

1 ZACHARY TORAN, ESQ.(SBN 267822)
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3 San Francisco, CA 94121
4 Telephone (415) 752-0964

FILED

DEC 28 2015

3 In Pro Per

STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

8 STATE BAR COURT
9 HEARING DEPARTMENT - SAN FRANCISCO

11 In the Matter of:

) Case No. 15-N-15198

12 ZACHARY ALEXANDER TORAN,
13 No. 267822

) **RESPONSE TO NOTICE OF
DISCIPLINARY CHARGES**

14 A Member of the State Bar
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19 **I. REPLY-ADMISSIONS**

20 ZACHARY ALEXANDER TORAN ("RESPONDENT") *admits* that he failed to *timely*
21 file his 9.20(c) Proof of Compliance (herein "PROOF") with the Clerk of the State Bar Court by
22 the Supreme Court mandated date of September, 24, 2015. (A true and correct copy of the rule
23 9.20 order/PROOF is attached hereto as EXHIBIT A and is incorporated by reference.)
24

25 **II. REPLY-DENIALS**

26 Respondent hereby, and respectfully, *denies that* his failure timely file the subject
27 PROOF was *willful*, but rather declares that said tardiness, and any and all other alleged acts of
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1 professional misconduct, either expressly or implicitly alleged in the subject Notice of
2 Disciplinary Charges (“NDC”), was the direct result of severe and extreme emotional difficulties
3 born from Respondents complicated and oppressive living situation, his severe family problems,
4 and his severe financial problems, all which were all present at the time of RESPONDENT’S
5 alleged misconduct.
6

7 **II. MITIGATING CIRCUMSTANCES**

8 Furthermore, even in the event that this Court finds that RESPONDENT’S conduct was
9 *willful*, disbarment of RESPONDENT is by no means a just and appropriate degree of discipline
10 based on the totality of the facts and circumstances unique to this RESPONDENT and that
11 surround this case.
12

13 The alleged misconduct caused *no harm* to 1) any clients, 2) the public, and or 3) the
14 administration of justice. No clients were harmed because RESPONDENT had no clients at any
15 times herein relevant to the subject allegations in the NDC. There was no harm to the
16 administration of justice because RESPONDENT was not involved in any active cases of any
17 type at any times relevant to the NDC.
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19 RESPONDENT has displayed *candor and cooperation* with the State Bar during the
20 proceedings because as soon as he was aware that his attempts at filing the subject proof were
21 unsuccessful he contacted the the Prosecuting Attorney and after learning that his previous
22 attempt to file the subject PROOF was rejected by the clerk for failing to contain an original
23 signature, he took immediate steps, literally on the same day as said conversations (December
24 17, 2015), and again attempted to refile the proof this time with an original signature, and to be
25 on the safe side filed the PROOF, with original signature, and also with a proof of service on the
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1 State Bar Probation office, with State Bar Court's both in Los Angeles and San Francisco as it
2 was unclear to RESPONDENT as to whether there was also an issue as to whether or not he file
3 the subject proof with the wrong State Bar Court.

4 RESPONDENT has demonstrated **remorse** for his failure to file the subject PROOF on
5 time.
6

7 At all times relevant to the NDC, RESPONDENT **suffered extreme emotional**
8 **difficulties** which expert testimony would establish was directly responsible for the misconduct.
9 RESPONDENT is currently enrolled and receiving mental health services through kaiser to
10 address said difficulties. These emotional difficulties stemmed from **family problem and severe**
11 **financial stress.**
12

13 Because of RESPONDENTS serious financial hardship, he has lived at home with his
14 family of five, including his mother, his father, his younger brother, and his grandmother.
15 RESPONDENT's grandmother is approaching 100 years of age and RESPONDENT has been
16 been her primary caretaker along with his father since January of this year. Fulfilling these duties
17 has taken a serious toll and RESPONDENTS mental wellbeing and has lead to feelings of
18 depressions, insomnia, anxiety, and overall malaise. Waking in all hours of the morning to due
19 soiled laundry and clothing is a regular occurrence.
20

21 In April this year, RESPONDENTS only sibling, his younger brother, suffered a
22 catastrophic car crash involving an 18-wheel big rig truck. The crash caused extreme internal
23 injuries requiring a spate of emergency surgeries and his brother narrowly avoided dying as a
24 result of his injuries. After about 16 months of hospitalization his brother returned home. He lost
25 his entire spleen, he lost half his liver, his right arm was crushed arm, and a he suffered from a
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1 laundry-list of other injuries. Having to care for both his aging grandmother, and his severely
2 injured brother caused RESPONDENT further emotional stresses.

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5 Dated: December 28, 2015
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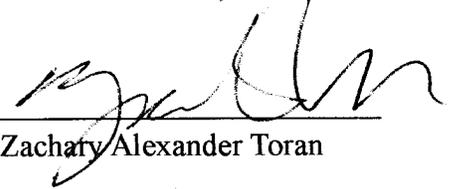
7
8 By 
9
10 Zach Alexander Toran

VERIFICATION

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I am the Plaintiff in this case. I have read the response and those allegations made therein are true of my own knowledge except as to those matter which are state on information and belief, and as to those matter I believe them to be true.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on: December 28, 2015 in San Francisco, California.


Zachary Alexander Toran

PROOF OF SERVICE

I certify that I am over the age of 18 years and familiar with this practice of mail, and personally delivery service in accord with the California Code of Civil Procedure. On December 28, 2015, I served the following:

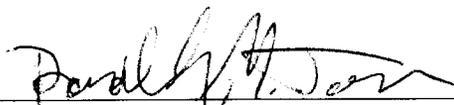
RESPONSE TO NOTICE OF DISCIPLINARY CHARGES

By hand delivering a true and correct copy of said document to: Designated Deputy Trial Counsel, Heather Abelson No. 243691 at her work address on December 28, 2015:

Heather Abelson Esq.
180 Howard Street
San Francisco, CA 94105

I certify that the foregoing is true and correct.

December 28, 2015



Ronald Toran