

PUBLIC MATTER

FILED

JUL 27 2016

STATE B. ^{KT}
CLERK'S OFFICE
LOS ANGELES

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STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:) Case Nos. 14-O-05402; 15-O-11752;
) 15-O-12438; 15-O-13507; 15-O-14533
14 CARI DONAHUE,)
No. 273436,) NOTICE OF DISCIPLINARY CHARGES
15)
16 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. Cari Donahue (“respondent”) was admitted to the practice of law in the State of
4 California on December 6, 2010, 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-05402
8 Business and Professions Code, section 6103
[Failure to Obey a Court Order]

9 2. Respondent disobeyed or violated an order of the court requiring respondent to do an
10 act connected with or in the course of respondent’s profession which respondent ought in good
11 faith to do by failing to personally appear in court on July 18, 2014 for a hearing, as ordered on
12 June 12, 2014, regarding a June 5, 2014 order to show cause why sanctions should not be
13 imposed against respondent under 11 U.S.C. §105(a) for in *In re Robert Buechel*, United States
14 Bankruptcy Court, Southern District of California, case no. 14-04191-LT13, in willful violation
15 of Business and Professions Code, section 6103.

16 COUNT TWO

17 Case No. 14-O-05402
18 Business and Professions Code, section 6103
[Failure to Obey a Court Order]

19 3. Respondent disobeyed or violated an order of the court requiring respondent to do an
20 act connected with or in the course of respondent’s profession which respondent ought in good
21 faith to do by failing to personally appear in court on August 27, 2014 for a hearing, as ordered
22 on July 18, 2014, regarding a June 5, 2014 order to show cause why sanctions should not be
23 imposed against respondent under 11 U.S.C. §105(a) for in *In re Robert Buechel*, United States
24 Bankruptcy Court, Southern District of California, case no. 14-04191-LT13, in willful violation
25 of Business and Professions Code, section 6103.

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COUNT FIVE

Case No. 15-O-12438
Rules of Professional Conduct, Rule 1-300(A)
[Aiding the Unauthorized Practice of Law]

6. From in or about January 2013 through in or about December 2015, Respondent aided Rey Mendez, who is not licensed to practice law in California, in the unauthorized practice of law, by allowing Mendez to meet with clients, handle client funds, dispense legal advice and file pleadings, in willful violation of Rules of Professional Conduct, rule 1-300(A).

COUNT SIX

Case No. 15-O-12438
Rules of Professional Conduct, Rule 1-310
[Forming a Partnership with a Non-Lawyer]

7. Between in or about January 2013 and in or about December 2015, Respondent formed a partnership with Rey Mendez, who is not licensed to practice law in California, where at least one of the activities of that partnership, namely, providing legal services to clients, consisted of the practice of law, in willful violation of the Rules of Professional Conduct, rule 1-310.

COUNT SEVEN

Case No. 15-O-12438
Rules of Professional Conduct, rule 4-200(A)
[Illegal Fee]

8. From in or about January 2013 through in or about December 2015, Respondent collected from Sophia Ludyjan-Woods a fee of \$3,000 to perform legal services that was illegal because it was the product of respondent aiding and abetting the unauthorized practice of law and respondent's partnership with a non-lawyer, in willful violation of the Rules of Professional Conduct, rule 4-200(A).

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COUNT EIGHT

Case No. 15-O-13507
Business and Professions Code, section 6103
[Failure to Obey a Court Order]

9. Respondent disobeyed or violated an order of the court requiring respondent to do an act connected with or in the course of respondent's profession which respondent ought in good faith to do by failing to pay \$2,486 in attorney's fees to defendant Pacifica L 52, LLC dba Pacifica Reat 2031-1 ("Pacifica") the court ordered respondent to pay within 30 days of the May 7, 2015 order in *Van Uffelen, et al. v. Bank of America, N.A., et al*, Los Angeles County Superior Court case no. VC064407, in willful violation of Business and Professions Code, section 6103.

COUNT NINE

Case No. 15-O-14533
Rules of Professional Conduct, rule 4-100(B)(4)
[Failure to Pay Client Funds Promptly]

10. On or about February 1, 2014, Respondent received on behalf of Respondent's client, Bruce Alto, a \$1,500 rental payment for a property owned by Bruce Alto. Of this sum, the client was entitled \$500, with the remaining \$1,000 applied to legal fees incurred by Alto. To date, Respondent has failed to pay promptly, as requested by Respondent's client, any portion of the February 2014 \$500 payment in Respondent's possession in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

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.

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Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL

DATED: July 27, 2016

By: 
William Todd
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-05402; 15-O-11752; 15-O-12438; 15-O-13507; 15-O-14533

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.: 9414-7266-9904-2010-0636-81 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, Electronic Address. Row 1: Edward O. Lear, Century Law Group LLP, 5200 W. Century Blvd., #345, Los Angeles, CA 90045.

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: July 27, 2016

SIGNED:

Kathi Palacios

Kathi Palacios
Declarant