

PUBLIC MATTER

FILED

NOV 09 2015

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

1 STATE BAR OF CALIFORNIA
 2 OFFICE OF CHIEF TRIAL COUNSEL
 3 JAYNE KIM, No. 174614
 CHIEF TRIAL COUNSEL
 4 JOSEPH R. CARLUCCI, No. 172309
 DEPUTY CHIEF TRIAL COUNSEL
 5 MELANIE J. LAWRENCE, No. 230102
 ASSISTANT CHIEF TRIAL COUNSEL
 6 ANTHONY J. GARCIA, No. 171419
 SUPERVISING SENIOR TRIAL COUNSEL
 7 ELI D. MORGENSTERN, No. 190560
 SENIOR TRIAL COUNSEL
 8 845 South Figueroa Street
 Los Angeles, California 90017-2515
 Telephone: (213) 765-1334

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STATE BAR COURT

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HEARING DEPARTMENT - LOS ANGELES

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In the Matter of:

) Case Nos. 15-O-13733, 15-O-13144
) 15-O-12373, 15-O-12277,
) 15-O-10278

14

LAWRENCE ALLAN MOY,
 No. 164060,

15

) NOTICE OF DISCIPLINARY CHARGES

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A Member of the State Bar

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NOTICE - FAILURE TO RESPOND!

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**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:**

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(1) YOUR DEFAULT WILL BE ENTERED;

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**(2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
 WILL NOT BE PERMITTED TO PRACTICE LAW;**

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**(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;**

24

**(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. Lawrence Allan Moy ("respondent") was admitted to the practice of law in the
4 State of California on April 26, 1993, 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-13733
8 Rules of Professional Conduct, rule 4-100(A)
9 [Failure to Maintain Client Funds in Trust Account]

10 2. In or about November 2013, respondent received on behalf of respondent's
11 client, Didi Lau, a settlement check from Wawanesa made payable to respondent, Blue Cross
12 Blue Shield of Georgia, Ms. Lau's medical insurance company, and Ms. Lau in the amount of
13 \$50,000. On or about November 15, 2013, respondent deposited the settlement check into
14 respondent's client trust account at Wells Fargo Bank, account no. xxxxx4152¹ ("respondent's
15 client trust account") on behalf of Ms. Lau and Blue Cross Blue Shield of Georgia. After
16 deducting respondent's contingency fee, respondent was required to maintain \$31,165.07 in trust
17 on behalf of Ms. Lau, his client, and \$2,167.93 on behalf of Blue Cross Blue Shield of Georgia,
18 for a total of \$33,333. Respondent failed to maintain a balance of \$33,333 in respondent's client
19 trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

20 COUNT TWO

21 Case No. 15-O-13733
22 Business and Professions Code, section 6106
23 [Moral Turpitude – Misappropriation]

24 3. In or about November 2013, respondent received on behalf of respondent's
25 client, Didi Lau, a settlement check from Wawanesa made payable to respondent, Blue Cross
26 Blue Shield of Georgia, Ms. Lau's medical insurance company, and Ms. Lau in the amount of
27 \$50,000. On or about November 15, 2013, respondent deposited the settlement check into
28 respondent's client trust account at Wells Fargo Bank, account no. xxxxx4152² ("respondent's

¹ The full account number is omitted for privacy reasons.

² The full account number is omitted for privacy reasons.

1 client trust account”) on behalf of Ms. Lau and Blue Cross Blue Shield of Georgia. After
2 deducting respondent’s contingency fee, respondent was required to maintain \$31,165.07 in trust
3 on behalf of Ms. Lau, his client, and \$2,167.93 on behalf of Blue Cross Blue Shield of Georgia,
4 for a total of \$33,333. On or about February 25, 2015, respondent dishonestly or grossly
5 negligently misappropriated for respondent’s own purposes \$33,333 that Ms. Lau, respondent’s
6 client, and Blue Cross Blue Shield of Georgia, were entitled to receive, and thereby committed
7 an act involving moral turpitude, dishonesty or corruption in willful violation of Business and
8 Professions Code, section 6106.

