

1 STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
2 JAYNE KIM, No. 174614
CHIEF TRIAL COUNSEL
3 JOSEPH R. CARLUCCI, No. 172309
DEPUTY CHIEF TRIAL COUNSEL
4 MELANIE J. LAWRENCE, No. 230102
ASSISTANT CHIEF TRIAL COUNSEL
5 MIA R. ELLIS, No. 228235
SUPERVISING SENIOR TRIAL COUNSEL
6 ANTHONY GARCIA, No. 171419
SENIOR TRIAL COUNSEL
845 South Figueroa Street
7 Los Angeles, California 90017-2515
Telephone: (213) 765-1089
8

FILED

AUG 27 2015

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

9 STATE BAR COURT

10 HEARING DEPARTMENT - LOS ANGELES

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13 In the Matter of:) Case No. 14-O-05339
14 KRISTIN MARIE SCHUH,)
No. 241554,) NOTICE OF DISCIPLINARY CHARGES
15)
16 A Member of the State Bar)

17 **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
20 THE STATE BAR COURT TRIAL:**

- 21 (1) **YOUR DEFAULT WILL BE ENTERED;**
22 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
23 WILL NOT BE PERMITTED TO PRACTICE LAW;**
24 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN
25 THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION
26 AND THE DEFAULT IS SET ASIDE, AND;**
27 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
28 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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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Kristin Marie Schuh ("respondent") was admitted to the practice of law in the State of
4 California on January 28, 2006, 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-05339
8 Rules of Professional Conduct, rule 4-100(B)(1)
[Failure to Notify of Receipt of Client Funds]

9 2. On or about December 18, 2013, respondent received on behalf of respondent's
10 client, Damon Alexander Thomas (Thomas), a refund of a bond paid by Thomas in the amount
11 \$19,327.70. Respondent failed to notify the client of respondent's receipt of funds on the client's
12 behalf until August 19, 2014, in willful violation of Rules of Professional Conduct, rule 4-
13 100(B)(1).

14 COUNT TWO

15 Case No. 14-O-05339
16 Rules of Professional Conduct, rule 4-100(A)(1)
[Failure to Maintain Funds in Trust]

17 3. On or about December 18, 2013, respondent received on behalf of respondent's
18 client, Damon Alexander Thomas, a check from PES Payroll in the amount of \$19, 327.70. On
19 or about December 19, 2013, respondent deposited the \$19, 327.70 into respondent's client trust
20 account at JP Morgan Chase Bank, , account number *****-7520 on behalf of the client. As of
21 on or about December 19, 2013, respondent was required to maintain \$19,327.70 in her client
22 trust account. Respondent failed to maintain a balance of \$19,327.70 on behalf of the client in
23 respondent's client trust account, in willful violation of Rules of Professional Conduct, rule 4-
24 100(A).

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COUNT THREE

Case No. 14-O-05339
Business and Professions Code, section 6106
[Misappropriation]

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4. On or about December 18, 2103, respondent received on behalf of respondent's client, Damon Alexander Thomas, a check from PES Payroll in the amount of \$19, 327.70. On or about December 19, 2013, respondent deposited the \$19, 327.70 into respondent's client trust account at JP Morgan Chase Bank, , account number *****-7520 on behalf of the client. Between on or about December 19, 2013, and through on or about January 8, 2014, respondent dishonestly or grossly negligently misappropriated for respondent's own purposes \$19,326.96 that respondent's client, Damon Alexander Thomas, was entitled to receive, and thereby committed an act involving moral turpitude.

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COUNT FOUR

Case No. 14-O-05339
Business and Professions Code, section 6106
[False Statement]

5. Between in or about December 2013 and August 2014, respondent repeatedly stated to Damon Alexander Thomas (Thomas), owner of Route 17 Entertainment, that respondent had not received any funds belonging to Thomas, and on or about July 10, 2014, respondent stated to Thomas in an e-mail that she was negotiating with the union regarding Thomas' funds when respondent knew or was grossly negligent in not knowing the statements were false, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

COUNT FIVE

Case No. 14-O-05339
Business and Professions Code, section 6106
[Failure to Cooperate in State Bar Investigation]

6. 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 and e-mails of December 16, 2014, January 2, 2015, and February 25, 2015, which respondent received, that requested respondent's response to the allegations of misconduct being

1 investigated in case number 14-O-05339, in willful violation of Business and Professions Code,
2 section 6068(i).

3 **NOTICE - INACTIVE ENROLLMENT!**

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

12 **NOTICE - COST ASSESSMENT!**

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

18 Respectfully submitted,

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

21 DATED: August 27, 2015

22 By: 

23 Anthony Garcia
24 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-05339

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 90017-2515, 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))

- 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 Los Angeles.

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 Los Angeles.

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 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 0842 73 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)

Person Served	Business-Residential Address	Fax Number
Kristin Marie Schuh	7080 Hollywood Blvd., Ste. 1100 Los Angeles, CA 90028	Electronic Address

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 Los Angeles, California, on the date shown below.

DATED: August 27, 2015

SIGNED: Sandra Reynolds
Sandra Reynolds
Declarant