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PUBLIC MATTER

FILED
OCT 29 2015
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

9 STATE BAR COURT
10 HEARING DEPARTMENT - LOS ANGELES

11
12 In the Matter of:) Case Nos. 15-O-10928
13 SOUSAN ALEMANSOUR,) NOTICE OF DISCIPLINARY CHARGES
14 No. 180216,)
15 A Member of the State Bar)

16
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**
26 **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.**

1 The State Bar of California alleges:

2 JURISDICTION

3 1. Sousan Alemansour ("Respondent") was admitted to the practice of law in the State
4 of California on December 10, 1995 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-10928
8 Rules of Professional Conduct, rule 4-100(B)(3)
[Failure to Render Accounts of Client Funds]

9 2. On or about September 29, 2014, Respondent received from Respondent's client,
10 Arash Momeni, the sum of \$5,000 as advanced fees for legal services to be performed.
11 Respondent thereafter failed to render an appropriate accounting to the client regarding those
12 funds following the client's request for such accounting on or about December 20, 2014, after the
13 termination of Respondent's employment on or about December 8, 2014, in willful violation of
14 the Rules of Professional Conduct, rule 4-100(B)(3).

15 COUNT TWO

16 Case No. 15-O-10928
17 Rules of Professional Conduct, rule 3-700(D)(1)
[Failure to Release File]

18 3. Respondent failed to release promptly, after termination of Respondent's employment
19 on or about December 8, 2014, to Respondent's client, Arash Momeni, all of the client's papers
20 and property following the client's request for the client's file on December 8, 2014, and April
21 23, 2015, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

22 COUNT THREE

23 Case No. 15-O-10928
24 Rules of Professional Conduct, rule 3-700(D)(2)
[Failure to Refund Unearned Fees]

25 4. On or about September 29, 2014, Respondent received advanced fees of \$5,000 from
26 a client, Arash Momeni, to resolve and finalize his divorce. Respondent failed to fully perform
27 the finalization of the divorce, while performing some legal services for the client. Upon
28

1 termination of employment on or about December 8, 2014, a fee dispute arose between the
2 parties, during the course of which Respondent acknowledged on or about December 20, 2014,
3 an unearned refund of \$178.34 was due and owing to the client. Respondent failed to refund
4 promptly, upon Respondent's termination of employment, the \$178.34 unearned fee to the client,
5 in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

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7 **NOTICE - INACTIVE ENROLLMENT!**

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

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17 **NOTICE - COST ASSESSMENT!**

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

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24 Respectfully submitted,

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26 THE STATE BAR OF CALIFORNIA
27 OFFICE OF CHIEF TRIAL COUNSEL

28
DATED: October 29, 2015

By: Hugh G. Radigan
Hugh G. Radigan
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-10928

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, CA 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

[X] 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.

[X] 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.

[X] (for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)

[X] (for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 71969008911110079957 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: Sousan Alemansour, S.A. MYASKOVSKY, APC PO Box 15313 Irvine, CA 92623, 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: October 29, 2015

SIGNED:

[Handwritten Signature] JULIA FINNILA Declarant