

**FILED**

**AUG 26 2015**

**STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES**

1 STATE BAR OF CALIFORNIA  
2 OFFICE OF THE CHIEF TRIAL COUNSEL  
3 JAYNE KIM, No. 174614  
4 CHIEF TRIAL COUNSEL  
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12 DEPUTY TRIAL COUNSEL  
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15 Telephone: (213) 765-1255

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of: ) Case Nos. 15-O-10797, 15-O-10438 and  
14 SHAHIN F. KHORRAMI aka ) 15-O-11238  
15 SHAWN F. KHORRAMI, ) NOTICE OF DISCIPLINARY CHARGES  
16 No. 180411, )  
17 A Member of the State Bar )

**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**  
20 **THE STATE BAR COURT TRIAL:**

- 21 (1) **YOUR DEFAULT WILL BE ENTERED;**
- 22 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**  
**WILL NOT BE PERMITTED TO PRACTICE LAW;**
- 23 (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;**
- 24 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**  
25 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**  
26 **OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN**  
**ORDER RECOMMENDING YOUR DISBARMENT WITHOUT**  
27 **FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,**  
28 **RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Shahin F. Khorrami aka Shawn F. Khorrami (“respondent”) was admitted to the  
4 practice of law in the State of California on December 13, 1995, was a member at all times  
5 pertinent to these charges, and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 15-O-10797  
8 Rules of Professional Conduct, rule 4-100(A)  
9 [Failure to Maintain Client Funds in Trust Account]

10 2. On or about July 15, 2013, Respondent received on behalf of Respondent’s client,  
11 Teresa “Teri” Anderson, a settlement check from AAA Northern California, Nevada & Utah  
12 Insurance Exchange payable to Respondent and Client in the sum of \$49,500. On or about July  
13 15, 2013, Respondent deposited the \$49,500 into Respondent’s client trust account at Banc of  
14 California, account number xxxx0715<sup>1</sup> on behalf of the client. After subtracting his contingency  
15 fee, costs and payments to the client, the client was entitled to the approximate sum of \$2,007.59.  
16 Respondent failed to maintain a balance of \$2,007.59 on behalf of the client in Respondent’s  
17 client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

18 COUNT TWO

19 Case No. 15-O-10797  
20 Business and Professions Code section 6106  
21 [Moral Turpitude - Misappropriation]

22 3. On or about July 15, 2013, Respondent received on behalf of Respondent’s client,  
23 Teresa “Teri” Anderson a settlement check from AAA Northern California, Nevada & Utah  
24 Insurance Exchange payable to Respondent and Client in the sum of \$49,500. On or about July  
25 15, 2013, Respondent deposited the \$49,500 into Respondent’s client trust account at Banc of  
26 California, account number xxxx0715<sup>2</sup> on behalf of the client. Between on or about December  
27 31, 2013 and on or about March 21, 2014, Respondent dishonestly or grossly negligently  
28 misappropriated for Respondent’s own purposes the approximate sum of \$1,735.66 that

<sup>1</sup> The account number has been redacted to protect the account and account holder.

<sup>2</sup> The account number has been redacted to protect the account and account holder.

1 Respondent's client was entitled to receive, and thereby committed an act involving moral  
2 turpitude, dishonesty or corruption in willful violation of Business and Professions Code section  
3 6106.

4 COUNT THREE

5 Case No. 15-O-10797  
6 Rules of Professional Conduct, rule 4-100(A)  
7 [Failure to Maintain Client Funds in Trust Account]

8 4. On or about July 2, 2014, Respondent received on behalf of Respondent's client,  
9 Teresa "Teri" Anderson a settlement check from the Judicial Council of California, AOC,  
10 payable to Respondent and Client in the sum of \$50,000. On or about July 2, 2014, Respondent  
11 deposited the \$50,000 into Respondent's client trust account at Banc of California, account  
12 number xxxx0715<sup>3</sup> on behalf of the client. After subtracting his contingency fee, the client was  
13 entitled to at least \$29,010.34. Respondent failed to maintain a balance of at least \$29,010.34 on  
14 behalf of the client in Respondent's client trust account, in willful violation of Rules of  
15 Professional Conduct, rule 4-100(A).

