1 STATE BAR OF CALIFORNIA FILED 2 MELANIE J. LAWRENCE, No. 230102 DEC 1 4 2018 3 INTERIM CHIEF TRIAL COUNSEL SUSAN CHAN, No. 233229 4 SUSAN CHAN, No. 233229 STATE BAR COURT CLERK'S OFFICE 5 SUPERVISING ATTORNEY STATE BAR COURT CLERK'S OFFICE 6 SUPERVISING ATTORNEY STATE BAR COURT 7 RACHEL S, GRUNBERG, No. 197080 SENIOR TRIAL COUNSEL 8 SENIOR TRIAL COUNSEL Sam Francisco, California 94105-1639 7 Telephone: (415) 538-2443 STATE BAR COURT 10 HEARING DEPARTMENT - SAN FRANCISCO 11 In the Matter of: Case Nos. 17-0-04346; 18-0-14985 12 DAVID LU, NOTICE OF DISCIPLINARY CHARGI 13 NO. 288864, NOTICE - FAILURE TO RESPOND! 14 A Member of the State Bar NOTICE, FAILURE TO RESPOND! 15 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHEN YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHE STATE BAR COURT TRIAL: 16 NOTICE - FAILURE TO RESPOND! 17 </th <th></th> <th></th>		
2 MELANIE J. LAWRENCE, No. 230102 DEC 1 4 2018 3 INTERIM CHIEF TRIAL COUNSEL STATE BAR COURT CLERK'S OFFICE 3 SUSAN CHAN, No. 213229 STATE BAR COURT CLERK'S OFFICE 4 SUSAN JI, KAGAN, No. 214209 STATE BAR COURT CLERK'S OFFICE 5 RACHEL S. GRUNBERG, No. 197080 SENIOR TRIAL COUNSEL 180 Howard Street San Francisco, California 94105-1639 7 Telephone: (415) 538-2443 8 STATE BAR COURT 10 HEARING DEPARTMENT - SAN FRANCISCO 11 In the Matter of: Case Nos. 17-0-04346; 18-0-14985 12 DAVID LU, NOTICE OF DISCIPLINARY CHARGH 13 No. 288664, J 14 J 15 A Member of the State Bar 16 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 THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; 10 VOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN AND YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN AND THE DEFAULT; IF SECURT WILL ENTER AND; <tr< td=""><td>1</td><td>STATE BAR OF CALIFORNIA FILED</td></tr<>	1	STATE BAR OF CALIFORNIA FILED
INTERIM CHIEF TRIAL COUNSEL SUSAN CHAN, No. 233229 ASSISTANT CHIEF TRIAL COUNSEL SUSAN CHAN, No. 233229 ASSISTANT CHIEF TRIAL COUNSEL SUSAN I. KAGAN, No. 214209 SUPENLISING ATTORNEY RACHELS, GRUNBERG, No. 197080 SENTOR TRIAL COUNSEL 180 Howard Street San Francisco, California 94105-1639 Telephone: (415) 538-2443 9 9 10 11 12 13 14 15 16 17 18 19 10 11 11 12 13 14 15 16 17 18 19 10 10 11 12 13 14 15 16 17 17 18 19	2	OFFICE OF CHIEF TRIAL COUNSEL MELANIE J. LAWRENCE, No. 230102 DEC 1 4 2018
4 SUSAN I. KAGAN, No. 214209 SAN FRANCISCO 5 SUPERVISING ATTORNEY 7 RACHEL S. GRUNBERG, No. 197080 8 SENIOR TRIAL COUNSEL 180 Howard Street San Francisco, California 94105-1639 7 Telephone: (415) 538-2443 8 STATE BAR COURT 10 HEARING DEPARTMENT - SAN FRANCISCO 11 In the Matter of: Case Nos. 17-0-04346; 18-0-14985 12 DAVID LU, NOTICE OF DISCIPLINARY CHARGH 13 No. 288864, DAVID LU, 14 Amember of the State Bar DAVID EV 15 Member of the State Bar DAVID FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE 16 NOTICE - FAILURE TO RESPONDI 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE 18 MUTHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; 10 VOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN MUTHOUT WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; 10 YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 11 THESE PROCEEDINGS YO	3	INTERIM CHIEF TRIAL COUNSEL SUSAN CHAN, No. 233229
5 RACHELS, GRUNBERG, No. 197080 SENIOR TRIAL COUNSEL 6 I80 Howard Street San Francisco, California 94105-1639 Telephone: (415) 538-2443 9 STATE BAR COURT 9 HEARING DEPARTMENT - SAN FRANCISCO 10 HEARING DEPARTMENT - SAN FRANCISCO 11 In the Matter of: Case Nos. 17-0-04346; 18-0-14985 12 DAVID LU, NOTICE OF DISCIPLINARY CHARGH 13 DAVID LU, NOTICE OF DISCIPLINARY CHARGH 14 Amember of the State Bar Amember of the State Bar 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT 18 (1) YOUR BEFAULT WILL BE ENTERED; 19 (1) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU 20 WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; 21 (1) YOUW STATUS WILL BE CHANGED TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOU FAIL TO ADDITIONAL DISCIPLINE. 22 (4) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; 23 (2) YOUW KILL, YIF YOU FAIL TO AD	4	SUSAN I. KAGAN, No. 214209 SAN FRANCISCO
