

OCT 19 2015

STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

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STATE BAR COURT
HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of:) Case No. 15-O-10522
JACQUES BERNARD LeBOEUF,) NOTICE OF DISCIPLINARY CHARGES
No. 163579,)
A Member of the State Bar)

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NOTICE - FAILURE TO RESPOND!

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

- (1) YOUR DEFAULT WILL BE ENTERED;**
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (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;**
- (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
FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

The State Bar of California alleges:

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JURISDICTION

1. Jacques Bernard LeBoeuf ("respondent") was admitted to the practice of law in the State of California on January 8, 1993, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 15-O-10522
Rules of Professional Conduct, rule 4-100(A)
[Commingling – Payment of Personal Expenses from Client Trust Account]

2. Between on or about July 7, 2014, and on or about January 21, 2015, respondent issued the following checks and electronic withdrawals from funds in respondent's client trust account at Union Bank of California, account no. 783100XXXX ("CTA"), for the payment of personal expenses, in willful violation of Rules of Professional Conduct, rule 4-100(A):

<u>CHECK # / DATE OF TRANSFER</u>	<u>PAYEE</u>	<u>\$ AMT OF CK/ TRANSFER</u>	<u>NOTATION</u>
667	Law Offices of Mary McNeill	\$1,444.00	
666	Margaret A. Bertels	\$276.35	Pay Period: 06/16/2014- 06/30/2014
756	Margaret A. Bertels	\$440.00	Pay Period: 07/17/2014- 07/31/2014
757	Law Offices of Mary McNeill	\$1,443.00	
9684	Citibank, N.A.	\$854.66	20041999769 -0601460
759	Villa Mira Vista	\$489.50	
8/19/14	Ocwen Loan Servi MTG PPD Servi *****3012	\$12.00	
8/19/14	IPFS877-615-4242 IPFSPMTCAO CCD205216	\$692.68	
8/19/14	Ocwen Loan Servi MTG PPD Servi *****3012	\$2,689.83	

	<u>CHECK # / DATE OF TRANSFER</u>	<u>PAYEE</u>	<u>\$ AMT OF CK/ TRANSFER</u>	<u>NOTATION</u>
1				
2	764	PG&E	\$398.00	
3	765	AT&T	\$275.00	
4	772	American Express	\$110.00	
5	760	Thomson Reuters – West	\$450.15	
6	761	Donald R. White, Tax Collector	\$109.97	
7				
8	763	City of Berkeley	\$49.00	
9	766	Blue Shield of California	\$359.00	
10	769	Chase Card Services	\$95.00	
11	771	Verizon Wireless	\$127.75	
12	768	Synchrony Bank/Amazon	\$105.00	
13	770	Citi Cards	\$105.00	
14	762	The Hartford	\$500.00	
15	758	Ameritas Life Insurance Corp.	\$1,407.64	N00050531D
16	767	First Bankcard	\$80.00	
17	773	Law Offices of Mary McNeill	\$1,443.00	
18				
19	628	Union Central Life Insurance Co.	\$699.32	
20	774	Margaret A. Bertels	\$375.00	Pay Period: 08/17/2014- 08/31/2014
21				
22	796	Law Offices of Mary McNeill	\$119.40	
23	782	EBMUD	\$71.00	
24	789	Villa Mira Vista	\$489.50	
25	795	Christine Harkinson CPA	\$900.00	
26	776	American Express	\$200.00	
27	777	Chase Card Services	\$200.00	
28				

	<u>CHECK # / DATE OF TRANSFER</u>	<u>PAYEE</u>	<u>\$ AMT OF CK/ TRANSFER</u>	<u>NOTATION</u>
1				
2	785	East Bay Sanitary Co.	\$124.00	
3	786	PG&E	\$138.00	
4	788	Blue Shield of California	\$718.00	
5	793	Franchise Tax Board	\$800.00	
6	794	Western Messenger	\$61.25	9767 1134587
7	775	IPFS Corporation	\$17.50	
8	779	Ocwen	\$2,804.00	7190133012
9	780	Citimortgage, Inc.	\$900.00	CBIA 94270270442 0052
10				
11	781	Citi Cards	\$260.00	CBIA 94270272127 0100
12				
13	783	Verizon Wireless	\$96.00	
14	784	The Hartford	\$530.00	
15	787	Comcast	\$116.00	
16	791	AT&T	\$131.00	
17	778	Ameritas Life Insurance Corp.	\$1,057.98	
18	790	Thomson Reuters – West	\$451.00	
19	792	Copy Central	\$128.39	
20	797	Law Offices of Mary McNeill	\$1,443.00	
21	798	Margaret A. Bartels	\$372.00	Pay Period: 09/16/2014- 09/30/2014
22				
23	800	Law Offices of Mary McNeill	\$1,443.00	
24	799	Daniels-Head Insurance Agency	\$460.20	
25	801	Margaret A. Bartels	\$237.14	Pay Period: 10/17/2014- 10/31/2014
26				
27	805	American Express	\$324.00	
28				

<u>CHECK # / DATE OF TRANSFER</u>	<u>PAYEE</u>	<u>\$ AMT OF CK/ TRANSFER</u>	<u>NOTATION</u>
1 806	Chase Card Services	\$282.00	
2 809	EBMUD	\$75.73	
3 810	AAA NCNU	\$91.00	
4 811	PG&E	\$521.00	
5 814	Citi Cards	\$321.00	CBIA 95006256351 0192
6 803	AT&T	\$414.00	
7 804	Verizon Wireless	\$300.00	
8 807	Thompson Reuters-West	\$851.00	
9 813	First Bankcard	\$83.00	
10 808	Pitney Bowes	\$149.00	
11 815	Citimortgage, Inc.	\$2,692.17	2004199769 Non Posting CBIA 95009187916 0039
12 817	Margaret A. Bartels	\$500.00	
13 812	Litigation Counsel of America	\$375.00	

COUNT TWO

Case No. 15-O-10522
Rules of Professional Conduct, rule 4-100(A)
[Commingling Personal Funds in Client Trust Account]

3. Between on or about August 4, 2014, and on or about January 20, 2015, respondent deposited or commingled funds belonging to respondent into respondent's CTA, as follows in wilful violation Rules of Professional Conduct, rule 4-100(A):

<u>DATE OF DEPOSIT</u>	<u>AMT. DEPOSITED</u>	<u>FORM OF DEPOSIT</u>
08/04/14	\$5,000.00	check
09/24/14	\$8,485.77	check

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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: October 19, 2015 By: Sherrie B. McLetchie
Sherrie B. McLetchie
Senior 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-10522

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, 180 Howard Street, San Francisco, California 94105, 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 San Francisco.



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 San Francisco, 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 2011 9769 97 at San Francisco, 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	Business-Residential Address	Fax Number	Courtesy Copy to:
Jacques Bernard LeBoeuf, Respondent	Jacques Bernard LeBoeuf California Appeals & Writs 2025 Rose St Ste 200 Berkeley, CA 94709	Electronic Address	

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

N/A

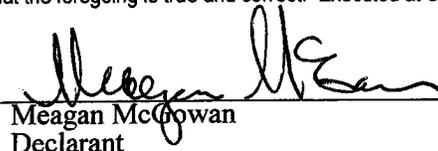
I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ('UPS'). In the ordinary course of the State Bar of California's practice, correspondence 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 San Francisco, California, on the date shown below.

DATED: October 19, 2015

SIGNED:


Megan McGowan
Declarant