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**FILED**

**FEB -9 2017**

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of: ) Case No. 16-O-11019  
13 ANTHONY OBEHI EGBASE, )  
14 No. 181721, ) FIRST AMENDED NOTICE OF  
15 A Member of the State Bar ) DISCIPLINARY CHARGES

**NOTICE - FAILURE TO RESPOND!**

17 **IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE**  
18 **WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT**  
19 **THE STATE BAR COURT TRIAL:**

- 20 (1) **YOUR DEFAULT WILL BE ENTERED;**  
21 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**  
22 **WILL NOT BE PERMITTED TO PRACTICE LAW;**  
23 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN**  
24 **THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION**  
25 **AND THE DEFAULT IS SET ASIDE, AND;**  
26 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**  
27 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**  
28 **OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN**  
**ORDER RECOMMENDING YOUR DISBARMENT WITHOUT**  
**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. Anthony Obehi Egbase (“Respondent”) was admitted to the practice of law in the  
4 State of California on February 26, 1996, 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-11019  
8 Rules of Professional Conduct, rule 4-100(A)  
[Failure to Deposit Client Funds in Trust Account]

9 2. Between on or about November 26, 2012 and on or about August 26, 2013,  
10 Respondent received on behalf of Respondent’s clients, Juan and Rita Morales, funds totaling  
11 \$15,400 earmarked for payment of their mortgage arrears to the mortgage lender, Bank of  
12 America. Of that sum, Respondent failed to deposit funds totaling \$3,613.63, received for the  
13 benefit of the clients, in a bank account labeled “Trust Account,” “Client’s Funds Account” or  
14 words of similar import, in wilful violation Rules of Professional Conduct, rule 4-100(A).

15 COUNT TWO

16 Case No. 16-O-11019  
17 Business and Professions Code, section 6106  
[Moral Turpitude – Misappropriation by Gross Negligence]

18 3. Between on or about November 26, 2012 and on or about August 26, 2013,  
19 Respondent received on behalf of Respondent’s clients, Juan and Rita Morales, funds totaling  
20 \$15,400 earmarked for payment of their mortgage arrears to the mortgage lender, Bank of  
21 America. Of that sum, between on or about January 14, 2013 and on or about February 19,  
22 2013, Respondent disbursed approximately \$6,200 to the Moraleses’ lender on their behalf. On  
23 or about May 20, 2013, Respondent applied approximately \$4,086.37 with the Moraleses’  
24 consent to his outstanding legal fees. Therefore, as of on or about May 20, 2013, the clients were  
25 entitled to \$5,213.63. Between on or about May 26, 2013 and on or about June 10, 2014,  
26 Respondent grossly negligently misappropriated \$2,113.63 of the Moraleses’ funds, by failing to  
27 deposit, maintain in trust or personally safeguard the clients’ funds by delegating management of  
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1 the client funds to his staff for approximately twelve months between on or about May 20, 2013  
2 and on or about June 10, 2014, and thereby committed an act involving moral turpitude,  
3 dishonesty or corruption in willful violation of Business and Professions Code section 6106.

4 COUNT THREE

5 Case No. 16-O-11019  
6 Rules of Professional Conduct, Rule 3-110(A)  
7 [Failure to Perform with Competence – Failure to Supervise]

8 4. Between on or about January 12, 2012, and on or about December 10, 2014, clients  
9 Juan and Rita Morales employed Respondent to perform legal services, namely to file and  
10 represent them in Chapter 13 bankruptcy proceedings, file a lawsuit against their mortgage  
11 lender, and negotiate a mortgage loan modification or other forms of mortgage loan forbearance,  
12 for the clients. Between on or about November 26, 2012 and on or about August 26, 2013,  
13 Respondent received on behalf of Respondent's clients funds totaling \$15,400 earmarked for  
14 payment of their mortgage arrears to the mortgage lender, Bank of America. Respondent  
15 recklessly and repeatedly failed to perform the Chapter 13 bankruptcy services with competence,  
16 by failing to supervise his non-attorney staff, including, but not limited to, Debra Williams, in  
17 collecting and safeguarding the clients' funds, and providing accountings to the clients for the  
18 entrusted funds received by Respondent, in willful violation of Rules of Professional Conduct,  
19 rule 3-110(A).

20 COUNT FOUR

21 Case No. 16-O-11019  
22 Rules of Professional Conduct, rule 3-300  
23 [Business Transaction with a Client]

24 5. On or about November 26, 2012, Respondent entered into a business transaction with  
25 Respondent's clients, Juan and Rita Morales, when he advanced a loan to the Moraleses in the  
26 amount of approximately \$1,550. Respondent did not disclose in writing to the Moraleses, the  
27 terms of the business transaction, and did not obtain the Moraleses' informed consent in writing  
28 to the terms of the transaction, and Respondent thereby willfully violated Rules of Professional  
Conduct, rule 3-300.

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COUNT FIVE

Case No. 16-O-11019  
Rules of Professional Conduct, rule 4-100(B)(3)  
[Failure to Render Accounts of Client Funds]

6. Between on or about November 26, 2012 and on or about August 26, 2013, Respondent received on behalf of Respondent's clients, Juan and Rita Morales, funds totaling \$15,400 earmarked for payment of their mortgage arrears to the mortgage lender, Bank of America. Respondent thereafter failed to render appropriate accountings to the clients regarding those funds, by rendering or causing to be rendered inaccurate receipts and an accounting with inaccurate information to them on or about June 10, 2014, in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

**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.**

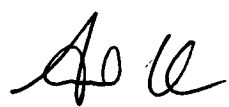
**NOTICE - COST ASSESSMENT!**

**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: February 8, 2017

By:   
Anand Kumar  
Senior Trial Counsel

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 16-O-11019

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, California 90017-2515, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

FIRST AMENDED 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.: 1) 9414-7266-9904-2010-0820-95 at Los Angeles, addressed to: (see below)  
2) 9404-7266-9904-2010-0820-01

(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Person Served	Business-Residential Address	Fax Number
1) Anthony Radogna	Law Offices of Anthony Radogna 1 Park Plaza, Suite 600 Irvine, CA 92614	Electronic Address <a href="mailto:radognalawoffice@gmail.com">radognalawoffice@gmail.com</a>
2) Gerald O. Egbase	Law Office of Egbase & Associates 23679 Calabasas Road, Suite 516 Calabasas, CA 91302	<a href="mailto:gegbaselaw@yahoo.com">gegbaselaw@yahoo.com</a>

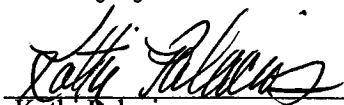
I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ("UPS"). In the ordinary course of the State Bar of California's practice, correspondence 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: February 9, 2017

SIGNED:

  
Kathi Palacios  
Declarant