6 180 Howard Street San Francisco, California 94105-1639 7 Telephone: (415) 538-2443 9 STATE BAR COURT 9 HEARING DEPARTMENT - SAN FRANCISCO 10 HEARING DEPARTMENT - SAN FRANCISCO 11 In the Matter of: Case Nos. 17-0-04346; 18-0-14985 12 DAVID LU, NOTICE OF DISCIPLINARY CHARGED 13 DAVID LU, NOTICE - FAILURE TO RESPOND! 14 Amember of the State Bar Amember of the State Bar 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE 18 Member of the State Bar 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE 18 If YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE 19 (1) YOUR DEFAULT WILL BE ENTERED; 10 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU 11 (3) YOU WILL NOT BE PERMITTED TO PRACTICE LAW; 12 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 13 SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE 14 ORDER RECOMMENDING YOUR DISBARMENT WITHON A	5	RACHEL S. GRUNBERG, No. 197080
7 Telephone: (415) 538-2443 9 STATE BAR COURT 9 HEARING DEPARTMENT - SAN FRANCISCO 10 In the Matter of: 12 DAVID LU, 13 NOTICE OF DISCIPLINARY CHARGE 14 A Member of the State Bar 15 A Member of the State Bar 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; 20 YOUW DEFAULT WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; 21 (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; 23 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 24 OR DACATE YOUR DEFAULT OF THE STATE BAR OF CALIFORNIA. 24 OR VACATE YOUR OF THE STATE BAR OF CALIFORNIA. 24 OR DER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HE	6	180 Howard Street
9 STATE BAR COURT 10 HEARING DEPARTMENT - SAN FRANCISCO 11 Case Nos. 17-0-04346; 18-0-14985 12 In the Matter of: Case Nos. 17-0-04346; 18-0-14985 13 DAVID LU, NOTICE OF DISCIPLINARY CHARGED 13 DAVID LU, NOTICE - FAILURE TO RESPOND: 14 A Member of the State Bar 15 MOTICE - FAILURE TO RESPOND! 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; 10 (YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; 12 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOUR 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. 14 AMORE OF THE STATE BAR OF CALIFORNIA.	7	
9 HEARING DEPARTMENT - SAN FRANCISCO 11 In the Matter of: Case Nos. 17-0-04346; 18-0-14985 12 DAVID LU, NOTICE OF DISCIPLINARY CHARGE 13 No. 288864, NOTICE - FAILURE TO RESPOND! 14 A Member of the State Bar A Member of the State Bar 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; 20 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; 21 (3) YOU WILL NOT BE PERMITTED TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE, OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN OR DER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA. 24 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.	8	STATE BAD COUDT
10 11 11 In the Matter of: Case Nos. 17-0-04346; 18-0-14985 12 DAVID LU, NOTICE OF DISCIPLINARY CHARGE 13 No. 288864, NOTICE - FAILURE TO RESPOND! 14 A Member of the State Bar A Member of the State Bar 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; 10 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; 11 (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT, 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. 26 244071656	9	
12 In the Matter of: Case Nos. 17-0-04346; 18-0-14985 13 DAVID LU, NOTICE OF DISCIPLINARY CHARGE 13 A Member of the State Bar NOTICE - FAILURE TO RESPOND! 14 A 15 A Member of the State Bar 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; 20 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PARCTICE LAW; 21 (3) YOU WILL NOT BE PERMITTED TO PARCTICE LAW; 22 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 24 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.	10	TILARING DEI ARTMENT - SAIN FRANCISCO
12 DAVID LU, NOTICE OF DISCIPLINARY CHARGE 13 NO. 288864, Amember of the State Bar 14 Amember of the State Bar Amember of the State Bar 15 Amember of the State Bar NOTICE - FAILURE TO RESPOND! 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; 20 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW; 21 (3) YOU WILL NOT BE PERMITTED TO PRACTICE LAW; 21 (3) YOU WILL NOT BE PERMITTED TO PRACTICE LAW; 22 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 24 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA. 26 PAU 071 636	11	In the Matter of: Case Nos. 17-0-04346: 18-0-14985
 ¹³ No. 288864, ¹⁴ <u>A Member of the State Bar</u> ¹⁶ <u>NOTICE - FAILURE TO RESPOND</u>: ¹⁷ IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: ¹⁹ (1) YOUR DEFAULT WILL BE ENTERED; ⁽²⁾ YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW; ⁽³⁾ YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; ⁽⁴⁾ YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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.)
