jocelyn Ramirez	\$700.00
6	1654	Mike Chamasmani	\$400.00
	1655	Anthem Blue Cross	\$340.94
7	1656	Anthem Blue Cross	\$113.95
	1657	Daniel Sharpe	\$150.00
8	1658	Michael Moini	\$150.00
	1662	Jocelyn Ramirez	\$560.00
9	1663	Mehrnush Akhavanfard	\$3,000.00
	1664	Berenise Salas	\$770.55
10	1665	Jocelyn Ramirez	\$530.20
	1668	AT&T	\$202.56
11	1669	Jocelyn Ramirez	\$29.00
	1670	John Murray	\$75.00
12	1673	Berenise Salas	\$420.00
	1674	Alan Razani	\$500.00
13	1675	Jocelyn Ramirez	\$600.00
	1676	Michael Moini	\$125.00
14	1677	AP & Associates	\$100.00
	1678	Dorita LLC	\$4,827.23
15	1679	John Murray	\$150.00
	1680	Sergio's Lock & Key	\$90.00
16	1681	Sergio Carmona	\$27.48
	1682	Jocelyn Ramirez	\$300.00
17	1683	Jocelyn Ramirez	\$140.00
	1684	Berenise Salas	\$743.05
18	1685	Jocelin Ramirez	\$751.60
	1688	Ramtin Chamasmani	\$280.00
19	1689	Sergio Pereda	\$210.00
	1691	John Murray	\$500.00
20	1692	Michael Moini	\$640.00
	1693	Sergio Preda	\$100.00
21	1694	Public Storage	\$122.50
	1695	Michael Moini	\$150.00
22	1696	Dorita LLC	\$2,420.00
	1697	Sergio Pereda	\$654.50
23	1698	Alan Razani	\$500.00
	1700	Michael Moini	\$150.00
24	1701	IRWD	\$17.00
	1702	AT&T	\$208.36

1	1704	John Murray	\$100.00
	1705	Michael Moini	\$275.00
2	1706	DMV	\$197.00
	1707	MJ Property Trust	\$2,943.81
3	1708	Michael Moini	\$300.00
	1712	John Murray	\$200.00
4	1713	UPS Store	\$216.00
	1714	MJ Property Services	\$3,200.00
5	1715	Catalina Manzano	\$1,000.00
6	1716	Mary Troiani	\$1,000.00

COUNT FIVE

Case No. 14-O-04721
 Business and Professions Code, section 6068(a)
 [Failure to Comply With Laws – Unauthorized Practice of Law]

6. On or about January 7, 2014, 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 accepting the representation of Romel Ramieri and his company, Acclaimed Direct Marketing, LLC, in its defense of an unemployment claim matter pending before the State of California Employment Development Department, in violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

COUNT SIX

Case No. 14-O-05841
 Rules of Professional Conduct, rule 4-200(A)
 [Illegal Fee While Suspended]

7. On or about January 7, 2014, Respondent collected a fee of \$1,860 from Romel Ramieri and his company, Acclaimed Direct Marketing, LLC, for defense of an unemployment claim matter pending before the State of California Employment Development Department, that was illegal because, at the time, Respondent was suspended and not entitled to practice law, in willful violation of Rules of Professional Conduct, rule 4-200(A).

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COUNT SEVEN

Case No. 14-O-04721
Business and Professions Code, section 6106
[Moral Turpitude]

8. On or about January 7, 2014, 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 accepting the representation of Romel Ramieri and his company, Acclaimed Direct Marketing, LLC, in its defense of an unemployment claim matter pending before the State of California Employment Development Department, and collected an illegal fee of \$1,860 for that representation, and thereby committed an act or acts involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

COUNT EIGHT

Case No. 14-O-04898
Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

9. On or about August 13, 2013, Respondent received advanced fees of \$500 from a client, Deidre Morrow, who had employed Respondent to obtain a joint child custody order. Respondent failed to perform any legal services for Morrow, and therefore earned none of the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about September 1, 2013, any part of the \$500 fee to Morrow, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT NINE

Case No. 14-O-05764
Rules of Professional Conduct, rule 3-700(A)(2)
[Improper Withdrawal from Employment]

10. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to Respondent's client, Deidre Morrow, by constructively terminating Respondent's employment on September 1, 2013, by failing to take any action on the client's behalf after August 13, 2013, and thereafter failing to inform the client that Respondent

1 was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-
2 700(A)(2).

3 COUNT TEN

4 Case No. 14-O-05764
5 Business and Professions Code, section 6068(a)
6 [Failure to Comply With Laws – Unauthorized Practice of Law]

7 11. On or about October 29, 2014, Respondent held himself out as entitled to practice
8 law when Respondent was not an active member of the State Bar, by allowing his name to be
9 listed as General Counsel for International Sports Agency, LTD, on the website for International
10 Sports Agency, LTD, in violation of Business and Professions Code, sections 6125 and 6126,
11 and thereby willfully violated Business and Professions Code, section 6068(a).