16 COUNT FOUR

17 Case No. 15-O-10797  
18 Business and Professions Code section 6106  
19 [Moral Turpitude - Misappropriation]

20 5. On or about July 2, 2014, Respondent received on behalf of Respondent's client,  
21 Teresa "Teri" Anderson a settlement check from the Judicial Council of California, AOC,  
22 payable to Respondent and Client in the sum of \$50,000. On or about July 2, 2014, Respondent  
23 deposited the \$50,000 into Respondent's client trust account at Banc of California, account  
24 number xxxx0715<sup>4</sup> on behalf of the client. Between on or about July 3, 2014, and on or about  
25 August 20, 2014, Respondent dishonestly or grossly negligently misappropriated for  
26 Respondent's own purposes at least \$29,010.34 that Respondent's client was entitled to receive,  
27 and thereby committed an act involving moral turpitude, dishonesty or corruption in willful  
28 violation of Business and Professions Code section 6106.

<sup>3</sup> The account number has been redacted to protect the account and account holder.

<sup>4</sup> The account number has been redacted to protect the account and account holder.

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COUNT FIVE

Case No. 15-O-10797  
Business and Professions Code section 6068(m)  
[Failure to Respond to Client Inquiries]

6. Respondent failed to respond promptly to approximately 16 telephonic requests for status inquiries made by Respondent’s client, Teresa “Teri” Anderson between in or about late July 2014 and in or about February 2015, 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 SIX

Case No. 15-O-10797  
Business and Professions Code, section 6106  
[Moral Turpitude – Issuance of NSF Checks]

7. On or about January 29, 2015, Respondent issued check number 1020 for \$29,010.34 drawn upon Respondent’s client trust account at Pacific Western Bank, account number xxxxxx7663,<sup>5</sup> when Respondent knew or was grossly negligent in not knowing that there were insufficient funds in the CTA to pay it, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code section 6106.

COUNT SEVEN

Case No. 15-O-10797  
Rules of Professional Conduct, rule 4-100(B)(3)  
[Failure to Render Account of Client Funds]

8. On or about July 2, 2014, Respondent received on behalf of Respondent’s client, Teresa “Teri” Anderson a settlement check from the Judicial Council of California, AOC, payable to Respondent and Client in the sum of \$50,000. On or about July 2, 2014, Respondent deposited the \$50,000 into Respondent’s client trust account at Banc of California, account number xxxx0715<sup>6</sup> on behalf of the client. Respondent thereafter failed to render an appropriate accounting to the client regarding those funds following the client’s request for an account on or

<sup>5</sup> The account number has been redacted to protect the account and account holder.

<sup>6</sup> The account number has been redacted to protect the account and account holder.

1 about January 31, 2015, in willful violation of the Rules of Professional Conduct, rule 4-  
2 100(B)(3).

3 COUNT EIGHT

4 Case No. 15-O-10797  
5 Rules of Professional Conduct, rule 4-100(B)(3)  
6 [Failure to Render Account of Client Funds]

7 9. On or about July 15, 2013, Respondent received on behalf of Respondent's client,  
8 Teresa "Teri" Anderson, a settlement check from AAA Northern California, Nevada & Utah  
9 Insurance Exchange payable to Respondent and Client in the sum of \$49,500. On or about July  
10 15, 2013, Respondent deposited the \$49,500 into Respondent's client trust account at Banc of  
11 California, account number xxxx0715<sup>7</sup> on behalf of the client. On or about July 2, 2014,  
12 Respondent received on behalf of Respondent's client, Teresa "Teri" Anderson a settlement  
13 check from the Judicial Council of California, AOC, payable to Respondent and Client in the  
14 sum of \$50,000. On or about July 2, 2014, Respondent deposited the \$50,000 into Respondent's  
15 client trust account at Banc of California on behalf of the client. Respondent thereafter failed to  
16 prepare and maintain a written ledger for the client, a written journal for the client trust account,  
17 and the monthly reconciliation for the written ledger, written journal, and bank statement, in  
18 willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

19 COUNT NINE

20 Case No. 15-O-10797  
21 Business and Professions Code section 6068(i)  
22 [Failure to Cooperate in State Bar Investigation]

23 10. Respondent failed to cooperate and participate in a disciplinary investigation pending  
24 against Respondent by failing to provide a substantive response to the State Bar's letters of  
25 March 6, 2015 and April 2, 2015, which Respondent received, and during Respondent's  
26 deposition on July 1, 2015, that requested Respondent's response to the allegations of  
27 misconduct being investigated in case no. 15-O-10797, in willful violation of Business and  
28 Professions Code section 6068(i).

<sup>7</sup> The account number has been redacted to protect the account and account holder.

