

1 JOHN PETER CHRISTENSON, State Bar No. 184900
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3 San Diego, CA 92138
4 Phone: (619) 813-6420

5 In Pro Per

FILED

NOV -3 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

7 STATE BAR COURT

8 HEARING DEPARTMENT- LOS ANGELES

9 In the Matter of

10 JOHN PETER CHRISTENSON,
11 No. 184900

12 A Member of the State Bar.

) Case Nos.: 16-0-10513, 16-0-10876
)
) RESPONDENT JOHN PETER
) CHRISTENSON'S ANSWER TO STATE
) BAR OF CALIFORNIA'S NOTICE OF
) DISCIPLINARY CHARGES
)

14
15 Respondent, John Peter Christenson (hereinafter "Respondent"), answers the State Bar of
16 California's Notice of Disciplinary Charges alleging violations of Business and Professions Code
17 sections 6068(i), 6103 and 6068(o)(3).

18 DENIAL

19 Pursuant to Code of Civil Procedure Section 431.30(d), Respondent hereby answers the
20 Notice of Disciplinary Charges by generally denying each and every allegation contained therein, by
21 denying that Respondent engaged in any acts constituting violations of the Business and Professions
22 Code sections as alleged in Counts One through Five and by asserting the following separate and
23 distinct affirmative defenses:

24 AFFIRMATIVE DEFENSES TO DISCIPLINARY CHARGES

25 As separate and distinct affirmative defenses to the State Bar of California's Notice of
26 Disciplinary Charges, Respondent alleges as follows:

27 FIRST AFFIRMATIVE DEFENSE

28 As a FIRST AFFIRMATIVE DEFENSE, Respondent alleges that Respondent was/and
is denied due process.

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SECOND AFFIRMATIVE DEFENSE

As a SECOND AFFIRMATIVE DEFENSE, the STATE BAR has failed to state sufficient facts to support any ethics violation or to support any disciplinary action or any other action against Respondent.

THIRD AFFIRMATIVE DEFENSE

As a THIRD AFFIRMATIVE DEFENSE, at all times and places mentioned in the Complaint, Respondent acted in a manner authorized and/or required by the applicable law which controls plaintiff's rights, if any, with regard to the matters alleged in the complaint.

FOURTH AFFIRMATIVE DEFENSE

As a FOURTH AFFIRMATIVE DEFENSE, the Notice of Disciplinary Charges contains inappropriate, unnecessary, and immaterial duplicative charges. Bates v. State Bar (1990) 51 Cal.3rd 1056, 1060; In the Matter of Lilley (Rev. Dept. 1991) 1 Cal. State Bar Ct. Rptr. 476, 585.

FIFTH AFFIRMATIVE DEFENSE

As a FIFTH AFFIRMATIVE DEFENSE, the State Bar's claims, and each of them, are barred by the doctrine of laches.

SIXTH AFFIRMATIVE DEFENSE

As a SIXTH AFFIRMATIVE DEFENSE, the State Bar's claims, and each of them, are barred by the doctrine of estoppel.

SEVENTH AFFIRMATIVE DEFENSE

As a SEVENTH AFFIRMATIVE DEFENSE, the State Bar's claims, and each of them, are barred by the doctrine of waiver.

EIGHTH AFFIRMATIVE DEFENSE

As a EIGHTH AFFIRMATIVE DEFENSE, any action or inaction by Respondent with respect to the allegations contained in the complaint was and is permitted and authorized by applicable law.

NINTH AFFIRMATIVE DEFENSE

As a NINTH AFFIRMATIVE DEFENSE, Respondent's actions, if any there were, were conducted in good faith.

1 TENTH AFFIRMATIVE DEFENSE

2 As a TENTH AFFIRMATIVE DEFENSE, the State Bar's claims are barred by
3 applicable statute of limitations.

4 ELEVENTH AFFIRMATIVE DEFENSE

5 As a ELEVENTH AFFIRMATIVE DEFENSE, the complaint, to the extent that it
6 seeks suspension and/or disbarment against Respondent, violates Respondent's right to
7 procedural due process under the Fourteenth Amendment of the United States Constitution and
8 the Constitution of the State of California, and therefore fails to state a cause of action upon
9 which disciplinary action, suspension or disbarment may be granted.

