

PUBLIC MATTER

FILED

AUG 17 2015

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

1 STATE BAR OF CALIFORNIA
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STATE BAR COURT

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HEARING DEPARTMENT - LOS ANGELES

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In the Matter of:

) Case No. 15-O-10380

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JENNIFER MCGREADY-ORNELAS,
No. 262482,

) NOTICE OF DISCIPLINARY CHARGES

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A Member of the State Bar.

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NOTICE - FAILURE TO RESPOND!

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**IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE
WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT
19 THE STATE BAR COURT TRIAL:**

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(1) YOUR DEFAULT WILL BE ENTERED;

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**(2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
WILL NOT BE PERMITTED TO PRACTICE LAW;**

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**(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;**

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**(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
24 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
25 RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Jennifer McGready-Ornelas ("respondent") was admitted to the practice of law in the
4 State of California on March 3, 2009, 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. 15-O-10380
8 Rules of Professional Conduct, Rule 3-110(A)
9 [Failure to Perform with Competence]

10 2. On or about May 27, 2014, Karri Emon-Davidson employed respondent to perform
11 legal services, namely to prepare and file reaffirmation paperwork in bankruptcy proceedings to
12 remove the client's mortgage company as one of the debtors, which respondent intentionally,
13 recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of
14 Professional Conduct, rule 3-110(A), by the following:

- 15 A) failing to appear at a pre-scheduled meeting on or about September 1, 2014 with Ms.
16 Emon-Davidson to review the reaffirmation paperwork in the bankruptcy proceeding;
- 17 B) failing to file the reaffirmation paperwork in the bankruptcy proceeding; and
- 18 C) failing to perform any legal services on behalf of Ms. Emon-Davidson.

19 COUNT TWO

20 Case No. 15-O-10380
21 Rules of Professional Conduct, Rule 3-700(D)(2)
22 [Failure to Refund Unearned Fees]

23 3. On or about May 27, 2014, respondent received advanced fees of \$1,000 on behalf of
24 a client, Karri Emon-Davidson, to file reaffirmation paperwork in Ms. Emon-Davidson's
25 bankruptcy proceeding to remove her mortgage company as one of the debtors. Respondent
26 failed to file the reaffirmation paperwork in the bankruptcy proceeding, or perform any legal
27 services for the client, and therefore earned none of the advanced fees paid. Respondent failed to
28 refund promptly, upon respondent's termination of employment on or about October 23, 2014,
any part of the \$1,000 fee to the client, in willful violation of Rules of Professional Conduct, rule
3-700(D)(2).

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COUNT THREE

Case No. 15-O-10380
Business and Professions Code Section 6068(m)
[Failure to Respond to Client Inquiries]

4. Respondent failed to respond promptly to reasonable status inquiries made by telephone, text messages, and Facebook messages by respondent's client, Karri Emon-Davidson from on or about August 4, 2014 through on or about September 9, 2014 that respondent received in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code section 6068(m).

COUNT FOUR

Case No. 15-O-10380
Business and Professions Code Section 6068(j)
[Failure to Update Membership Address]

5. In or about January 2014, respondent's employment terminated with the law firm whose address respondent maintained on the official membership records of the State Bar and respondent no longer maintained an office at that address. However, thereafter respondent failed to comply with the requirements of Business and Professions Code section 6002.1, by failing to notify the State Bar of the change in respondent's address within 30 days, in willful violation of Business and Professions Code section 6068(j).

COUNT FIVE

Case No. 15-O-10380
Business and Professions Code Section 6068(i)
[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, telephone calls and e-mails from on or about January 7, 2015 to on or about June 1, 2015, which respondent received, that requested respondent's response to allegations of misconduct being investigated in case no 13-O-11318, in willful violation of Business and Professions Code section 6068(i).

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NOTICE - INACTIVE ENROLLMENT!

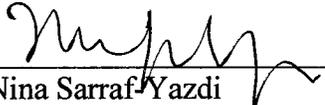
YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. 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.

Respectfully submitted,
THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: 8/17/15

By: 
Nina Sarraf Yazdi
Deputy Trial Counsel

DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 15-O-10380

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, 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))

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 0687 85 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, Courtesy Copy to. Row 1: Jennifer J. McGready-Ornelas, Wright, Finlay & Zak, LLP, 4665 MacArthur Ct., Ste. 200, Newport Beach, CA 92660, Electronic Address.

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

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 17, 2015

SIGNED:

Handwritten signature of Jason Peralta over a horizontal line, with the name 'Jason Peralta Declarant' printed below.