

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED
 SEP 20 2016
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

10 STATE BAR COURT

11 HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case No. 15-N-16108
 14 THOMAS J. BAYARD,)
 No. 226247,) 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**
THE STATE BAR COURT TRIAL:

- 20 (1) **YOUR DEFAULT WILL BE ENTERED;**
 21 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**
WILL NOT BE PERMITTED TO PRACTICE LAW;
 22 (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;
 23 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
 24 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**
 25 **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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The State Bar of California alleges:

JURISDICTION

1. Thomas J. Bayard ("respondent") was admitted to the practice of law in the State of California on August 13, 2003, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT

Case No. 15-N-16108
California Rules of Court, rule 9.20
[Failure to Obey Rule 9.20]

2. Respondent failed to file a declaration of compliance with California Rules of Court, rule 9.20 in conformity with the requirements of rule 9.20(c) with the clerk of the State Bar Court by November 20, 2015, as required by Supreme Court order no. S226713, in willful violation of California Rules of Court, rule 9.20. (A true and correct copy of the rule 9.20 order is attached hereto as Exhibit 1 and is incorporated by reference.)

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.

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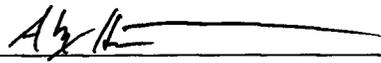
NOTICE - COST ASSESSMENT!

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 CHIEF TRIAL COUNSEL

DATED: September 26, 2016

By: 
Alex Hackert
Deputy Trial Counsel

(State Bar Court Nos. 13-O-14012 (13-O-14747; 14-O-01001))

SEP 11 2015

S226713

Frank A. McGuire Clerk

IN THE SUPREME COURT OF CALIFORNIA

Deputy

En Banc

In re THOMAS JAMES BAYARD on Discipline

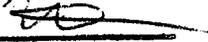
The court orders that Thomas James Bayard, State Bar Number 226247, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. Thomas James Bayard is suspended from the practice of law for a minimum of the first year of probation, and he will remain suspended until the following conditions are satisfied:
 - i. He makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles:
 - (1) Lorraine Minick in the amount of \$36,500;
 - (2) Terry Thompson in the amount of \$32,000; and
 - (3) Eloise Lee in the amount of \$8,400 plus 10 percent interest per year from November 9, 2009.
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before the suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

I, Frank A. McGuire, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court as shown by the records of my office.

Witness my hand and the seal of the Court this

day of **SEP 11 2015** 20
Clerk

By: 
Deputy

2. Thomas James Bayard must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 1, 2015.
3. At the expiration of the period of probation, if Thomas James Bayard has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Thomas James Bayard must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2016, 2017, and 2018. If Thomas James Bayard fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

CANTIL-SAKAUYE
Chief Justice

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 15-N-16108

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))
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.: 9414-7266-9904-2010-0657-84 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 3 columns: Person Served, Business-Residential Address, Fax Number. Includes Thomas J. Bayard and 20651 Golden Springs Dr., #240 Diamond Bar, CA 91789.

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: September 20, 2016

SIGNED:

Kathi Palacios
Kathi Palacios
Declarant