PUBLIC MATTER

FILED

APR 14 2017

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT – LOS ANGELES

In the Matter of **BRIAN JOSEPH KUCSAN,** A Member of the State Bar, No. 230951.	**Case Nos.: 16-O-10988, 16-N-15577-DFM** **DECISION INCLUDING DISBARMENT RECOMMENDATION AND INVOLUNTARY INACTIVE ENROLLMENT ORDER**

INTRODUCTION

Respondent **Brian Joseph Kucsan** (Respondent) is charged here with two counts of misconduct: (1) failing to comply with the conditions of his prior disciplinary probation in willful violation of Business and Professions Code[1] section 6068, subdivision (k); and (2) failing to comply with rule 9.20 of the California Rules of Court, as he was required to do by an order of the California Supreme Court. Respondent has admitted culpability to both charges.

In view of the nature of Respondent's misconduct, its long-standing continuation, and Respondent's lack of rehabilitation or remorse, the court recommends that Respondent be disbarred from the practice of law.

PERTINENT PROCEDURAL HISTORY

The Notice of Disciplinary Charges (NDC) was filed by the State Bar of California on December 9, 2016.

[1] Unless otherwise noted, all future references to section(s) will be to the Business and Professions Code.

On January 23, 2017, the initial status conference was held in the case. Although counsel for Respondent was present at this initial status conference, Respondent was not. At that time, the matter was given a trial date of March 30, 2017, with a one-day trial estimate. In the resulting trial-setting order, Respondent, whose response to the NDC was then overdue, was cautioned by the court of his need to file a response to the NDC or suffer having his default being entered. In the same order, the State Bar was ordered to file a motion seeking Respondent's default on or before February 7, 2017, if Respondent did not file a response.

When February 7, 2017 came, Respondent had still not filed a response to the NDC. As a result, a motion seeking his default was then filed by the State Bar.

On February 17, 2017, Respondent filed his response to the NDC, admitting all of the allegations of the NDC.

As part of this court's trial-setting order of January 23, 2017, the parties were ordered to comply with rule 1220-1225 of the Rules of Practice; meet and confer regarding evidence issues and pretrial conference statements prior to March 23, 2017; and file pretrial statements on or before March 23, 2017.

On March 23, 2017, the State Bar filed a motion to exclude Respondent's evidence at the time of trial based on his alleged failure to comply with the above requirements of this court's trial-setting order and the Rules of Practice.[2] On the same day, the State Bar filed its own Pretrial Statement. No such statement was ever filed by Respondent.

On March 24, 2017, Respondent filed a substitution of attorneys, replacing his former attorney with himself. The substitution indicated that it had been executed by Respondent and his former attorney on March 22, 2017.

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[2] The time for Respondent to respond to the State Bar's motion had not expired at the time of trial. At trial, the only evidence offered by Respondent was his own testimony. No effort was made by the State Bar to exclude that testimony and any such effort would have been rejected by the court. Accordingly, the motion to exclude is denied as moot.

Trial was commenced on and completed on March 30, 2017, as scheduled. On the day of the trial, the parties filed a stipulation as to facts, conclusions of law, and admission of documents. In it, Respondent admitted to the factual allegations of both counts in the NDC and stipulated to culpability in both. The State Bar's evidence at trial consisted entirely of this stipulation. Respondent's only evidence in mitigation was his own testimony. The State Bar was represented at trial by Deputy Trial Counsel Michaela Carpio. Respondent acted as counsel for himself.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The following findings of fact are based on Respondent's response to the NDC, the extensive stipulation of undisputed facts and conclusions of law filed by the parties, and the documentary and testimonial evidence admitted at trial.

Jurisdiction

Respondent was admitted to the practice of law in California on June 3, 2004, and has been a member of the State Bar at all relevant times.

