

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED

OCT 14 2016

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

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

13 In the Matter of:) Case No. 16-O-11052
14 DAVID TURAJSKI,)
15 No. 155885,) NOTICE OF DISCIPLINARY CHARGES
16 A Member of the State Bar)

NOTICE - FAILURE TO RESPOND!

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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**
20 **THE STATE BAR COURT TRIAL:**

- 21 (1) **YOUR DEFAULT WILL BE ENTERED;**
22 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**
23 **WILL NOT BE PERMITTED TO PRACTICE LAW;**
24 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN**
25 **THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION**
26 **AND THE DEFAULT IS SET ASIDE, AND;**
27 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**
28 **SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**
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. DAVID TURAJSKI ("Respondent") was admitted to the practice of law in the State
4 of California on December 16, 1991, was a member at all times pertinent to these charges, and is
5 currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 16-O-11052
8 Rules of Professional Conduct, rule 4-100(A)
9 [Commingling – Payment of Personal Funds from Client Trust Account]

10 2. Between on or about September 4, 2015 and on or about February 1, 2016,
11 Respondent issued the following checks (and/or electronic withdrawals, if applicable) from funds
12 in Respondent's client trust account at Bank of America, account no. xxxxxxxx2355¹, for the
13 payment of personal expenses, in willful violation of Rules of Professional Conduct, rule 4-
14 100(A):

14	<u>DATE</u>	<u>CHECK #</u>	<u>PAYEE</u>	<u>AMOUNT OF CHECK/WITHDRAWAL</u>
15	9/4/15	1132	ABC Global	\$5,000.00
16	9/4/15	1131	Axis Media	\$2,150.00
17	9/11/15	1129	Axis Media	\$2,150.00
18	9/15/15	1130	ABC Global	\$4,900.00
19	9/25/15	1134	ABC Global	\$7,850.00
20	9/25/15	1133	Axis Media	\$2,150.00
21	10/1/15	1138	ABC Global	\$1,800.00
22	10/8/15	1139	ABC Global	\$5,000.00
23	10/14/15	1141	ABC Global	\$5,000.00
24	10/14/15	1142	ABC Global	\$5,000.00
25	10/16/15	1145	Axis Media	\$2,150.00
26	10/19/15	1147	ABC Global	\$1,000.00

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28 ¹ Only the last four digits of the account are identified to protect the account.

1	10/23/15	1161	ABC Global	\$5,000.00
2	10/23/15	1160	Axis Media	\$2,150.00
3	10/29/15	1162	Axis Media	\$2,150.00
4	10/30/15	1163	ABC Global	\$5,000.00
5	11/3/15	1164	ABC Global	\$5,200.00
6	11/10/15	1165	ABC Global	\$5,000.00
7	11/13/15	1157	Alan Mendelson	\$2,150.00
8	11/16/15	1158	ABC Global	\$3,500.00
9	11/17/15	1172	ABC Global	\$5,000.00
10	11/19/15	1171	ABC Global	\$5,000.00
11	11/24/15	1159	ABC Global	\$5,000.00
12	11/24/15	1173	ABC Global	\$5,000.00
13	11/25/15	1169	ABC Global	\$4,500.00
14	11/25/15	1175	ABC Global	\$2,000.00
15	11/25/16	1170	Axis Media	\$2,150.00
16	12/4/15	1180	ABC Global	\$5,000.00
17	12/4/15	1181	Alan Mendelson	\$2,150.00
18	12/10/15	1182	ABC Global	\$5,000.00
19	12/18/15	1176	ABC Global	\$5,000.00
20	12/22/15	1186	ABC Global	\$5,000.00
21	12/23/15	1197	ABC Global	\$5,000.00
22	12/23/15	1177	Axis Media	\$2,150.00
23	12/24/15	1196	ABC Global	\$3,000.00
24	12/29/15	1203	Axis Media	\$2,150.00
25	1/5/16	1204	ABC Global	\$500.00
26	1/8/16	1212	ABC Global	\$4,100.00
27	1/19/16	1214	ABC Global	\$4,000.00

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1	1/20/16	1213	ABC Global	\$2,000.00
2	1/21/16	1217	ABC Global	\$3,000.00
3	1/25/16	1223	Alan Mendelson	\$4,000.00
4	1/25/16	1220	Alan Mendelson	\$2,000.00
5	2/1/16	1221	Axis Media	\$2,150.00
6	2/2/16	1224	ABC Global	\$3,500.00
7	2/2/16	1225	Aram Tekeian	\$500.00
8	2/9/16	1228	ABC Global	\$5,000.00
9	2/12/16	1233	ABC Global	\$5,000.00
10	2/12/16	1235	ABC Global	\$550.00
11	2/19/16	1236	ABC Global	\$2,900.00
12	2/23/16	1218	ABC Global	\$2,100.00
13	3/11/16	1238	ABC Global	\$4,000.00
14	3/16/16	1241	ABC Global	\$3,000.00
15	3/16/16	1242	ABC Global	\$2,000.00
16	3/17/16	1243	ABC Global	\$5,000.00

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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.

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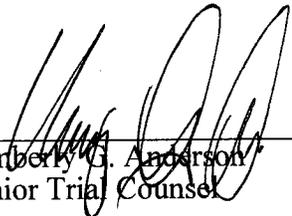
NOTICE - COST ASSESSMENT!

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: October 14, 2016

By: 

Kimberly G. Anderson
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-11052

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, declare that:

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

NOTICE OF DISCIPLINARY CHARGES

- By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

- (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.: 9414 7266 9904 2010 0800 08 at Los Angeles, addressed to: (see below)
(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to. Row 1: EDWARD O. LEAR, Century Law Group LLP 5200 W Century Blvd #345 Los Angeles, CA 90045, Electronic Address.

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/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).

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: October 14, 2016

SIGNED:

Handwritten signature of Kim Wimbish over a line, with printed name KIM WIMBISH and title Declarant below.