9 COUNT THREE

10 Case No. 15-O-13733
11 Rules of Professional Conduct, rule 4-100(B)(3)
12 [Failure to Render Accounts of Client Funds]

13 4. In or about November 2013, respondent received on behalf of respondent’s
14 client, Didi Lau, a settlement check from Wawanesa made payable to respondent, Blue Cross
15 Blue Shield of Georgia, Ms. Lau’s medical insurance company, and Ms. Lau in the amount of
16 \$50,000. On or about November 15, 2013, respondent deposited the settlement check into
17 respondent’s client trust account at Wells Fargo Bank, account no. xxxxx4152³ (“respondent’s
18 client trust account”) on behalf of Ms. Lau and Blue Cross Blue Shield of Georgia. After
19 deducting respondent’s contingency fee, respondent was required to maintain \$31,165.07 on
20 behalf of Ms. Lau, his client, and \$2,167.93 on behalf of Blue Cross Blue Shield of Georgia, for
21 a total of \$33,333. Respondent thereafter failed to render an appropriate accounting to Ms. Lau
22 regarding those funds following Ms. Lau’s written requests for such accounting between on or
23 about April 23, 2014, and on or about July 15, 2015, in willful violation of the Rules of
24 Professional Conduct, rule 4-100(B)(3).

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³ The full account number is omitted for privacy reasons.

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COUNT FOUR

Case No. 15-O-13733
Rules of Professional Conduct, rule 4-100(B)(4)
[Failure To Pay Client Funds Promptly]

5. In or about November 2013, respondent received on behalf of respondent's client, Didi Lau, a settlement check from Wawanesa made payable to respondent, Blue Cross Blue Shield of Georgia, Ms. Lau's medical insurance company, and Ms. Lau in the amount of \$50,000. On or about November 15, 2013, respondent deposited the settlement check into respondent's client trust account at Wells Fargo Bank, account no. xxxxx4152⁴ ("respondent's client trust account") on behalf of Ms. Lau and Blue Cross Blue Shield of Georgia. After deducting respondent's contingency fee, respondent was required to maintain \$31,165.07 in trust on behalf of Ms. Lau, his client, and \$2,167.93 on behalf of Blue Cross Blue Shield of Georgia, for a total of \$33,333. Between on or about April 23, 2014, and on or about July 15, 2015, Ms. Lau requested in writing that respondent pay the settlement funds to her, and Blue Cross Blue Shield of Georgia, and/or any of Ms. Lau's medical providers with outstanding bills. To date, respondent has failed to pay promptly, pursuant to requests made by Ms. Lau which he received, any portion of the \$33,333 in respondent's possession to Ms. Lau, Blue Cross Blue Shield of Georgia, or to any other third parties on behalf of Ms. Lau, in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

COUNT FIVE

Case No. 15-O-13733
Business and Professions Code, section 6068(i)
[Failure to Cooperate in State Bar Investigation]

6. Respondent failed to cooperate and participate in a disciplinary investigation pending against respondent by failing to provide a substantive response to the State Bar's letter of September 22, 2015, which respondent received by email, that requested respondent's response to the allegations of misconduct being investigated in case no. 15-O-13733 in willful violation of Business and Professions Code, section 6068(i).

⁴ The full account number is omitted for privacy reasons.

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COUNT SIX

Case No. 15-O-13144
Rules of Professional Conduct, rule 4-100(A)
[Failure to Maintain Client Funds in Trust Account]

7. In or about January 2015, respondent received on behalf of respondent's client, Denise Ordonez, a settlement check from State Farm Insurance Company made payable to respondent and Ms. Ordonez in the amount of \$10,000. On or about January 21, 2015, respondent deposited the settlement check into respondent's client trust account at Wells Fargo Bank, account no. xxxxx4152⁵ ("respondent's client trust account") on behalf of Ms. Ordonez. After deducting respondent's contingency fee, respondent was required to maintain \$6,666 in trust on behalf of Ms. Ordonez. Respondent failed to maintain a balance of \$6,666 in respondent's client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

COUNT SEVEN

Case No. 15-O-13144
Business and Professions Code, section 6106
[Moral Turpitude – Misappropriation]

8. In or about January 2015, respondent received on behalf of respondent's client, Denise Ordonez, a settlement check from State Farm Insurance Company made payable to respondent and Ms. Ordonez in the amount of \$10,000. On or about January 21, 2015, respondent deposited the settlement check into respondent's client trust account at Wells Fargo Bank, account no. xxxxx4152⁶ ("respondent's client trust account") on behalf of Ms. Ordonez. After deducting respondent's contingency fee, respondent was required to maintain \$6,666 in trust on behalf of Ms. Ordonez, his client. On or about February 25, 2015, respondent dishonestly or grossly negligently misappropriated for respondent's own purposes \$6,666 that Ms. Ordonez, respondent's client, was entitled to receive, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

⁵ The full account number is omitted for privacy reasons.

⁶ The full account number is omitted for privacy reasons.

