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5 Attorneys for Respondent Thomas O. Russell, III

**FILED**

**AUG 11 2016**

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

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10 **THE STATE BAR COURT**  
11 **HEARING DEPARTMENT - LOS ANGELES**

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14 In the Matter of:

15 THOMAS O. RUSSELL, III

16 California State Bar No. 107800

15637  
17 ) Case No: 15-O-~~44576~~

18 ) RESPONDENT THOMAS RUSSELL, III'S  
19 ) RESPONSE TO THE STATE BAR'S  
20 ) NOTICE OF DISCIPLINARY CHARGES

21 ) Assigned to Judge Donald F. Miles

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27 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:



1 Respondent Thomas O. Russell, III (hereinafter "Respondent") hereby submits the  
2 following Response to the State Bar's Disciplinary Charges:  
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4 **INTRODUCTION**

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6 Respondent has not yet fully completed the investigation of facts relating to  
7 these cases and has not yet fully completed discovery in this action and has not  
8 completed preparation for trial. This Response to the State Bar's Disciplinary Charges  
9 is based solely upon information and documents which are presently available to, and  
10 specifically known by Respondent. It is anticipated that further discovery, independent  
11 investigation, legal research and analysis will supply additional facts, add meaning to  
12 the known facts, as well as establish entirely new factual conclusions and legal  
13 contentions, all of which may lead to substantial additions to, changes in and  
14 variations from this Response to the State Bar's Disciplinary Charges as herein set  
15 forth.  
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18 The following Response to the State Bar's Disciplinary Charges is provided  
19 without prejudice to the Respondent's right to produce evidence of any subsequently  
20 discovered facts, documents or witnesses. If the Respondent obtains additional  
21 information or documents, learns the identity of additional witnesses, or determines  
22 that it intends to call additional witnesses to testify at the hearing of this matter, it will  
23 modify, amend, and/or supplement this Response to the State Bar's Disciplinary  
24 Charges.  
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1 **PROOF OF SERVICE**

2  
3 I Kevin Gerry, declare under penalty of perjury under the laws of the State of California  
4 that the following is true and correct:

5 I am over the age of 18 and not a party to this case.

6 My business address is: 711 N. Soledad Street  
7 Santa Barbara, CA 93103

8 On the date stated below, the foregoing documents described as:

9 **RESPONDENT THOMAS RUSSELL, III'S RESPONSE**  
10 **TO THE STATE BAR'S NOTICE OF DISCIPLINARY CHARGES**

11 Were served on the interested parties in said action, by:

12  (**MAIL SERVICE**) placing the original or true copies thereof enclosed in a sealed  
13 addressed envelope to:

14  (**OVERNIGHT MAIL**) placing the original or true copies thereof enclosed in sealed  
15 addressed overnight mail envelope to:

16  (**PERSONAL SERVICE**) delivering said documents to:

17  (**E-MAIL**) causing delivery via electronic mail to:

18 The following addressees:

19 Charles Calix  
20 The State Bar of California  
21 Office of Chief Trial Counsel  
22 845 S. Figueroa Street  
23 Los Angeles, California 90017

24 08/11/16

25 \_\_\_\_\_  
Date

26 

27 \_\_\_\_\_  
Declarant