Case No. 16-O-10988 (Probation Violations)

On September 17, 2014, the Supreme Court filed order No. S218716 (State Bar Court case Nos. 12-O-15301, 12-O-15736, 12-O-16098, 12-O-16215, 13-O-11988, and 13-O-16206), suspending Respondent for two years, stayed, and placing him on probation for three years, subject to conditions of probation including, inter alia, the requirements that Respondent:

1. Be actually suspended from the practice of law for a minimum of 60 days and until he pays restitution totaling $5,800, plus interest, to three former clients;

2. Contact the Office of Probation within 30 days from the effective date of discipline to schedule a meeting with Respondent's assigned probation deputy;

3. Submit written quarterly reports attesting to Respondent's compliance with all conditions of his disciplinary probation; and

4. Attend the State Bar's Ethics School and provide the Office of Probation proof of attendance and passage of the test given at the end of that session within one year of the effective date of discipline.

The Supreme Court's order became effective on October 17, 2014. On October 2, 2014, even before the discipline became effective, the Office of Probation mailed and emailed a courtesy letter to Respondent, outlining all of the probation conditions and providing him with a list of the various compliance deadlines for each. Respondent has stipulated that he received this letter. The letter attached a copy of the Supreme Court's order and provided substantial guidance to Respondent about what he needed to do to comply with the various obligations created by it. The letter ended with the admonition, "Please note that the Court has determined that the repeated need of the State Bar to actively intervene to seek compliance with disciplinary terms and conditions is inconsistent with the self-governing nature of probation as a rehabilitative part of the attorney discipline system. *In the Matter of Gorman* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 567, 573." The letter also warned that "**Failure to timely** submit reports or any other proof of compliance **may result in a non-compliance referral** which may lead to the imposition of additional discipline." [emphasis in original]

Despite the court's order and the efforts of the Probation Department to have Respondent comply with the conditions of his probation, he did not do so, as set forth in greater detail below.

Obligation to Contact Office of Probation to Schedule Meeting

Because the Disciplinary Order became effective on October 17, 2014, Respondent was required to contact the Office of Probation within 30 days after that date, i.e., by November 16, 2014, to schedule a meeting with Respondent's assigned probation deputy. The October 2, 2014, letter from Respondent's probation deputy specifically reminded Respondent, in bold letters, that he "**must schedule a meeting with [her] to discuss the terms and conditions of your discipline within 30 days from the effective date of discipline.**" The letter also provided

Respondent with the deadline of November 16, 2014, for him to comply with that obligation. Nonetheless, Respondent failed to timely comply. Instead, Respondent, through counsel, only contacted the Office of Probation on December 8, 2014, and the meeting was held on December 17, 2014. During that meeting, attended by both Respondent and his counsel, the Office of Probation discussed with Respondent the remaining conditions of probation. Nonetheless, Respondent's non-compliance with the various probation conditions continued.

Obligation to File Quarterly Reports

Respondent was required to submit his first written quarterly report on January 10, 2015, and subsequent reports on each January 10, April 10, July 10 and October 10 during the balance of his probation.

On January 9, 2015, Respondent filed his first written quarterly report. This written quarterly report was non-compliant because Respondent's self-reported compliance with the State Bar Act and Rules was unclear due to Respondent having checked both alternative boxes – thus reporting under penalty of perjury that he had both complied with all of his professional obligations and not complied with them. After the Office of Probation spoke to Respondent's counsel about the ambiguity of Respondent's written quarterly report (and thus, its non-compliance), Respondent filed a written quarterly report on January 14, 2015, which was late.

On April 8, 2015, Respondent filed a timely and compliant second written quarterly report. In the report, Respondent informed the Office of Probation that Respondent took the MPRE on March 28, 2015, and was awaiting the results.

Respondent's third quarterly report was due by July 10, 2015. He did not provide any report by that deadline. As a result, on July 15, 2015, the Office of Probation mailed and emailed Respondent's counsel a letter regarding Respondent's failure to file his third written quarterly report by July 10, 2015. The Office of Probation asked Respondent's counsel to have

Respondent file a written quarterly report immediately and informed Respondent's counsel that Respondent was not in compliance with the terms and conditions of his probation, misconduct that could result in the imposition of additional discipline.

