

**PUBLIC MATTER**

**FILED**

AUG 25 2016

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

1 STATE BAR OF CALIFORNIA  
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STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of: ) Case Nos. 15-O-15724  
14 DEAN RANDOLPH ZIMMERMAN, ) NOTICE OF DISCIPLINARY CHARGES  
No. 249023, )  
15 )  
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**  
**THE STATE BAR COURT TRIAL:**

- 20 (1) **YOUR DEFAULT WILL BE ENTERED;**
- 21 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**  
**WILL NOT BE PERMITTED TO PRACTICE LAW;**
- 22 (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;**
- 23 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**  
24 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**  
25 **OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN**  
26 **ORDER RECOMMENDING YOUR DISBARMENT WITHOUT**  
27 **FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,**  
28 **RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

27 //  
28 //



1 The State Bar of California alleges:

2 JURISDICTION

3 1. Dean Randolph Zimmerman ("respondent") was admitted to the practice of law in the  
4 State of California on June 1, 2007, 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-15724  
8 Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

9 2. On or about July 24, 2015, Thomas Hagen employed respondent to perform legal  
10 services, namely to represent him in *People v. Thomas Harold Hagen*, Los Angeles Superior  
11 Court case no. 5BF04327-01, which respondent intentionally, recklessly, or repeatedly failed to  
12 perform with competence, by failing to appear at a November 2, 2015 pretrial hearing, and  
13 thereafter effectively abandoning his representation of Thomas Hagen, in willful violation of  
14 Rules of Professional Conduct, rule 3-110(A).

15 COUNT TWO

16 Case No. 15-O-15724  
17 Business and Professions Code, section 6068(m)  
[Failure to Respond to Client Inquiries]

18 3. Respondent failed to respond promptly to multiple, reasonable status inquiries made  
19 by respondent's client, Thomas Hagen, via telephone and text message, in or about October and  
20 November 2015, that respondent received in a matter in which respondent had agreed to provide  
21 legal services, in willful violation of Business and Professions Code, section 6068(m).

22 COUNT THREE

23 Case No. 15-O-15724  
24 Rules of Professional Conduct, rule 4-100(B)(3)  
[Failure to Render Accounts of Client Funds]

25 4. In or about July through September 2015, respondent received from respondent's  
26 client, Thomas Hagen, the total sum of \$3,500 as advanced fees for legal services to be  
27 performed. Respondent thereafter failed to render an appropriate accounting to the client  
28 regarding those funds following the termination of respondent's employment on or about

1 November 3, 2015, and after respondent had effectively abandoned his representation of the  
2 client, in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

3 **NOTICE - INACTIVE ENROLLMENT!**

4 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR  
5 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE  
6 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL  
7 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO  
8 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN  
9 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE  
10 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE  
11 RECOMMENDED BY THE COURT.**

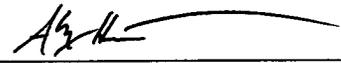
12 **NOTICE - COST ASSESSMENT!**

13 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC  
14 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS  
15 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING  
16 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND  
17 PROFESSIONS CODE SECTION 6086.10.**

18 Respectfully submitted,

19 THE STATE BAR OF CALIFORNIA  
20 OFFICE OF CHIEF TRIAL COUNSEL

21 DATED: August 25, 2016

22 By: 

23 Alex Hackert  
24 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-15724

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, CA 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))

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.: 9414726699042010064909 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: Dean R. Zimmerman, 360 S Westlake Ave, Los Angeles, CA 90057-2906, 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 25, 2016

SIGNED:

Handwritten signature of Julifinnila and printed name: JULIFINNILA Declarant