1 written request, which respondent received, for her portion of the settlement funds. To date,
2 respondent has failed to pay promptly, pursuant to requests made by Ms. Ordonez which he
3 received, any portion of the \$6,666 in respondent's possession in willful violation of Rules of
4 Professional Conduct, rule 4-100(B)(4).

5 COUNT TEN

6 Case No. 15-O-13144
7 Rules of Professional Conduct, rule 3-700(D)(1)
8 [Failure To Release File]

9 11. Respondent failed to release promptly, after termination of respondent's
10 employment on or about October 6, 2015, to respondent's client, Denise Ordonez, all of the
11 client's papers and property following the client's request for the client's file on October 6, 2015,
12 in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

13 COUNT ELEVEN

14 Case No. 15-O-13144
15 Business and Professions Code, section 6068(i)
16 [Failure to Cooperate in State Bar Investigation]

17 12. Respondent failed to cooperate and participate in a disciplinary investigation
18 pending against respondent by failing to provide a substantive response to the State Bar's letters
19 of July 27, 2015, and August 13, 2015, which respondent received by email, that requested
20 respondent's response to the allegations of misconduct being investigated in case no.
21 15-O-13144 in willful violation of Business and Professions Code, section 6068(i).

22 COUNT TWELVE

23 Case No. 15-O-12373
24 Rules of Professional Conduct, rule 3-110(A)
25 [Failure to Perform with Competence]

26 13. In or about August 2010, David Duro employed respondent to perform legal
27 services, namely represent him in a personal injury claim arising out of a slip and fall accident
28 that occurred inside a hotel's restroom on or about July 17, 2010, which respondent intentionally,
recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of
Professional Conduct, rule 3-110(A), by failing to:

1 B) Respondent's receipt of a letter dated January 9, 2013, from the hotel's
2 insurance company stating that the insurance company had denied Mr. Duro's
3 claim and that Mr. Duro had 30 days to file an appeal.

4 COUNT FIFTEEN

5 Case No. 15-O-12373
6 Business and Professions Code, section 6068(i)
7 [Failure to Cooperate in State Bar Investigation]

8 16. Respondent failed to cooperate and participate in a disciplinary investigation
9 pending against respondent by failing to provide a substantive response to the State Bar's letters
10 of July 20, 2015, and August 3, 2015, which respondent received, that requested respondent's
11 response to the allegations of misconduct being investigated in case no. 15-O-12373 in willful
12 violation of Business and Professions Code, section 6068(i).

13 COUNT SIXTEEN

14 Case No. 15-O-12277
15 Business and Professions Code, section 6106
16 [Moral Turpitude – Issuance of NSF Checks]

17 17. From on or about February 25, 2015, to on or about April 22, 2015,
18 respondent issued the following checks drawn upon respondent's client trust account at Wells
19 Fargo Bank, account no. xxxxx4152⁹ ("respondent's client trust account") when respondent
20 knew or was grossly negligent in not knowing that there was insufficient funds in respondent's
21 client trust account to pay them, and thereby committed an act involving moral turpitude,
22 dishonesty or corruption in willful violation of Business and Professions Code, section 6106:

<u>CHECK NO.</u>	<u>PRESENTED FOR PAYMENT</u>	<u>CHECK AMT.</u>	<u>RETURNED/PAID</u>
14960	02/25/15	\$3,500	Paid
14944	03/09/15	\$3,500	Returned
14980	04/17/15	\$1,447	Returned
14982	04/17/15	\$801	Paid
14984	04/22/15	\$19,500	Returned

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28 ⁹ The full account number is omitted for privacy reasons.

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COUNT SEVENTEEN

Case No. 15-O-12277
Rules of Professional Conduct, rule 4-100(A)
[Commingling Personal Funds in Client Trust Account]

18. From on or about March 8, 2013, to on or about April 1, 2015, respondent deposited or commingled funds belonging to respondent and given to him by Mary Moy and Young Moy, respondent's parents, into respondent's client trust account at Wells Fargo Bank, account no. xxxxx4152¹⁰ ("respondent's client trust account"), as follows in wilful violation Rules of Professional Conduct, rule 4-100(A):

DATE OF DEPOSIT AMT. DEPOSITED FORM OF DEPOSIT

03/08/13	\$20,000	Cashier's Check payable to Mary Moy
04/26/13	\$8,000	Cashier's Check payable to Mary Moy
12/18/14	\$75	Personal Check from Mary and Young Moy
03/27/15	\$5,000	Cashier's Check purchased by Mary Moy payable to respondent
04/01/15	\$3,000	Cashier's Check purchased by Mary Moy payable to respondent

