



1 Law Offices Of George A Saba  
2 George A Saba, Bar # 134316  
3 2514 Glenbush Circle  
4 Corona, CA 92882-8600  
5 (951) 737-0130  
6 gsaba001@gmail.COM

**FILED**

**FEB 14 2017**

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

STATE BAR COURT

HEARING DEPARTMENT-LOS ANGELES

10 In the Matter of:

11 George A Saba  
12 Member No. 134316

13 A Member of the State Bar.

)  
) **CASE NO.: 16-O-10875**

)  
) **RESPONDENT'S ANSWER TO NOTICE  
OF DISCIPLINARY CHARGES**

)  
) **JUDGE: The Honorable Donald F.  
Miles**

14  
15  
16  
17 George A Saba, Respondent herein, answers the allegations of the  
18 Notice of Disciplinary Charges, dated January 12, 2017, which was  
19 served upon Respondent by certified mail on January 14, 2017, as  
20 follows:

21 **JURISDICTION**

22 1. Respondent admits the allegations of paragraph 1 of the Notice of  
23 Disciplinary Charges.

24 **COUNT ONE**

25 Case No. 16-O-10875  
26 Business and Professions Code, section 6068(c)  
[Maintaining an Unjust Action]

27 2. Respondent denies each and all, generally and specifically, each  
28 of the allegations of paragraph 2 of the Notice of Disciplinary

RESPONDENT'S ANSWER TO NOTICE OF DISCIPLINARY CHARGES

1 Charges. Respondent contends that there is a lack of clear and  
2 convincing evidence to support this culpability finding.

3 **COUNT TWO**

4 Case No. 15-O-10875  
5 Business and Professions Code, section 6068(c)  
6 [Failure to Obey a Court Order]

7 3. Respondent denies each and all, generally and specifically, each  
8 of the allegations of paragraph 3 of the Notice of Disciplinary  
9 Charges. Respondent contends that there is a lack of clear and  
10 convincing evidence to support this culpability finding.

11 **COUNT THREE**

12 Case No. 15-O-10706  
13 Business and Professions Code, section 6103  
14 [Failure to Report Judicial Sanctions]

15 4. Respondent denies each and all, generally and specifically, each  
16 of the allegations of paragraph 4 of the Notice of Disciplinary  
17 Charges. Respondent contends that there is a lack of clear and  
18 convincing evidence to support this culpability finding.

19 **FIRST AFFIRMATIVE DEFENSE**

20 Respondent alleges that the Subject Orders to pay sanctions were  
21 procured by fraud on the Court and is voidable if not Void.

22 **SECOND AFFIRMATIVE DEFENSE**

23 Respondent alleges that the State Bar is barred from any relief  
24 or recovery against Respondent, because of the Complaining Party's  
25 unclean hands, which relate directly to the Orders that are the  
26 subject of the State Bar's claims.

27 **THIRD AFFIRMATIVE DEFENSE**

28 Respondent alleges that the State Bar is barred from relief under  
the doctrine of Equitable Estoppel.

1                                   **FOURTH AFFIRMATIVE DEFENSE**

2           Respondent alleges that the State Bar is barred from relief under  
3 the doctrine of Laches.

4  
5                                   **FIFTH AFFIRMATIVE DEFENSE**

6           Respondent alleges that the State Bar is barred from relief under  
7 the doctrine of Collateral Estoppel.

8                                   **SIXTH AFFIRMATIVE DEFENSE**

9           The Notice of Disciplinary Charges, and each count thereof, fails  
10 to state any claim upon which relief can be granted.

11                                  **SEVENTH AFFIRMATIVE DEFENSE**

12           The present charges against Respondent are unlawful and  
13 unconstitutional in that they are the result of the State Bar's  
14 unlawful selective prosecution of Respondent.

15                                  **EIGHTH AFFIRMATIVE DEFENSE**

16           If there was any unlawfulness with respect to the matters against  
17 Respondent charged in Counts One to THREE, such unlawfulness was not  
18 apparent to Respondent at the time the events occurred, and thus no  
19 violation took place. *Anderson v. Creighton* (1987) 483 U.S. 635, 640.

20                                  **NINTH AFFIRMATIVE DEFENSE**

21           Respondent reserves the right to assert additional affirmative  
22 defenses if and when further preparation and discovery procedures may  
23 reveal the same.

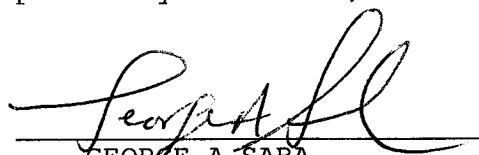
24  
25           **WHEREFORE,** Respondent requests that the Court grant judgment:

- 26 1.    Dismissing the Charges and denying all relief to the State Bar;  
27 and granting judgment in Respondent's favor;

1 2. Granting such other and further relief as may be permitted by law  
2 and as the Court may deem just and proper.  
3

4 Respectfully Submitted,  
5

6 Dated: January 14, 2017  
7

  
GEORGE A SABA  
Respondent

## **DECLARATION OF SERVICE BY MAIL**

### **STATE OF CALIFORNIA, COUNTY OF RIVERSIDE**

I am employed in the County of Riverside, State of California. I am, and was at the time mentioned in this declaration, over the age of 18 years. I am not a party to the within action. My address is:

2514 GLENBUSH CIRCLE  
CORONA, CA 92882-8600

On July 14, 2017 following ordinary business practices, I served the foregoing described as:

### **RESPONDENT'S ANSWER TO NOTICE OF DISCIPLINARY CHARGES**

On the parties in this action by placing a true copy thereof enclosed in sealed envelope(s) addressed as follows:

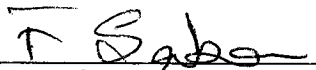
**(xx) By MAIL:**

**STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL  
845 SOUTH FIGUEROA STREET  
LOS ANGELES, CA 90017-2515  
ATTN: ROSE LUTHI**

**By email to:**

**ALEX HACKERT, ESQ.  
STATE BAR OF CALIFORNIA  
845 SOUTH FIGUEROA STREET  
LOS ANGELES, CA 90017-2515**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on July 14, 2017 at Corona, California.

  
Freda I SABA