On October 13, 2015, 95 days late, Respondent filed his third quarterly report, which had been due by July 10, 2015. Respondent's signature on the document was dated "June 30, 2015." On October 19, 2015, the Office of Probation mailed a letter to Respondent's counsel, notifying her that this quarterly report was received but was being rejected because Respondent's signature was backdated. On October 28, 2015, 110 days late, Respondent submitted a compliant third quarterly report that was due on July 10, 2015.

On January 10, 2016, Respondent failed to file his written quarterly report. To date, Respondent has not submitted this report to the Office of Probation.

On April 10, 2016, Respondent failed to file his written quarterly report. To date, Respondent has not submitted this report to the Office of Probation.

On July 10, 2016, Respondent failed to file his written quarterly report. To date, Respondent has not submitted this report to the Office of Probation.

State Bar Ethics School

Respondent was required to submit proof of attendance at a session of State Bar Ethics School and passage of the test given at the end of that session no later than October 17, 2015. To date, Respondent has not attended State Bar Ethics School.

Count 1 – Failure to Comply with Conditions of Probation [Bus. & Prof. Code, § 6068, subd. (k)]

Business and Professions Code section 6068, subdivision (k), provides that it is the duty of every member to "comply with all conditions attached to any disciplinary probation, including a probation imposed with the concurrence of the attorney." Respondent has stipulated, and this

court finds, that Respondent's conduct in failing to comply with the conditions of probation, set forth above, constituted willful violations by him of that obligation.

Case No. 16-N-15577

On July 20, 2015, Respondent entered into a Stipulation Re Facts, Conclusions of Law and Disposition in State Bar case Nos. 14-O-04509, 15-O-11556, and 15-O-12420. This stipulation included Respondent's agreement that the resulting discipline would include a one-year stayed suspension and two years of probation with conditions, including a minimum 30-day actual suspension, continuing until he fully paid restitution to four former clients. The stipulation also provided that, if Respondent's actual suspension continued for 90 days or longer, he would comply with the requirements of rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the eventual Supreme Court order in that matter. On July 31, 2015, the Hearing Department of this court approved the stipulation and recommended the discipline therein.

On December 8, 2015, the Supreme Court filed its order no. S229462, imposing the discipline set forth in the above stipulation. This order expressly required Respondent to comply with California Rules of Court, rule 9.20, as set forth above, if he remained actually suspended for 90 days.

The Supreme Court order became effective January 7, 2016, marking the commencement of Respondent's period of actual suspension pursuant to that order.

On December 30, 2015, the Office of Probation mailed a courtesy letter to Respondent, notifying him of the terms of the discipline imposed by the December 8, 2015, Supreme Court order. The letter attached a copy of the Supreme Court's order; provided Respondent with a blank Rule 9.20 Compliance Declaration; and specifically reminded Respondent that, if he

remained actually suspended for 90 days, he would be obligated to comply with rule 9.20 of California Rules of Court, including filing the affidavit of compliance with the State Bar Court no later than May 16, 2016. Respondent has stipulated that he received this letter.

Respondent failed to submit to the Office of Probation proof of any payment of the restitution he was ordered to pay; he remained actually suspended beyond the initial 30 days; and, once the suspension reached the 90-day mark on April 7, 2016, he became required to comply with California Rules of Court, rule 9.20, including filing an affidavit of compliance by May 16, 2016.

On May 4, 2016, the Office of Probation mailed and emailed a courtesy letter to Respondent, notifying him of his non-compliance with several of the terms of his probation.[3] This letter reminded Respondent that he remained obligated to comply with the terms of his discipline and it attached a copy of the Office of Probation's letter dated December 30, 2015, which included the reminder that Respondent was obligated to file a rule 9.20 compliance affidavit by May 16, 2016, if he remained actually suspended for 90 days.

