

# PUBLIC MATTER

1 STATE BAR OF CALIFORNIA  
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**FILED**

**MAY 09 2016**

STATE BAR COURT  
 CLERK'S OFFICE  
 LOS ANGELES

9  
 10 STATE BAR COURT  
 11 HEARING DEPARTMENT - LOS ANGELES

12  
 13 In the Matter of: ) Case No. 16-O-10126  
 14 THEERA LAOTEPPITAKS, )  
 No. 269201, ) NOTICE OF DISCIPLINARY CHARGES  
 15 )  
 16 A Member of the State Bar. )

**NOTICE - FAILURE TO RESPOND!**

17  
 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**  
**ORDER RECOMMENDING YOUR DISBARMENT WITHOUT**  
 26 **FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,**  
**RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. THEERA LAOTEPPITAKS ("Respondent") was admitted to the practice of law in  
4 the State of California on March 15, 2010, was a member at all times pertinent to these charges,  
5 and is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 16-O-10126  
8 Business and Professions Code, section 6106  
9 [Moral Turpitude - Misappropriation]

10 2. On or about September 4, 2015, Respondent received on behalf of Respondent's  
11 client, Edward "Ivan" Lanz, a settlement check from USAA Insurance Co. made payable to  
12 Respondent and Lanz in the sum of \$10,000. On or about September 4, 2015, Respondent  
13 deposited the \$10,000 into Respondent's client trust account at Union Bank, account number  
14 XXXXXX7241, on behalf of the client. Between on or about September 4, 2015, and on or  
15 about September 9, 2015, Respondent dishonestly or grossly negligently misappropriated for  
16 Respondent's own purposes \$10,000 that Respondent's client, was entitled to receive, and  
17 thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation  
18 of Business and Professions Code, section 6106.

18 COUNT TWO

19 Case No.16-O-10126  
20 Rules of Professional Conduct, rule 4-100(A)  
21 [Failure to Maintain Client Funds in Trust Account]

22 3. On or about September 4, 2015, Respondent received on behalf of Respondent's  
23 client, Edward "Ivan" Lanz, a settlement check from USAA Insurance Co. made payable to  
24 Respondent and Lanz in the sum of \$10,000. On or about September 4, 2015, Respondent  
25 deposited the \$10,000 into Respondent's client trust account at Union Bank, account number  
26 XXXXXX7241, on behalf of the client. Of this sum, the client was entitled to \$10,000.  
27 Respondent failed to maintain a balance of \$10,000 on behalf of the client in Respondent's client  
28 trust account, in willful violation of Rules of Professional Conduct, rule 4-100(A).

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COUNT THREE

Case No. 16-O-10126  
Rules of Professional Conduct, rule 4-100(B)(4)  
[Failure to Pay Client Funds Promptly]

4. On or about September 4, 2015, Respondent received on behalf of Respondent's client, Edward "Ivan" Lanz, a settlement check from USAA Insurance Co. made payable to Respondent and Lanz in the sum of \$10,000. Of this sum, the client was entitled to \$10,000. On or about September 9, 2015, September 17, 2015, September 23, 2015, September 30, 2015, October 4, 2015, and October 16, 2015, the client requested that Respondent pay the settlement funds. To date, Respondent has failed to pay promptly, as requested by Respondent's client, any portion of the \$10,000 in Respondent's possession in willful violation of Rules of Professional Conduct, rule 4-100(B)(4).

COUNT FOUR

Case No. 16-O-10126  
Business and Professions Code, section 6106  
[Moral Turpitude - Misrepresentation]

5. On or about September 23, 2015, Respondent stated in writing through email and text message, to his client, Edward "Ivan" Lanz, that Respondent had not yet received Lanz's settlement funds from USAA Insurance, Co. when Respondent knew or was grossly negligent in not knowing the statements were false, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

COUNT FIVE

Case No. 16-O-10126  
Business and Professions Code, section 6068(i)  
[Failure to Cooperate in State Bar Investigation]

6. 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 December 22, 2015, January 26, 2016, and April 4, 2016, which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 16-O-10126, in willful violation of Business and Professions Code, section 6068(i).

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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: May 9, 2016

By:   
KIM KASRELIOVICH  
Senior Trial Counsel

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**DECLARATION OF SERVICE BY CERTIFIED MAIL**

**CASE NUMBER: 16-O-10126**

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that I am not a party to the within action; that 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; that 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; that I am aware that on motion of 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; and that 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, on the date shown below, a true copy of the within

**NOTICE OF DISCIPLINARY CHARGES**

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2010 0668 42, at Los Angeles, on the date shown below, addressed to:

**Theera Laoteppitaks  
11512 El Camino Real Ste. 350  
San Diego, CA 92130**

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

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: May 9, 2016

Signed:   
Lupe Pacheco  
Declarant