COUNT EIGHTEEN

Case No. 15-O-12277
Rules of Professional Conduct, rule 4-100(A)
[Commingling – Payment of Personal Expenses from Client Trust Account]

19. Between on or about January 16, 2013, and on or about March 4, 2005, respondent issued the following checks from funds in Respondent's client trust account at Wells Fargo Bank, account no. xxxxx4152¹¹ ("respondent's client trust account"), for the payment of personal expenses, in willful violation of Rules of Professional Conduct, rule 4-100(A):

<u>CHECK #</u>	<u>PAYEE</u>	<u>\$ AMT OF CHECK</u>
14132	Mary Moy	\$2,229
14135	Premier Business Centers	\$6,685
14307	Premier Business Centers	\$3,077.69
14317	Mary Moy	\$8,000

¹⁰ The full account number is omitted for privacy reasons.

¹¹ The full account number is omitted for privacy reasons.

1	14332	Stephen Moy	\$8,053
2	14405	Mary Moy	\$1,000
3	14456	Mary Moy	\$4,000
4	14473	Mary Moy	\$2,260
5	14496	Mary Moy	\$1,500
6	14624	Mary Moy	\$3,000
7	14864	Norman Moy	\$10,000
8	1003	Adolfo's Landscaping	\$360
9	14916	Mary Moy	\$7,500
10	14918	Premier Office	\$3,520
11	14965	Mary Moy	\$2,600

12 COUNT NINETEEN

13 Case No. 15-O-12277
 14 Business and Professions Code, section 6068(i)
 [Failure to Cooperate in State Bar Investigation]

15 20. Respondent failed to cooperate and participate in a disciplinary investigation
 16 pending against respondent by failing to provide a substantive response to the State Bar's letters
 17 of July 20, 2015, August 4, 2015, and October 5, 2015, which Respondent received by e-mail,
 18 that requested respondent's response to the allegations of misconduct being investigated in case
 19 no. 15-O-12277 in willful violation of Business and Professions Code, section 6068(i).

20 COUNT TWENTY

21 Case No. 15-O-12277
 22 Business and Professions Code, section 6068(j)
 [Failure to Update Membership Address]

23 21. On or about July 20, 2015, respondent moved out of respondent's office at the
 24 address maintained on the official membership records of the State Bar and thereafter failed to
 25 comply with the requirements of Business and Professions Code section 6002.1, by failing to
 26 notify the State Bar of the change in Respondent's address within 30 days, in willful violation of
 27 Business and Professions Code, section 6068(j).

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COUNT TWENTY-ONE

Case No. 15-O-10278
Rules of Professional Conduct, rule 4-100(A)
[Failure to Maintain Client Funds in Trust Account]

22. On or about February 5, 2013, respondent received on behalf of respondent's clients, Tamara McCrumb and Ronda Booth, three settlement checks: (i) one check made payable to respondent, Ms. McCrumb, and "Department of Healthcare Services (Lienholder)" in the amount of \$5,500; (ii) a second check made payable to respondent; Ms. McCrumb's minor daughter; Ms. McCrumb, as the parent and legal guardian of her minor daughter; and "Department of Healthcare Services (Lienholder)" in the amount of \$4,999; and (iii) a third check made payable to respondent; Ms. Booth's minor daughter; Ms. Booth, as parent and guardian of her minor daughter; and "Department of Healthcare Services (Lienholder)" in the amount of \$2,500. On or about February 5, 2013, respondent deposited the three settlement checks totaling \$12,999 into respondent's client trust account at Wells Fargo Bank, account no. xxxxx4152¹² ("respondent's client trust account") on behalf of respondent's clients. Of the \$12,999, the Department of Healthcare Services, a medical lienholder, was entitled to a total of \$4,300. Respondent failed to maintain a balance of \$4,300 on behalf of the clients in respondent's client trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

COUNT TWENTY-TWO

Case No. 15-O-10278
Business and Professions Code, section 6106
[Moral Turpitude – Misappropriation]

23. On or about February 5, 2013, respondent received on behalf of respondent's clients, Tamara McCrumb and Ronda Booth, three settlement checks: (i) one check made payable to respondent, Ms. McCrumb, and "Department of Healthcare Services (Lienholder)" in the amount of \$5,500; (ii) a second check made payable to respondent; Ms. McCrumb's minor daughter; Ms. McCrumb, as the parent and legal guardian of her minor daughter; and

¹² The full account number is omitted for privacy reasons.

