

FILED

MAY 20 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

1 **MICHAEL E. WINE (State Bar No. 58657)**
2 **Attorney at Law**
3 **80 W. Sierra Madre Blvd., #355**
4 **Sierra Madre, California 91024**
5 **Telephone: (626) 796-6688**
6 **ethicsatty@verizon.net**

7 **Attorney for Respondent**

8
9 STATE BAR COURT

10 HEARING DEPARTMENT-LOS ANGELES

11
12 In the Matter of:) Case No. 15-O-14576-DFM
13 THOMAS OSMOND RUSSELL, III,)
14 No. 107800) FIRST AMENDED RESPONSE TO NOTICE
15) OF DISCIPLINARY CHARGES
16) Rule of Procedure 5.44(E)(3)
17 A Member of the State Bar)

18 Respondent **THOMAS RUSSELL, III** responds to the Notice of Disciplinary Charges
19 ("Notice") on file herein, by admitting, denying and alleging as follows:

20 The name and address of Respondent's counsel of record is:

21 **MICHAEL E. WINE**
22 **80 W. Sierra Madre Blvd., #355**
23 **Sierra Madre, California 91024**

24 All further pleadings in this matter should be directed to Respondent's counsel at this
25 address.

26 1. Respondent does not contest the allegations contained in paragraph 1 of the Notice.
27

kwiktag® 211 098 582



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

COUNT ONE

2. Respondent objects to the allegations of paragraph 2 of the NDC because they are conclusory, compound and intertwined with legal conclusions. Without waiving this objection, Respondent denies that he willfully violated Rule of Professional Conduct 4-100(A).

COUNT TWO

3. Respondent objects to the allegations of paragraph 3 of the NDC because they are conclusory, compound and intertwined with legal conclusions. Without waiving this objection, Respondent denies that he willfully violated Business and Professions Code Section 6106.

COUNT THREE

4. Respondent objects to the allegations of paragraph 4 of the NDC because they are conclusory, compound and intertwined with legal conclusions. Without waiving this objection, Respondent denies that he willfully violated Business and Professions Code Section 6106.

COUNT FOUR

5. Respondent objects to the allegations of paragraph 5 of the NDC because they are conclusory, compound and intertwined with legal conclusions. Without waiving this objection, Respondent denies that he willfully violated Business and Professions Code Section 6068(a).

COUNT FIVE

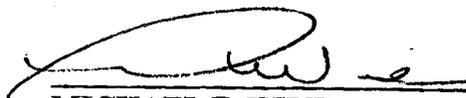
6. Respondent does not contest he issued the checks in question but denies that the same

1 were issued in willful violation of Rule of Professional Conduct 4-100(A)

2

3

DATED: May 19, 2016



4

MICHAEL E. WINE,
Attorney for Respondent

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

PROOF OF SERVICE BY MAIL

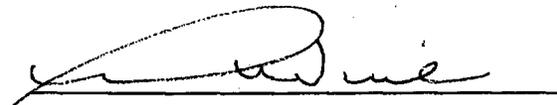
I, MICHAEL E. WINE, declare as follows:

I am over the age of eighteen years and not a party to this action. My business address is 80 W. Sierra Madre Blvd., #355, Sierra Madre, CA 91024. I am readily familiar with the practice of my law office for the collection and processing of mail with the United States Postal Service. Pursuant to that practice, envelopes placed for collection at designated locations are deposited with the United States Postal Service with first class postage thereon fully prepaid that same day in the ordinary course of business. On May 19, 2016 I served the FIRST AMENDED RESPONSE TO NOTICE OF DISCIPLINARY CHARGES to which this is attached by placing a true copy thereof in an envelope addressed to each of the persons named below at the address as follows:

Charles Calix, Esq.
State Bar of California
Office of the Chief Trial Counsel
845 S. Figueroa Street
Los Angeles, CA 90017

and then by sealing and placing the envelope for collection at Sierra Madre, CA on the above date.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 19, 2016 at Sierra Madre, CA.


MICHAEL E. WINE