12 COUNT ELEVEN

13 No. 14-O-05764
14 Business and Professions Code, section 6106
15 [Moral Turpitude]

16 12. On or about October 29, 2014, Respondent held himself out as entitled to practice
17 law, when Respondent knew, or was grossly negligent in not knowing, Respondent was not an
18 active member of the State Bar by allowing his name to be listed as General Counsel for
19 International Sports Agency, LTD, on the website for International Sports Agency, LTD, and
20 thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation
21 of Business and Professions Code, section 6106.

22 COUNT TWELVE

23 Case No. 14-O-05841
24 Business and Professions Code, section 6068(a)
25 [Failure to Comply With Laws – Unauthorized Practice of Law]

26 13. On or about March 18, 2014 through on or about October 31, 2014, Respondent
27 held himself out as entitled to practice law, and actually practiced law, when Respondent was not
28 an active member of the State Bar, by accepting employment by Kjell McCord for defense of
McCord's civil litigation, receiving payment from McCord of \$1,500 for that representation, and
thereafter providing legal counsel to McCord, in violation of Business and Professions Code,

1 sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section
2 6068(a).

3 COUNT THIRTEEN

4 Case No. 14-O-05841
5 Rules of Professional Conduct, rule 4-200(A)
6 [Illegal Fee While Suspended]

7 14. On or about March 18, 2014, Respondent collected a fee of \$1,500 from Kjell
8 McCord for defense of McCord's civil litigation that was illegal because, at the time, Respondent
9 was suspended and not entitled to practice law, in willful violation of Rules of Professional
10 Conduct, rule 4-200(A).

11 COUNT FOURTEEN

12 Case No. 14-O-05841
13 Business and Professions Code, section 6106
14 [Moral Turpitude]

15 15. On or about March 18, 2014 through on or about October 31, 2014, Respondent
16 held himself out as entitled to practice law, and actually practiced law, when Respondent knew,
17 or was grossly negligent in not knowing, Respondent was not an active member of the State Bar
18 by accepting employment by Kjell McCord for defense of his civil litigation, receiving payment
19 from McCord of \$1,500 for that representation, and thereafter providing legal counsel to
20 McCord, and thereby committed an act or acts involving moral turpitude, dishonesty or
21 corruption in willful violation of Business and Professions Code, section 6106.

22 COUNT FIFTEEN

23 Case No. 15-O-10608
24 Rules of Professional Conduct, Rule 1-311(B)
25 [Employment of Disbarred Member]

26 16. On or about October 28, 2013, Respondent employed, associated professionally
27 with, or aided a person, whom Respondent knew or reasonably should have known was a
28 disbarred member, namely, John Patrick Murray, to engage in activities that constitute the
practice of law, namely, to draft, sign and mail correspondence to an adverse party to their client
Hassan Chitsaz, in which he made legal conclusions, demanded that the letter's recipient cease

1 and desist from certain actions, and threatened legal action, in willful violation of Rules of
2 Professional Conduct, rule 1-311(B).

3 COUNT SIXTEEN

4 Case No. 15-O-10608
5 Rules of Professional Conduct, Rule 1-311(D)
6 [Failure to Notify State Bar of Employment of Disbarred Member]

7 17. Respondent failed to serve upon the State Bar of California, prior to or at the time
8 of such employment, written notice of Respondent's employment on or about October 28, 2013
9 of a person, namely John Patrick Murray, whom Respondent knew or reasonably should have
10 known was disbarred, in willful violation of Rules of Professional Conduct, rule 1-311(D).

11 NOTICE - INACTIVE ENROLLMENT!

12 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
13 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
14 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
15 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
16 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
17 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
18 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
19 RECOMMENDED BY THE COURT.**

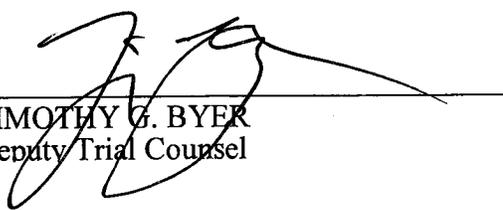
20 NOTICE - COST ASSESSMENT!

21 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC
22 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
23 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING
24 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
25 PROFESSIONS CODE SECTION 6086.10.**

26 Respectfully submitted,

27 THE STATE BAR OF CALIFORNIA
28 OFFICE OF THE CHIEF TRIAL COUNSEL

29 DATED: August 6, 2015

30 By: 
31 TIMOTHY G. BYER
32 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-04721, 14-O-04898, 14-O-05764, 14-O-05841, 15-O-10608

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 0826 13 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:
Paul Jean Virgo, 9909 Topanga Blvd. # 282 Chatsworth, CA 91311, 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: August 6, 2015

SIGNED:

Handwritten signature of Jason Peralta, Declarant