

PUBLIC MATTER

FILED

1 STATE BAR OF CALIFORNIA
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FEB 25 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case No. 15-O-12259
 14 B. KWAKU DUREN,)
 No. 147789,) NOTICE OF DISCIPLINARY CHARGES
 15)
 16 A Member of the State Bar.)

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:

- 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. 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.

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. B. Kwaku Duren ("respondent") was admitted to the practice of law in the State of
4 California on August 1, 1990, 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-12259
8 Rules of Professional Conduct, rule 3-110(A)
[Failure to Perform with Competence]

9 2. On or about May 12, 2011, Dasari Reddy employed Respondent to perform legal
10 services, namely to represent Reddy as a plaintiff in litigation against multiple defendants in the
11 Los Angeles County Superior Court case *Reddy v. Siva, et al.*, case number VC060823, which
12 Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful
13 violation of Rules of Professional Conduct, rule 3-110(A), by the following:

- 14 • Respondent failed to respond to discovery requests on Reddy's behalf;
- 15 • Respondent failed to meet and confer regarding discovery requests on Reddy's
16 behalf;
- 17 • Respondent failed to respond or oppose the two motions to compel filed against
18 Reddy on August 6, 2013;
- 19 • Respondent failed to appear on Reddy's behalf at the September 12, 2013 hearing
20 on the motions to compel.

21 COUNT TWO

22 Case No. 15-O-12259
23 Rules of Professional Conduct, Rule 1-320(A)
[Sharing Legal Fees with a Non-Lawyer]

24 3. Between on or about June 10, 2012 and on or about January 31, 2013, Respondent
25 shared legal fees with a person who is not a lawyer, namely, Seth Blackburn, in relation to Los
26 Angeles County Superior Court case *Reddy v. Siva, et al.*, case number VC060823, in willful
27 violation of Rules of Professional Conduct, Rule 1-320(A).

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COUNT THREE

Case No. 15-O-12259
Business and Professions Code, section 6103
[Failure to Obey a Court Order]

4. Respondent disobeyed or violated an order of the court requiring Respondent to do or forbear an act connected with or in the course of Respondent's profession which Respondent ought in good faith to do or forbear by failing to comply with the September 12, 2013 order compelling discovery and ordering payment of sanctions in Los Angeles County Superior Court case *Reddy v. Siva, et al.*, case number VC060823, in willful violation of Business and Professions Code, section 6103.

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 CHIEF TRIAL COUNSEL

DATED: February 25, 2016

By: _____



William Todd
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-12259

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))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

- (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.: 7196 9008 9111 1007 7809 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, and Courtesy Copy to. Row 1: B. KWAKU DUREN, Law Office of B. Kwaku Duren, 420 N Poinsettia Ave, Compton, CA 90221.

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').

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: February 25, 2016

SIGNED: [Signature] Laura Jett Declarant