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FILED

JUL 29 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT**

9 In the Matter of:)

10 PAUL E. ZELLERBACH)
11 Member No.: 83086)
12)
13)
14)

CASE NO.: 15-C-10082-DFM

**ANSWER TO NOTICE OF DISCIPLINARY
CHARGES**

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16
17 TO THE STATE BAR COURT AND TO THE OFFICE OF CHIEF TRIAL COUNSEL:

18 RESPONDENT ZELLERBACH hereby answers the Notice of Disciplinary Charges on file
19 herein as follows:

20 1. Answering Respondent Zellerbach admits that he has been convicted of violating Penal Code
21 section 594(b)(2)(A) of the Penal Code, a misdemeanor, in the Superior Court of Riverside
22 County, State of California.

23 2. Answering Respondent Zellerbach denies that the misdemeanor conviction is a crime of moral
24 turpitude or that the underlying circumstances involves Moral Turpitude.

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FIRST AFFIRMATIVE DEFENSE

3. The Notice of Disciplinary Charges and the Charging Documents fail to state facts sufficient to constitute a Misdemeanor involving Moral Turpitude.

SECOND AFFIRMATIVE DEFENSE

4. The underlying circumstances giving rise to the conviction do not involve Moral Turpitude; the underlying circumstances involve mistake and inadvertence and caused no damage.

THIRD AFFIRMATIVE DEFENSE

5. Respondent has mitigated circumstances as delineated in the Rules of Procedure of the State Bar of California, Title IV, Standard 1.6, "Mitigating Circumstances."

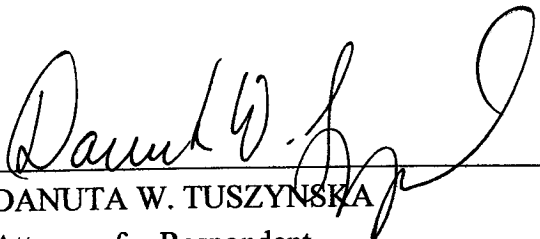
FOURTH AFFIRMATIVE DEFENSE

6. Defendants reserve the right to allege further affirmative defenses as they may become known through the course of discovery.

WHEREFORE, the answering Respondent prays as follows:

1. That the Notice of Disciplinary Charges be dismissed with prejudice and that judgment be entered in favor of Respondent Zellerbach.

Dated: July 27, 2016



DANUTA W. TUSZYŃSKA
Attorney for Respondent

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TUSZYNSKA LAW OFFICDE 99176 Danuta W. Tuszynska 7121 Magnolia Avenue Riverside, Ca. 92504 TELEPHONE NO.: 951.781.1233 FAX NO. (Optional): E-MAIL ADDRESS (Optional): Tuszynskalaw@aol.com ATTORNEY FOR (Name): Respondent</p>	<p>FOR COURT USE ONLY</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Riverside STREET ADDRESS: 4050 Main MAILING ADDRESS: CITY AND ZIP CODE: Riverside BRANCH NAME: Civil</p>	
<p>PETITIONER/PLAINTIFF: In the Matter of: Paul E. Zellerbach RESPONDENT/DEFENDANT: Member No.: 83086</p>	
<p>PROOF OF SERVICE BY FIRST-CLASS MAIL - CIVIL</p>	<p>CASE NUMBER: 15-C-10082-DFM</p>

(Do not use this Proof of Service to show service of a Summons and Complaint.)

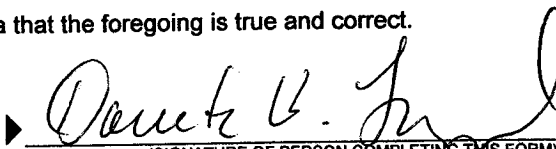
1. I am over 18 years of age and not a party to this action. I am a resident of or employed in the county where the mailing took place.
2. My residence or business address is:
 7121 Magnolia Avenue, Riverside, Ca. 92504
3. On (date): July 27, 2016 I mailed from (city and state): Riverside, Ca.
 the following documents (specify):
 Answer to the Notice of Disciplinary Charges.
- ☐ The documents are listed in the *Attachment to Proof of Service by First-Class Mail - Civil (Documents Served)* (form POS-030(D)).
4. I served the documents by enclosing them in an envelope and (check one):
 - a. ☒ depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.
 - b. ☐ placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
5. The envelope was addressed and mailed as follows:
 - a. Name of person served: Office of the Chief Trial Counsel, Mr. Charles Calix
 - b. Address of person served:
 845 S. Figueroa St.
 Los Angeles, Ca. 90017-2515

☐ The name and address of each person to whom I mailed the documents is listed in the *Attachment to Proof of Service by First-Class Mail-Civil (Persons Served)* (POS-030(P)).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: July 27, 2016

Danuta W. Tuszynska
 (TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)


 (SIGNATURE OF PERSON COMPLETING THIS FORM)