

FILED

MAR -9 2016

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

**PUBLIC MATTER**

1 STATE BAR OF CALIFORNIA  
2 OFFICE OF CHIEF TRIAL COUNSEL  
3 JAYNE KIM, No. 174614  
4 CHIEF TRIAL COUNSEL  
5 JOSEPH R. CARLUCCI, No. 172309  
6 DEPUTY CHIEF TRIAL COUNSEL  
7 MIA R. ELLIS, No. 228235  
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9 BROOKE A. SCHAFER, No. 194824  
10 SUPERVISING SENIOR TRIAL COUNSEL  
11 SUE HONG, No. 285852  
12 DEPUTY TRIAL COUNSEL  
13 845 South Figueroa Street  
14 Los Angeles, California 90017-2515  
15 Telephone: (213) 765-1161

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of: ) Case No. 15-O-14772  
14 STEFAN GHAEMI, )  
15 No. 281280, ) NOTICE OF DISCIPLINARY CHARGES  
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**  
20 **THE STATE BAR COURT TRIAL:**

- 21 (1) **YOUR DEFAULT WILL BE ENTERED;**
- 22 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**  
23 **WILL NOT BE PERMITTED TO PRACTICE LAW;**
- 24 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN**  
25 **THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION**  
26 **AND THE DEFAULT IS SET ASIDE, AND;**
- 27 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**  
28 **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.**



1 The State Bar of California alleges:  
2

3 JURISDICTION

4 1. Stefan Ghaemi ("respondent") was admitted to the practice of law in the State of  
5 California on December 1, 2011, was a member at all times pertinent to these charges, and is  
6 currently a member of the State Bar of California.  
7

8 COUNT ONE

9 Case No. 15-O-14772  
10 Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

11 2. In or about October 2015, Christopher Salvaggio employed respondent to perform  
12 legal services, namely to provide representation in a business dispute including freezing a bank  
13 account and filing a lawsuit regarding the dispute, which respondent intentionally, recklessly, or  
14 repeatedly failed to perform with competence by failing to perform any of the services, in willful  
15 violation of Rules of Professional Conduct, rule 3-110(A).  
16

17 COUNT TWO

18 Case No. 15-O-14772  
19 Rules of Professional Conduct, rule 3-700(D)(1)  
[Failure to Release File]

20 3. Respondent failed to release promptly, after termination of respondent's employment  
21 on or about July 2, 2015, to respondent's client, Christopher Salvaggio, all of the client's papers  
22 and property following the client's request for the client's file on or about July 2, 2015; July 6,  
23 2015; July 10, 2015; July 13, 2015; July 21, 2015 and August 19, 2015, in willful violation of  
24 Rules of Professional Conduct, rule 3-700(D)(1).

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COUNT THREE

Case No. 15-O-14772  
Rules of Professional Conduct, rule 3-700(D)(2)  
[Failure to Refund Unearned Fees]

4. By on or about April 6, 2015, Respondent received advanced fees totaling \$30,000 from a client, Christopher Salvaggio, to provide representation in a business dispute including freezing a bank account and filing a lawsuit regarding the dispute. Respondent failed to freeze the bank account and file the lawsuit, and therefore did not fully earn the advanced fees paid. Respondent failed to refund promptly, upon Respondent's termination of employment on or about July 2, 2015, any part of the \$30,000 fee to the client, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

COUNT FOUR

Case No. 15-O-14772  
Business and Professions Code, section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

5. 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 letters of October 14, 2015, and November 10, 2015, which respondent received, that requested respondent's response to the allegations of misconduct being investigated in case no. 15-O-14772, in willful violation of Business and Professions Code, section 6068(i).

COUNT FIVE

Case No. 15-O-14772  
Business and Professions Code, section 6068(j)  
[Failure to Update Membership Address]

6. On or about December 31, 2014, respondent moved out of respondent's office at the address maintained on the official membership records of the State Bar and thereafter failed to comply with the requirements of Business and Professions Code section 6002.1, by failing to notify the State Bar of the change in respondent's address within 30 days, in willful violation of Business and Professions Code, section 6068(j).

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**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.**

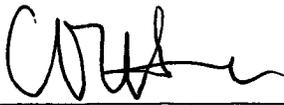
**NOTICE - COST ASSESSMENT!**

**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: March 9, 2016

By:   
Sue Hong  
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-14772

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.: 9414 7266 9904 2010 0742 43 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. Row 1: STEFAN GHAEMI, Law Offices of Stefan Ghaemi 2221 Camino Del Rio S Ste 207 San Diego, CA 92108, Electronic Address stefan@ghaemilaw.com

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: March 9, 2016

SIGNED:

Handwritten signature of Kim Wimbish, printed name KIM WIMBISH, Declarant