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COUNT TEN

Case No. 15-O-10438  
Rules of Professional Conduct, rule 4-100(A)  
[Failure to Maintain Client Funds in Trust Account]

11. On or about July 23, 2013, Respondent received on behalf of Respondent's client, Scott Murphy a settlement check from State Farm Mutual Automobile Insurance Company payable to Respondent and Client in the sum of \$99,660. On or about July 15, 2013, Respondent deposited the \$99,660 into Respondent's client trust account at Banc of California, account number xxxx0715<sup>8</sup> on behalf of the client. After subtracting his contingency fee and costs, and adding an award of costs, the client was entitled to the approximate sum of \$49,448.84 between on or about July 23, 2013 and on or about December 23, 2013, and the approximate sum of \$2,161.88 between on or about December 24, 2013 and on or about April 28, 2014. Respondent failed to maintain a balance of the approximate sum of \$49,448.84 between on or about July 23, 2013 and on or about December 23, 2013, and the approximate sum of \$2,161.88 between on or about December 24, 2013 and on or about April 28, 2014, 2015 in Respondent's client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

COUNT ELEVEN

Case No. 15-O-10438  
Business and Professions Code section 6106  
[Moral Turpitude - Misappropriation]

12. On or about July 23, 2013, Respondent received on behalf of Respondent's client, Scott Murphy a settlement check from State Farm Mutual Automobile Insurance Company payable to Respondent and Client in the sum of \$99,660. On or about July 15, 2013, Respondent deposited the \$99,660 into Respondent's client trust account at Banc of California, account number xxxx0715<sup>9</sup> on behalf of the client. Between on or about November 14, 2013 and on or about April 28, 2014, Respondent dishonestly or grossly negligently misappropriated for Respondent's own purposes the approximate sum of \$30,460, and that Respondent's client, was

<sup>8</sup> The account number has been redacted to protect the account and account holder.

<sup>9</sup> The account number has been redacted to protect the account and account holder.

1 entitled to receive, and thereby committed an act involving moral turpitude, dishonesty or  
2 corruption in willful violation of Business and Professions Code section 6106.

3 COUNT TWELVE

4 Case No. 15-O-10438  
5 Rules of Professional Conduct, rule 4-100(B)(3)  
6 [Failure to Render Accounts of Client Funds]

7 13. On or about July 23, 2013, Respondent received on behalf of Respondent's client,  
8 Scott Murphy a settlement check from State Farm Mutual Automobile Insurance Company  
9 payable to Respondent and Client in the sum of \$99,660. On or about July 15, 2013, Respondent  
10 deposited the \$99,660 into Respondent's client trust account at Banc of California, account  
11 number xxxx0715<sup>10</sup> on behalf of the client. Respondent thereafter failed to prepare and maintain  
12 a written ledger for the client, a written journal for the client trust account, and the monthly  
13 reconciliation for the written ledger, written journal, and bank statement, in willful violation of  
14 the Rules of Professional Conduct, rule 4-100(B)(3).

15 COUNT THIRTEEN

16 Case No. 15-O-10438  
17 Business and Professions Code section 6068(m)  
18 [Failure to Respond to Client Inquiries]

19 14. Respondent failed to respond promptly to approximately five emails requesting that  
20 Respondent transfer the approximate sum of \$30,500 held in trust for Respondent's former client  
21 Scott Murphy made by the new attorney for the client, Scott H. Z. Sumner between on or about  
22 July 14, 2014 and on or about January 6, 2015, and one letter sent by the client to respondent  
23 requesting that Respondent transfer the approximate sum of \$30,500 held in trust dated October  
24 9, 2014, that Respondent received in a matter in which Respondent had agreed to provide legal  
25 services, in willful violation of Business and Professions Code section 6068(m).

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28 <sup>10</sup> The account number has been redacted to protect the account and account holder.

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COUNT FOURTEEN

Case No. 15-O-10438  
Business and Professions Code section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

15. 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 of March 6, 2015 and April 2, 2015, which Respondent received, and during Respondent's deposition on July 1, 2015, that requested Respondent's response to the allegations of misconduct being investigated in case no. 15-O-10438, in willful violation of Business and Professions Code section 6068(i).

COUNT FIFTEEN

Case No. 15-O-11238  
Rules of Professional Conduct, rule 4-100(A)  
[Failure to Maintain Client Funds in Trust Account]

16. On or about November 19, 2013, Respondent received on behalf of Respondent's client, Frank Natale a settlement check from State Farm Mutual Automobile Insurance Company payable to Respondent and Client in the sum of \$25,000. On or about November 19, 2013, Respondent deposited the \$25,000 into Respondent's client trust account at Banc of California, account number xxxx0715<sup>11</sup> on behalf of the client. Respondent was required to hold the entire \$25,000 in trust. Respondent failed to maintain a balance of the approximate sum of \$25,000 between on or about November 19, 2013 and on or about April 28, 2014 in Respondent's client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

COUNT SIXTEEN

Case No. 15-O-11238  
Business and Professions Code section 6106  
[Moral Turpitude - Misappropriation]

17. On or about November 19, 2013, Respondent received on behalf of Respondent's client, Frank Natale a settlement check from State Farm Mutual Automobile Insurance Company payable to Respondent and Client in the sum of \$25,000. On or about November 19, 2013,

<sup>11</sup> The account number has been redacted to protect the account and account holder.