Although Respondent has stipulated that he received the above letter, he failed to file his rule 9.20 affidavit by May 16, 2016. As a result, on May 20, 2016, the Office of Probation mailed a letter to Respondent, both informing him that the State Bar Court had not received his rule 9.20 affidavit and encouraging him to file his 9.20 affidavit with the State Bar Court as soon as possible. The Office of Probation further notified Respondent that his failure to do so would result in the case being referred to the Office of Chief Trial Counsel for additional discipline. Although Respondent has stipulated that he also received this letter, he did not file his 9.20 affidavit with the State Bar Court until the morning that the trial of this matter commenced on

[3] This letter indicates that Respondent had failed with his obligation to schedule a meeting with his probation deputy in this new disciplinary probation and had failed to file the quarterly report due on April 10, 2016.

March 30, 2017 – more than three months after the disciplinary charges in this matter had been filed against him and more than 10 months after the compliance affidavit was due.

Count 2 - Violation of California Rules of Court, Rule 9.20

Rule 9.20(c) mandates that Respondent "file with the Clerk of the State Bar Court an affidavit showing that he . . . has fully complied with those provisions of the order entered under this rule." The term "willful" in the context of rule 9.20, formerly rule 955, does not require bad faith or any evidence of intent. It is not necessarily even dependent on showing the Respondent's knowledge of the Supreme Court's order requiring compliance. (*Powers v. State Bar* (1988) 44 Cal.3d 337, 341-342; *Hamilton v. State Bar* (1979) 23 Cal.3d 868, 873-874.)

Respondent has stipulated, and this court finds, that Respondent is culpable of willfully violating the obligation imposed on him by the order of the California Supreme Court, to comply with rule 9.20, subdivision (c), of the California Rules of Court within 40 days after the effective date of that order.

Aggravating Circumstances

The State Bar bears the burden of proving aggravating circumstances by clear and convincing evidence. (Rules Proc. of State Bar, Stds. for Atty. Sanctions for Prof. Misconduct,[4] std. 1.5.) The court finds the following with respect to aggravating circumstances.

Prior Discipline

Respondent has been disciplined on two prior occasions.

On September 17, 2014, the Supreme Court filed order No. S218716 in State Bar Court case Nos. 12-O-15301, 12-O-15736, 12-O-16098, 12-O-16215, 13-O-11988, and 13-O-16206, suspending Respondent for two years, stayed, and placing him on probation for three years, subject to conditions of probation including, inter alia, the requirements that Respondent be

[4] All further references to standard(s) or std. are to this source.

actually suspended from the practice of law for a minimum of 60 days and until he paid restitution totaling $5,800, plus interest, to three former clients.

Respondent's second discipline occurred when the Supreme Court filed its order no. S229462, on December 8, 2015, in State Bar case Nos. 14-O-04509, 15-O-11556, and 15-O-12420, suspending Respondent for one year, stayed, and placing Respondent on two years of probation with conditions, including actual suspension for a minimum of 30 days and continuing until he fully pays restitution to four former clients. The order became effective January 7, 2016,

Both of his disciplines resulted from his having charged advanced fees for seeking loan modifications for clients after the effective date of Civil Code section 2944.7, which prohibits the collection of such fees. In the first disciplinary matter, Respondent received mitigation credit having modified his office practices in June 2012, to comply with section 2944.7 after receiving a warning letter from the State Bar. In the second case, the discipline reflected the fact that the misconduct again involved advanced fees charged for loan modification work prior to June 2012. Respondent again received mitigation credit for the remedial steps he had taken in June 2012, but his failure to make restitution to the complaining former clients of what had previously been determined to be illegal fees was treated as an aggravating factor.

Respondent has remained not eligible to practice since October 17, 2014.

This prior record of discipline is a significant aggravating factor. (Std. 1.5(a).)

Multiple Acts of Misconduct

Respondent is culpable of multiple acts of misconduct. This is an aggravating factor. (Std. 1.5(b); see *In the Matter of Hunter* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 63, 76 [violating three separate conditions of probation constituted multiple acts of wrongdoing].)

Lack of Insight and Remorse

Respondent has demonstrated indifference toward rectification of or atonement for the consequences of his misconduct. (Std. 1.5(g).) At trial Respondent testified regarding his disciplinary history as an attorney. The primary focus of his comments was the inequity of his having been twice disciplined in the past for violations of the criminal statute related to loan modification fees when he was "one of the good guys" attempting to obtain loan modifications for needy clients. No explanation was given for why his 9.20 compliance statement was only filed on the morning of trial or why he has yet to complete the State Bar's Ethics School.

