

**PUBLIC MATTER**

**FILED**

**DEC 04 2018**

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

1 STATE BAR OF CALIFORNIA  
2 OFFICE OF CHIEF TRIAL COUNSEL  
3 MELANIE J. LAWRENCE, No. 230102  
4 INTERIM CHIEF TRIAL COUNSEL  
5 RIZAMARI C. SITTON, No. 138319  
6 ASSISTANT CHIEF TRIAL COUNSEL  
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8 SUPERVISING ATTORNEY  
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10 SENIOR TRIAL COUNSEL  
11 845 South Figueroa Street  
12 Los Angeles, California 90017-2515  
13 Telephone: (213) 765-1255

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:

) Case No. 17-O-03016

13 WILLIAM A. KENT,  
14 No. 52111,

) NOTICE OF DISCIPLINARY CHARGES

15 A Member of the State Bar

**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.**

///



1 The State Bar of California alleges:

2 JURISDICTION

3 1. William A. Kent ("respondent") was admitted to the practice of law in the State of  
4 California on April 26, 1972, 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. 17-O-03016  
8 Rules of Professional Conduct, rule 3-110(A)  
[Failure to Perform with Competence]

9 2. On or about December 16, 2013, Blessing C. Ufodiana employed respondent to  
10 perform legal services, namely to represent her in a personal injury action, which respondent  
11 intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of  
12 Rules of Professional Conduct, rule 3-110(A), by failing to:

13 (A) perform any of the actions necessary to present Ufodiana's matter at trial,  
14 including but not limited to preparing Ufodiana to testify at trial, subpoenaing relevant  
15 witnesses to testify at trial, preparing the relevant witness to testify at trial, and/or  
16 preparing exhibit binders;

17 (B) prepare and file a statement of the case, witness list, exhibit list and/or jury  
18 instructions; and

19 (C) appear for trial on or about January 17, 2017.

20 COUNT TWO

21 Case No. 17-O-03016  
22 Business and Professions Code section 6068, subdivision (m)  
[Failure to Respond to Client Inquiries]

23 3. Respondent failed to respond promptly to two or three voice messages and three  
24 emails requesting reasonable status inquiries, made by respondent's client, Blessing C.  
25 Ufodiana, between in or about November 2016 and on or about January 2, 2017 that respondent  
26 received in a matter in which respondent had agreed to provide legal services, in willful violation  
27 of Business and Professions Code section 6068, subdivision (m).

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COUNT THREE

Case No. 17-O-03016  
Rules of Professional Conduct, rule 3-700(A)(2)  
[Improper Withdrawal from Employment]

4. Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to respondent's client, Blessing C. Ufodiana, by constructively terminating Respondent's employment on or about January 17, 2017 by failing to appear for trial on January 17, 2017 or to take any action on the client's behalf after that date, including but not limited to preparing and filing a motion to set aside the dismissal of the matter, and thereafter failing to inform the client that respondent was withdrawing from employment, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

COUNT FOUR

Case No. 17-O-03016  
Business and Professions Code section 6106  
[Moral Turpitude – Misrepresentation to the Office of Chief Trial Counsel]

5. In an undated letter to the Office of Chief Trial Counsel postmarked on or about October 5, 2017, respondent stated in writing that: (A) "I never represented Blessing Ufodiana"; (B) "I did not intend to represent her so there was no need for me to obtain a [sic] necessary steps of a power of attorney or letters of representation"; (C) "Since I was not representing [sic] the lady but only helping her along I never asked her to sign any power of attorney which is mandatory must if and when you represent [sic] somebody"; (D) "I never asked [sic] Ufodiana to sign anything [sic] for a power of attorney on a contingent [sic] basis or anything else"; (E) "Again I made it [sic] clear I was not representing Ufodiana and never had [sic] sign anything, neither a power of attorney or a medical authorization"; and (F) "I never sent out [sic] medical bills nor [sic] took any action toward a contingent [sic] fee contract nor medical authorization [sic] of any kind," when respondent knew or was grossly negligent in not knowing those statements were false and/or misleading, and thereby committed acts involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code section 6106.



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**ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.**

**NOTICE - COST ASSESSMENT!**

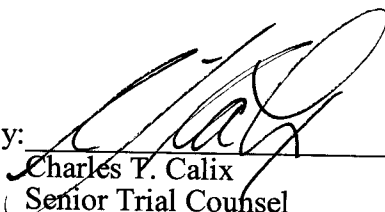
**IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.**

Respectfully submitted,

THE STATE BAR OF CALIFORNIA  
OFFICE OF CHIEF TRIAL COUNSEL

DATED: December 3, 2018

By: \_\_\_\_\_



Charles T. Calix  
Senior Trial Counsel

DECLARATION OF SERVICE

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

CASE NUMBER(s): 17-O-03016

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))

- 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.: 9414 7266 9904 2111 0176 75 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:
Person Served: WILLIAM A. KENT
Business-Residential Address: William Kent, 15242 Normandie Ave, Irvine, CA 92604-2935
Fax Number: Electronic Address
Courtesy Copy to: William A. Kent, William Kent, 15242 Normandie Ave, Irvine, CA 92604-2935

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"). 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: December 4, 2018

SIGNED:

Handwritten signature of Kim Wimbish, followed by printed name KIM WIMBISH and title Declarant.