

PUBLIC MATTER

FILED

AUG 22 2016

**STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES**

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STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case No. 15-O-15428
14 THOMAS PATRICK BROWN IV,) NOTICE OF DISCIPLINARY CHARGES
15 No. 97315,)
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:**

- (1) YOUR DEFAULT WILL BE ENTERED;**
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU
WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (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;**
- (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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The State Bar of California alleges:

JURISDICTION

1. Thomas Patrick Brown IV (“Respondent”) was admitted to the practice of law in the State of California on January 21, 1981, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

COUNT ONE

Case No. 15-O-15428
Rules of Professional Conduct, Rule 1-300(B)
[Practice of Law While on “Not Entitled” Status]

2. From on or about October 11, 2015 through in or about October 21, 2015, Respondent held himself out as entitled to practice law and practiced law in the State of California, including but not limited to, representing the defendant in the all-day depositions of deponents that Respondent had noticed to take place in the matter titled *Dennis G. Torres v. MEDG, Inc dba Fashion Cleaners*, LASC Case No. BC506812, on or about October 19 and 20, 2015, when to do so was in violation of the regulations of the profession in California because Respondent was not entitled to practice law between on or about October 11, 2015 and on or about November 10, 2015, due to disciplinary suspension in Supreme Court Case No. S226855 (State Bar Court Nos. 14-C-01206 and 14-C-01224), in willful violation of Rules of Professional Conduct, rule 1-300(B).

COUNT TWO

Case No. 15-O-15428
Business and Professions Code section 6106
[Moral Turpitude]

3. From on or about October 11, 2015 through in or about October 21, 2015, Respondent held himself out as entitled to practice law and practiced law in the State of California, including but not limited to, representing the defendant in the all-day depositions of deponents that Respondent had noticed to take place in the matter titled *Dennis G. Torres v. MEDG, Inc dba Fashion Cleaners*, LASC Case No. BC506812, on or about October 19 and 20, 2015, when Respondent knew or was grossly negligent in not knowing that to do was in

1 violation of the rules and laws governing attorney conduct in California, because he was not
2 entitled to practice law between on or about October 11, 2013 and on or about November 10,
3 2015 due to disciplinary suspension in Supreme Court Case No. S226855 (State Bar Court Nos.
4 14-C-01206 and 14-C-01224), and thereby committed acts involving moral turpitude, dishonesty
5 or corruption in willful violation of Business and Professions Code section 6106.

6 COUNT THREE

7 Case No. 15-O-15428
8 Business and Professions Code section 6068(k)
9 [Failure to Comply with Conditions of Probation]

10 4. Respondent failed to comply with conditions attached to Respondent's disciplinary
11 probation in Supreme Court Case No. S226855 (State Bar Court Nos. 14-C-01206 and 14-C-
12 01224) by holding himself out as entitled to practice law and practicing law in the State of
13 California between on or about October 11, 2015 through on or about October 21, 2015, in part,
14 by representing the defendant in the all-day depositions of deponents that Respondent had
15 noticed to take place in the matter titled *Dennis G. Torres v. MEDG, Inc dba Fashion Cleaners*,
16 LASC Case No. BC506812, on or about October 19 and 20, 2015, when Respondent was not
17 entitled to practice law due to disciplinary suspension in Supreme Court Case No. S226855
18 (State Bar Court Nos. 14-C-01206 and 14-C-01224). Respondent thereby violated the condition
19 of his probation that required him to comply with the provisions of the State Bar Act. By
20 violating a condition of his probation, Respondent willfully violated Business and Professions
21 Code section 6068(k)

22 NOTICE - INACTIVE ENROLLMENT!

23 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
24 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
25 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
26 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
27 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
28 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**
ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
RECOMMENDED BY THE COURT.

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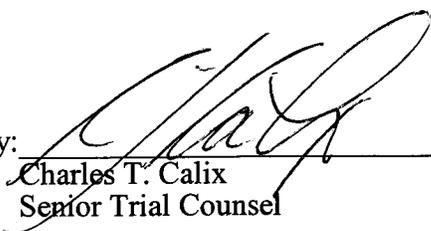
NOTICE - COST ASSESSMENT!

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: August 22, 2016

By: 
Charles T. Calix
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-15428

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 0629 36 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: ELLEN ANNE PANSKY, Pansky Markle Ham LLP, 1010 Sycamore Ave Unit 308, South Pasadena, CA 91030, 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: August 22, 2016

SIGNED: Genelle De Luca-Suarez
Genelle De Luca-Suarez
Declarant