1 Respondent deposited the \$25,000 into Respondent's client trust account at Banc of California,  
2 account number xxxx0715<sup>12</sup> on behalf of the client. Between on or about November 20, 2013  
3 and on or about April 28, 2014, Respondent dishonestly or grossly negligently misappropriated  
4 for Respondent's own purposes the approximate sum of \$25,000 that Respondent's client, was  
5 entitled to receive, and thereby committed an act involving moral turpitude, dishonesty or  
6 corruption in willful violation of Business and Professions Code section 6106.

7 COUNT SEVENTEEN

8 Case No. 15-O-11238  
9 Rules of Professional Conduct, rule 4-100(B)(3)  
[Failure to Render Accounts of Client Funds]

10 18. On or about November 19, 2013, Respondent received on behalf of Respondent's  
11 client, Frank Natale a settlement check from State Farm Mutual Automobile Insurance Company  
12 payable to Respondent and Client in the sum of \$25,000. On or about November 19, 2013,  
13 Respondent deposited the \$25,000 into Respondent's client trust account at Banc of California,  
14 account number xxxx0715<sup>13</sup> on behalf of the client. Respondent thereafter failed to prepare and  
15 maintain a written ledger for the client, a written journal for the client trust account, and the  
16 monthly reconciliation for the written ledger, written journal, and bank statement, in willful  
17 violation of the Rules of Professional Conduct, rule 4-100(B)(3).

18 COUNT EIGHTEEN

19 Case No. 15-O-11238  
20 Business and Professions Code section 6068(m)  
21 [Failure to Respond to Client Inquiries]

22 19. Respondent failed to respond promptly to approximately five emails requesting that  
23 Respondent transfer the approximate sum of 22,987.21 held in trust for Respondent's former  
24 client Frank Natale made by the new attorney for the client, Scott H. Z. Sumner between on or  
25 about July 14, 2014 and on or about January 6, 2015, that Respondent received in a matter in  
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27 \_\_\_\_\_  
28 <sup>12</sup> The account number has been redacted to protect the account and account holder.

<sup>13</sup> The account number has been redacted to protect the account and account holder.

1 which Respondent had agreed to provide legal services, in willful violation of Business and  
2 Professions Code section 6068(m).

3 COUNT NINETEEN

4 Case No. 15-O-11238  
5 Business and Professions Code section 6068(i)  
6 [Failure to Cooperate in State Bar Investigation]

7 20. Respondent failed to cooperate and participate in a disciplinary investigation pending  
8 against Respondent by failing to provide a substantive response to the State Bar's letter of April  
9 2, 2015, which Respondent received, and during Respondent's deposition on July 1, 2015, that  
10 requested Respondent's response to the allegations of misconduct being investigated in case no.  
11 15-O-11238, in willful violation of Business and Professions Code section 6068(i).

12 NOTICE - INACTIVE ENROLLMENT!

13 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR  
14 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE  
15 SECTION 6007(e), THAT YOUR CONDUCT POSES A SUBSTANTIAL  
16 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO  
17 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN  
18 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE  
19 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE  
20 RECOMMENDED BY THE COURT.**

21 NOTICE - COST ASSESSMENT!

22 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC  
23 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS  
24 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING  
25 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND  
26 PROFESSIONS CODE SECTION 6086.10.**

27 Respectfully submitted,

28 THE STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: August 26, 2015

By: 

Charles T. Calix  
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-10797, 15-O-10438 and 15-O-11238**

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))**  
 - I am readily familiar with the practice of the State Bar of California for collection and processing of correspondence for overnight delivery by the United Parcel Service (UPS).
- 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 0881 58 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)

Person Served via Certified Mail & U.S. First Class Mail	Business-Residential Address	Fax Number	Courtesy Copy via Electronic Address to:
Shahin F. Khorrami aka Shawn F. Khorrami	444 S. Flower St Fl 33 Los Angeles, CA 90071	Electronic Address skhorrami@kbadvocates.com	Susan Margolis & Arthur Margolis susan@margolisandmargolis.com arthur@margolisandmargolis.com

- 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 26, 2015

SIGNED:

*Genelle De Luca-Suarez*  
 Genelle De Luca-Suarez  
 Declarant