Mitigating Circumstances

Respondent bears the burden of proving mitigating circumstances by clear and convincing evidence. (Std. 1.6.) The court finds the following with regard to mitigating factors.

Cooperation

Respondent entered into an extensive stipulation of facts and admitted culpability for both of the counts alleging misconduct in this matter. (Std. 1.6(e); see also *In the Matter of Gadda* (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 416, 443; *In the Matter of Johnson* (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179, 190 [where appropriate, more extensive weight in mitigation is accorded those who admit to culpability as well as facts].)

Emotional Difficulties

Extreme emotional difficulties may be considered mitigating where it is established by expert testimony that they were responsible for the attorney's misconduct. (Std. 1.6(d); *In the Matter of Frazier* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 676, 701-702.) Respondent presented evidence that he had been depressed because of his disciplinary issues.

The evidence offered by Respondent regarding the emotional difficulties he had in the past did not provide clear and convincing evidence that his problems are a mitigating factor here.

There was no expert testimony, or other convincing evidence, showing the required nexus between Respondent's claimed emotional problems and his misconduct. Nor was there sufficient evidence for this court to conclude that any emotional problems suffered by Respondent in the past have now been satisfactorily resolved. (Std. 1.6(d).)

DISCUSSION

The purpose of State Bar disciplinary proceedings is not to punish the attorney but to protect the public, the courts, and the legal profession; to maintain the highest possible professional standards for attorneys; and to preserve public confidence in the legal profession. (Std. 1.1; *Chadwick v. State Bar* (1989) 49 Cal.3d 103, 111.)

In determining the appropriate level of discipline, this court looks first to the standards for guidance. (*Drociak v. State Bar* (1991) 52 Cal.3d 1085, 1090; *In the Matter of Koehler* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 615, 628.) The court then looks to the decisional law. (*Snyder v. State Bar* (1990) 49 Cal.3d 1302, 1310-1311; *In the Matter of Taylor* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 563, 580.) As the Review Department noted more than two decades ago in *In the Matter of Bouyer* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 404, 419, even though the standards are not to be applied in a talismanic fashion, they are to be followed unless there is a compelling reason that justifies not doing so. (Accord, *In re Silverton* (2005) 36 Cal.4th 81, 91; *Aronin v. State Bar* (1990) 52 Cal.3d 276, 291.) Ultimately, in determining the appropriate level of discipline, each case must be decided on its own facts after a balanced consideration of all relevant factors. (*Connor v. State Bar* (1990) 50 Cal.3d 1047, 1059; *Gary v. State Bar* (1988) 44 Cal.3d 820, 828; *In the Matter of Oheb* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920, 940.)

The State Bar argues that the circumstances of this case, including the applicable standards, call for disbarment. This court agrees.

The standard for assessing the appropriate discipline for Respondent's failure to timely comply with his obligations under rule 9.20 is set out in the rule itself. Rule 9.20(d) states, in pertinent part: "A suspended member's willful failure to comply with the provisions of this rule is a cause for disbarment or suspension and for revocation of any pending probation."

Respondent's willful failure to comply with rule 9.20 is extremely serious misconduct for which disbarment is generally considered the appropriate sanction. (*Bercovich v. State Bar* (1990) 50 Cal.3d 116, 131.) That said, both this court and the Supreme Court have, on occasion, imposed lesser discipline in situations where there has been timely compliance with subdivision (a) and the violation merely arises from a late submission of the compliance affidavit mandated by subdivision (c). (See, e.g. *Shapiro v. State Bar* (1990) 51 Cal.3d 251; *Durbin v. State Bar* (1979) 23 Cal.3d 461; *In the Matter of Rose, supra*, 3 Cal. State Bar Ct. Rptr. 192; *In the Matter of Friedman, supra,* 2 Cal. State Bar Ct. Rptr. 527.) In those cases, however, the courts have emphasized the respondent's good faith, the presence of significant mitigating circumstances, and the absence of substantially aggravating circumstances.

