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FILED

JAN 06 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

6 Attorney In Pro Per for
7 Samuel Robert Spira

8
9 STATE BAR COURT
10 HEARING DEPARTMENT - LOS ANGELES

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13 IN THE MATTER OF:

14 SAMUEL ROBERT SPIRA,
15 No. 175983,

16 A MEMBER OF THE STATE BAR
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**FIRST AMENDED ANSWER OF
SAMUEL R. SPIRA TO NOTICE OF
DISCIPLINARY CHARGES**

Case No.: 15-O-11209

19 Samuel R. Spira ("Spira"), hereby responds to the Notice of Disciplinary Charges ("NDC")
20 on behalf of himself, as follows:

- 21 1. In response to paragraph 1 of the NDC, Spira admits all of the allegations therein.
22 2. In response to paragraph 2 of the NDC, Spira specifically and generally denies each
23 and every allegation contained therein.
24 3. In response to paragraph 3 of the NDC, Spira specifically and generally denies each
25 and every allegation contained therein. If anything, at all times pertinent, Spira communicated
26 with the State Bar (and its overzealous and unusually hostile investigator, Chin Eronobi) and
27 attempted to continue such communications with the State Bar concerning the format of specific
28 answers, certain specific privacy objections and the general procedure for the status of the

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1 purported investigation as well as the unexpected actual filing of the NDC without actually
2 receiving the mandated 20-day pre-filing notice.

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4 FIRST AFFIRMATIVE DEFENSE

5 (Estoppel)

6 1. As a separate and affirmative defense, Spira alleges that the State Bar's claims are
7 barred or diminished by the doctrine of estoppel.

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9 SECOND AFFIRMATIVE DEFENSE

10 (Unclean Hands and Fraud)

11 2. As a separate and affirmative defense, Spira alleges that the State Bar's claims are
12 barred or diminished by the doctrine of unclean hands and fraud, both general and specific.

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14 THIRD AFFIRMATIVE DEFENSE

15 (Laches)

16 3. As a separate and affirmative defense, Spira alleges that the State Bar's claims are
17 barred or diminished by the doctrine of laches.

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19 FOURTH AFFIRMATIVE DEFENSE

20 (Constitutional Privacy Objection)

21 4. As a separate and affirmative defense, Spira asserts his Constitutional right of
22 privacy on behalf of himself and his immediate family members who are minor children.

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24 FIFTH AFFIRMATIVE DEFENSE

25 (Constitutional Objection)

26 5. As a separate and affirmative defense, Spira asserts his Constitutional right of due
27 process to prevent discriminatory practices by governmental action (or pseudo governmental
28 action) as practiced by the State Bar.

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SIXTH AFFIRMATIVE DEFENSE

(Constitutional Objection – Supreme Court)

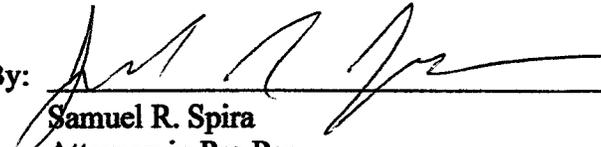
6. As a separate and affirmative defense, Spira asserts that under the very recent ruling of the Supreme Court of the United States (North Carolina State Board of Dental Examiners v. Federal Trade Commission, 574 U.S. ____ (2015), slip opinion No. 13-534), the State Bar lacks the requisite unbiased authority to oversee and/or to punish the activities of Spira as a licensed attorney in the State of California.

WHEREFORE, Spira prays for judgment as follows:

1. That the State Bar take nothing by virtue of the NDC;
2. That the claims be dismissed, with prejudice, as to Spira; and
3. That, if applicable, Spira be awarded a reimbursement of costs and such further relief as this Court deems just and proper.

Dated: January 2, 2016

Law Offices of Samuel R. Spira
Samuel R. Spira

By: 
Samuel R. Spira
Attorney in Pro Per

LIST OF DOCUMENTS

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FIRST AMENDED ANSWER OF SAMUEL ROBERT SPIRA TO NOTICE OF DISCIPLINARY CHARGES