

# PUBLIC MATTER

1 STATE BAR OF CALIFORNIA  
 OFFICE OF CHIEF TRIAL COUNSEL  
 2 JAYNE KIM, No. 174614  
 CHIEF TRIAL COUNSEL  
 3 JOSEPH R. CARLUCCI, No. 172309  
 DEPUTY CHIEF TRIAL COUNSEL  
 4 MIA R. ELLIS, No. 228235  
 ACTING ASSISTANT CHIEF TRIAL COUNSEL  
 5 JOHN T. KELLEY, No. 193646  
 SUPERVISING SENIOR TRIAL COUNSEL  
 6 TIMOTHY G. BYER, No. 172472  
 DEPUTY TRIAL COUNSEL  
 7 845 South Figueroa Street  
 Los Angeles, California 90017-2515  
 8 Telephone: (213) 765-1325

## FILED

DEC 23 2015  
 STATE BAR COURT  
 CLERK'S OFFICE  
 LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of: ) Case No. 15-O-12605  
 )  
 14 KYLE SHELDON HACKETT, ) NOTICE OF DISCIPLINARY CHARGES  
 No. 194658, )  
 15 )  
 16 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  
 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  
 OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN  
 25 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT  
 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,  
 26 RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

kwiktag® 197 148 872



1 The State Bar of California alleges:

2 JURISDICTION

3 1. KYLE SHELDON HACKETT ("Respondent") was admitted to the practice of law in  
4 the State of California on March 30, 1998, was a member at all times pertinent to these charges,  
5 and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 15-O-12605  
8 Rules of Professional Conduct, rule 4-200(A)  
9 [Illegal Fee]

10 2. On or about October 24, 2013, Respondent entered into an agreement for a fee to  
11 perform legal services for his client Armen Aghajanian in a medical malpractice matter, that was  
12 illegal because it provided for a contingency fee of either 34 percent or 40 percent of  
13 Aghajanian's total recovery, in excess of the limits to such a fee provided in Business and  
14 Professions Code, section 6146, in willful violation of the Rules of Professional Conduct, rule 4-  
15 200(A).

16 COUNT TWO

17 Case No. 15-O-12605  
18 Business and Professions Code, section 6068(a)  
19 [Failure to Comply With Laws]

20 3. On or about October 24, 2013, Respondent entered into an agreement for a fee to  
21 perform legal services for his client Armen Aghajanian in a medical malpractice matter, that  
22 provided for a contingency fee of either 34 percent or 40 percent of Aghajanian's total recovery,  
23 in violation of Business and Professions Code, section 6146, and thereby willfully violated  
24 Business and Professions Code, section 6068(a).

25 NOTICE - INACTIVE ENROLLMENT!

26 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR  
27 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE  
28 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.**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

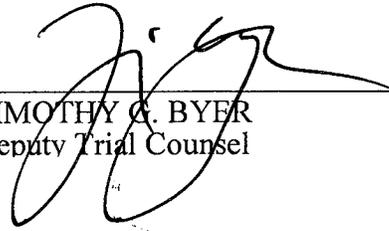
**NOTICE - COST ASSESSMENT!**

**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: December 23, 2015

By:   
TIMOTHY G. BYER  
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-12605

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 8448 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:
Person Served: Kyle S. Hackett
Business-Residential Address: Law Offices of Kyle S. Hackett, 2355 Westwood Blvd # 1105, Los Angeles, CA 90064
Fax Number: 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: December 23, 2015

SIGNED:

Handwritten signature of Jason Peralta
Jason Peralta
Declarant