Respondent does not fall within the aegis of the above cases. Instead, his failure to comply with rule 9.20 is only one of the many instances during the last two years where he has ignored the efforts of the disciplinary process to conform his conduct to that required of a member of the bar. Of particular concern to this court is his continued indifference to the court-ordered requirements that he spend time getting educated about his ethical and professional obligations by participating in the State Bar's Ethics School. Because he has demonstrated for more than two years of probation a complete lack of interest in learning about his professional obligations or willingness to comply with obligations imposed on him by the Supreme Court during the disciplinary process, there is little reason for this court to conclude that he has any new-found commitment to complying with those obligations. Under such circumstances, a

recommendation of disbarment is both appropriate and necessary to protect the public, the profession, and the courts. (*In the Matter of Snyder* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 593, 599-601.)

The recommendation of disbarment is also consistent with standard 1.8(b), which provides: "If a member has two or more prior records of discipline, disbarment is appropriate in the following circumstances, unless the most compelling mitigating circumstances clearly predominate or the misconduct underlying the prior discipline occurred during the same time period as the current misconduct:

1. Actual suspension was ordered in any one of the prior disciplinary matters;
2. The prior disciplinary matters coupled with the current record demonstrate a pattern of misconduct; or
3. The prior disciplinary matters coupled with the current record demonstrate the member's unwillingness or inability to conform to ethical responsibilities."

Respondent's prior disciplines fall within the scope of the above qualifying factors; the current misconduct occurred and/or continued after both of the prior disciplines; and there are no compelling mitigating circumstances.

For all of the above reasons, the court recommends discipline as set forth below.

RECOMMENDED DISCIPLINE

Disbarment

The court recommends that respondent **Brian Joseph Kucsan,** Member No. 230951**,** be disbarred from the practice of law in the State of California and that his name be stricken from the Roll of Attorneys of all persons admitted to practice in this state.

California Rules of Court, Rule 9.20

The court further recommends that Respondent be ordered to comply with California Rules of Court, rule 9.20 and to perform the acts specified in subdivisions (a) and (c) of that rule

within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court order in this matter.

Costs

The court further recommends that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and that such costs be enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. Respondent must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds, and such payment is enforceable as provided under Business and Professions Code section 6140.5.

ORDER OF INVOLUNTARY INACTIVE ENROLLMENT

In accordance with Business and Professions Code section 6007, subdivision (c)(4), it is ordered that **Brian Joseph Kucsan,** Member No. 230951, be involuntarily enrolled as an inactive member of the State Bar of California, effective three calendar days after service of this decision and order by mail. (Rules Proc. of State Bar, rule 5.111(D)(1).)[5]

Dated: April 14, 2017.

DONALD F. MILES
Judge of the State Bar Court

[5] An inactive member of the State Bar of California cannot lawfully practice law in this state. (Bus. & Prof. Code, § 6126, subd. (b); see also Bus. & Prof. Code, § 6125.) It is a crime for an attorney who has been enrolled inactive (or disbarred) to practice law, to attempt to practice law, or to even hold himself or herself out as entitled to practice law. (*Ibid.*) Moreover, an attorney who has been enrolled inactive (or disbarred) may not lawfully represent others before any state agency or in any state administrative hearing even if laypersons are otherwise authorized to do so. (*Benninghoff v. Superior Court* (2006) 136 Cal.App.4th 61, 66-73.)

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on April 14, 2017, I deposited a true copy of the following document(s):

DECISION INCLUDING DISBARMENT RECOMMENDATION AND INVOLUNTARY INACTIVE ENROLLMENT ORDER

in a sealed envelope for collection and mailing on that date as follows:

☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

BRIAN J. KUCSAN
27201 PUERTA REAL STE 300
MISSION VIEJO, CA 92691

☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

MICHAELA F. CARPIO, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on April 14, 2017.

Mazie Yip
Case Administrator
State Bar Court