

# PUBLIC MATTER

1 STATE BAR OF CALIFORNIA  
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## FILED

MAY 07 2015

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of: ) Case Nos. 14-O-4906, 15-O-10115  
 13 MING GANG LI, )  
 No. 174894, ) NOTICE OF DISCIPLINARY CHARGES  
 14 )  
 15 A Member of the State Bar. )

### 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.**  
**SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**  
 23 **OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN**  
 24 **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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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Ming Gang Li (respondent) was admitted to the practice of law in the State of  
4 California on December 9, 1994, was a member at all times pertinent to these charges, and is  
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 14-O-4906  
8 Rules of Professional Conduct, rule 4-100(A)  
9 [Commingling – Payment of Personal Expenses from Client Trust Account]

10 2. Between on or about April 1, 2014 and October 1, 2014 , Respondent issued the  
11 following electronic withdrawal from funds in Respondent’s client trust account at Bank of  
12 America, account no. \*\*\*\*-\*\*\*\*-4167 for the payment of personal expenses, in willful violation  
13 of Rules of Professional Conduct, rule 4-100(A):

13	<b>Date</b>	<b>Payee</b>	<b>Amount</b>
14	April 1, 2014	Midwest	\$161.66
15	May 1, 2014	Midwest	\$161.66
16	June 2, 2014	Midwest	\$161.66
17	July 1, 2014	Midwest	\$161.66
18	July 24, 2014	Phone Payment	\$4,232
19	August 1, 2014	Midwest	\$161.66
20	August 7, 2014	Midwest	\$161.66
21	September 2, 2014	Midwest	\$161.66
22	October 1, 2014	Midwest	\$161.66

23 COUNT TWO

24 Case No. 15-O-10115  
25 Rules of Professional Conduct, rule 3-110(A)  
26 [Failure to Perform with Competence]

27 3. On or about April 27, 2012, Yongkui Peng (Peng) employed respondent to perform  
28 legal services, namely to file an Immigrant Petition for an Alien Entrepreneur (EB-5 petition)  
with the United States Customs and Immigration Services (USCIS) on his behalf, which

1 respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful  
2 violation of Rules of Professional Conduct, rule 3-110(A), by failing to file an EB-5 petition on  
3 Peng's behalf.

4 COUNT THREE

5 Case No. 15-O-10115  
6 Business and Professions Code section 6106  
7 [Moral Turpitude - Breach of Fiduciary Duty]

8 4. In or about April 2012, respondent solicited \$500,000 from Yongkui Peng (Peng) to  
9 invest in a startup business called Internet Media Direct LLC, And on May 24, 2012, Peng  
10 delivered \$400,000 to respondent. Respondent sought to mislead and induce Peng to invest in  
11 Internet Media Direct LLC by personally promising to refund Peng's money if Internet Media  
12 Direct LLC failed to refund it after one year or if Peng was unable to get a permanent investor  
13 visa, and by telling Peng that respondent owned two homes that had sufficient equity to  
14 guarantee Peng's investment, when respondent knew or was grossly negligent in not knowing  
15 that respondent did not have the financial resources to guarantee the return of Peng's investment,  
16 and that respondent would not be able to refund Peng's money. By inducing Peng to invest  
17 \$500,000 with false and misleading statements and claims, respondent breached his fiduciary  
18 duty to Peng and thereby respondent committed an act or acts involving moral turpitude  
19 dishonesty or corruption, in willful violation of Business and Professions Code section 6106.

20 COUNT FOUR

21 Case No. 15-O-10115  
22 Rules of Professional Conduct, rule 3-700(D)(2)  
23 [Failure to Refund Unearned Fees]

24 5. On or about May 24, 2012, respondent received advanced fees of \$50,000 from a  
25 client, Yongkui Peng (Peng) for purposes of obtaining an investor visa. Respondent failed to  
26 perform and therefore failed to earn the advanced fees that Peng paid. Respondent failed to  
27 refund promptly, upon respondent's termination of employment on or about September 12,  
28 2014, any part of the \$50,000 fee, in willful violation of Rules of Professional Conduct, rule  
3-700(D)(2).

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**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.**

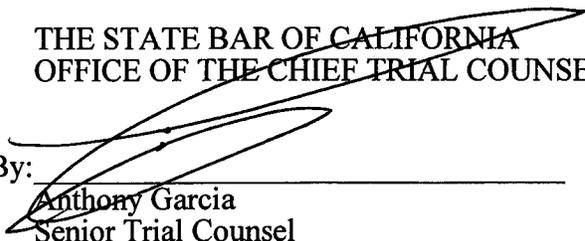
**NOTICE - COST ASSESSMENT!**

**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: May 7, 2015

By:   
Anthony Garcia  
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-04906, 15-O-10115

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 S. 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 0718 60 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: Marisol Ocampo, Century Law Group LLP, 5200 W Century Blvd #345, Los Angeles, CA 90045, 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: May 7, 2015

SIGNED: Laura Jett
LAURA JETT
Declarant