10 TWELFTH AFFIRMATIVE DEFENSE

11 As a TWELFTH AFFIRMATIVE DEFENSE, the State Bar has failed to state a cause
12 of action justifying any disciplinary action.

13 THIRTEENTH AFFIRMATIVE DEFENSE

14 As a THIRTEENTH AFFIRMATIVE DEFENSE, the State Bar's claims are barred by
15 the fact that any decisions made by Respondent were for good cause and were reasonably based on the
16 facts as Respondent understood them based upon the information available to Respondent.

17 FOURTEENTH AFFIRMATIVE DEFENSE

18 As a FOURTEENTH AFFIRMATIVE DEFENSE, the State Bar's claims in this action
19 are barred because Respondent's conduct was, at all times mentioned in the complaint,
20 absolutely justified and privileged.

21 FIFTEENTH AFFIRMATIVE DEFENSE

22 As a FIFTEENTH AFFIRMATIVE DEFENSE, the disciplinary action including any actual or
23 suspended suspension, probation or other actions are in excess of those punishments justified and/or
24 authorized by law for the alleged act(s).

25 SIXTEENTH AFFIRMATIVE DEFENSE

26 As a SIXTEENTH AFFIRMATIVE DEFENSE, the State Bar has failed to set out
27 it's claims with sufficient particularity to permit Respondent to raise all appropriate defenses
28 and thus Respondent reserves the right to add additional defenses as the bases for the State

1 Bar's purported claims become known.

2 WHEREFORE, Respondent prays for judgment as follows:

3 1. That the complaint be dismissed in its entirety, with prejudice, and that
4 judgment thereon be entered in favor of Respondent and against the State
5 Bar.

6 2. That the State Bar take nothing by reason of its complaint.

7 3. That Respondent be awarded its reasonable attorneys' fees and costs of
8 suit incurred herein; and

9 4. That Respondent be awarded all other further legal and equitable relief,
10 as this Court deems proper.

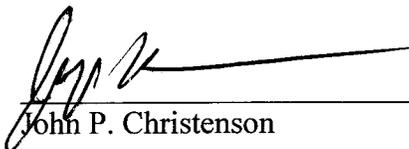
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12 Dated: October 28, 2016

JOHN PETER CHRISTENSON

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John P. Christenson

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CERTIFICATE OR PROOF OF SERVICE

State of California)
)§§
County of San Diego)

I am a citizen of the United States and employed in the County of San Diego. I am over the age of eighteen (18) years and not a party to the within action or proceeding. My business address is 2600 Camino Del Rio N. Ste. 202, San Diego, CA 92108

November
On ~~October 31~~, 2016, at San Diego, CA, following normal business practice, I served the foregoing document, described as:

RESPONDENT JOHN PETER CHRISTENSON'S ANSWER TO STATE BAR OF CALIFORNIA'S NOTICE OF DISCIPLINARY CHARGES

on the interested parties in this action, conveyed as follows:

by depositing true copies thereof, enclosed in a sealed envelope, with postage thereon fully prepaid:
 in first class U.S. Mail
 in priority or standard overnight mail via Federal Express.

I am readily familiar with the practice for collection and processing of correspondence for mailing with the United States Postal Service or Federal Express. In the ordinary course of business, correspondence, including said envelope, will be deposited with the United States Postal Service or Federal Express in San Diego.

by transmitting via facsimile to the fax number(s) set forth below.

by causing personal delivery by Western Messenger Service.

by personal hand-delivery.

addressed to:

The State Bar of California
Office of the Chief Trial Counsel
Anand Kumar, No. 261592
Senior Trial Counsel
845 South Figueroa Street
Los Angeles, CA 900172515

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

November
Executed on ~~October 31~~, 2016
at San Diego, California.

Juan Palacios

Juan Palacios