1 “Department of Healthcare Services (Lienholder)” in the amount of \$4,999; and (iii) a third
2 check made payable to respondent; Ms. Booth’s minor daughter; Ms. Booth, as parent and
3 guardian of her minor daughter; and “Department of Healthcare Services (Lienholder)” in the
4 amount of \$2,500. On or about February 25, 2015, respondent dishonestly or grossly negligently
5 misappropriated for respondent’s own purposes \$4,300 that the clients’ medical provider, namely
6 Department of Healthcare Services, was entitled to receive, pursuant to liens held against
7 Respondent’s clients’ recovery, and thereby committed an act involving moral turpitude,
8 dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

9 COUNT TWENTY-THREE

10 Case No. 15-O-10278
11 Rules of Professional Conduct, rule 4-100(B)(4)
12 [Failure to Pay Client Funds Promptly]

13 24. On or about February 5, 2013, respondent received on behalf of respondent’s
14 clients, Tamara McCrumb and Ronda Booth, three settlement checks: (i) one check made
15 payable to respondent, Ms. McCrumb, and “Department of Healthcare Services (Lienholder)” in
16 the amount of \$5,500; (ii) a second check made payable to respondent; Ms. McCrumb’s minor
17 daughter; Ms. McCrumb, as the parent and legal guardian of her minor daughter; and
18 “Department of Healthcare Services (Lienholder)” in the amount of \$4,999; and (iii) a third
19 check made payable to respondent; Ms. Booth’s minor daughter; Ms. Booth, as parent and
20 guardian of her minor daughter; and “Department of Healthcare Services (Lienholder)” in the
21 amount of \$2,500. On or about February 5, 2013, respondent deposited the three settlement
22 checks totaling \$12,999 into respondent’s client trust account at Wells Fargo Bank, account no.
23 xxxxx4152¹³ (“respondent’s client trust account”) on behalf of respondent’s clients. Of this sum,
24 Ms. McCrumb and her minor daughter were entitled to a total of \$3,500, and Ms. Booth’s minor
25 daughter was entitled to \$850, for a total of \$4,350. On or about March 19, 2013, respondent
26 issued check no. 14198 from respondent’s client trust account made payable to Ms. McCrumb in
27 the amount of \$3,500 as payment for her and her daughter’s portion of their respective

28 ¹³ The full account number is omitted for privacy reasons.

1 settlements. On or about March 19, 2013, respondent issued check no. 14199 from respondent's
2 client trust account made payable to Ms. Booth's minor daughter in the amount of \$850 as
3 payment for her portion of the settlement. On or about March 19, 2013, respondent caused both
4 checks to be placed in the mail; however, neither Ms. McCrumb nor Ms. Booth received the
5 respective checks. In or about 2014, Ms. McCrumb had two telephone conversations with
6 respondent requesting that respondent send to Ms. McCrumb the settlement funds belonging to
7 her and her daughter, and that respondent send to Ms. Booth the settlement funds belonging to
8 Ms. Booth's minor daughter. To date, respondent has failed to pay promptly, as requested by
9 respondent's clients, any portion of the \$4,350 that respondent owes to Ms. McCrumb and her
10 minor daughter, and Ms. Booth's minor daughter, respondent's clients, in respondent's
11 possession in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

12 **NOTICE - INACTIVE ENROLLMENT!**

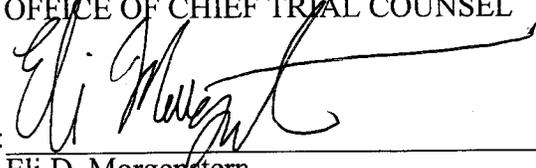
13 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR
14 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
15 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL
16 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
17 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN
18 INACTIVE MEMBER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

18 **NOTICE - COST ASSESSMENT!**

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

22 Respectfully submitted,

23 THE STATE BAR OF CALIFORNIA
24 OFFICE OF CHIEF TRIAL COUNSEL

25 By: 

25 DATED: November 9, 2015

26 Eli D. Morgenstern
27 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-03733, 15-O-13144, 15-O-12373, 15-O-12277, 15-O-10278

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 90017-2515, 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

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.

By U.S. Certified Mail: (CCP §§ 1013 and 1013(a)) - 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 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 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 9469 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 3 columns: Person Served, Business-Residential Address, Fax Number. Row 1: David A. Clare, Attorney at Law; 444 W. Ocean Blvd., Ste. 800 Long Beach, CA 90802; Electronic Address.

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: November 9, 2015

SIGNED: Sandra Reynolds, Declarant