A Member of the State Bar) 16 NOTICE - FAILURE TO RESPOND! 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; 20 (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW; 21 (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; 22 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 26 241071635		
16NOTICE - FAILURE TO RESPOND!17IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL:19(1) YOUR DEFAULT WILL BE ENTERED; (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW; (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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.,) A Member of the State Bar
 17 17 17 IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL: 19 (1) YOUR DEFAULT WILL BE ENTERED; (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW; (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 		
 18 19 (1) YOUR DEFAULT WILL BE ENTERED; (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW; (3) YOU WILL NOT BE PERMITTED TO PRACTICE LAW; (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 		
 (1) TOOR DEFAULT WILL BE ENTERED, (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW; (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 		WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT
 WILL NOT BE PERMITTED TO PRACTICE LAW; (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 	19	(1) YOUR DEFAULT WILL BE ENTERED;
 THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND; (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 	20	WILL NOT BE PERMITTED TO PRACTICE LAW;
 (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. 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. 	21 THESE PROCEEDINGS UNLESS YOU MAKE A TIME	THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION
23 OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN 24 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT 24 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., 25 RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA. 26 244 071 635	22	(4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.
 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA. 26 		OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN
25 26		FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
241 071 635		
		Levikter a * 241 071 635
	28	-1-

1	The State Bar of California alleges:	
2	JURISDICTION	
3	1. David Lu ("respondent") was admitted to the practice of law in the State of California	
4	on February 5, 2013, was a member at all times pertinent to these charges, and is currently a	
5	member of the State Bar of California.	
6	<u>COUNT ONE</u>	
7	(The Wang Matter) Case No. 17-O-04346	
8	Former Rules of Professional Conduct, Rule 3-110(A)	
9	[Failure to Perform with Competence]	
10	2. On or about June 7, 2016, Ke-Ruo Wang employed respondent to perform legal	
11	services, namely to represent her and obtain a default judgment in Wang v. Huynh, Santa Clara	
12	County Superior Court case number 15FL172965, which respondent intentionally, recklessly, or	
13	repeatedly failed to perform with competence, in willful violation of the former Rules of	
14	Professional Conduct, rule 3-110(A), by failing to take the necessary steps to obtain a default	
15	judgment before effectively withdrawing from employment on or about April 26, 2017.	
16	<u>COUNT TWO</u>	
17	(The Wang Matter) Case No. 17-O-04346	
18	Business and Professions Code, section 6068(m)	
19	[Failure to Respond to Client Inquiries]	
20	3. Respondent failed to respond promptly to approximately three written and two	
21	telephonic reasonable status inquiries made by respondent's client, Ke-Ruo Wang, between on or	
22	about May 9, 2017, and on or about May 30, 2017, which respondent received, in a matter in	
23	which respondent had agreed to provide legal services, in willful violation of Business and	
24	Professions Code, section 6068(m).	
25	///	
26	///	
27	///	
28	-2-	

.

.

1	COUNT THREE	
2	(The Wang Matter)	
3	Case No. 17-O-04346 Former Rules of Professional Conduct, Rule 3-700(A)(2)	
4	[Improper Withdrawal from Employment]	
5	4. Respondent failed, upon termination of employment, to take reasonable steps to avoi	d
6	reasonably foreseeable prejudice to respondent's client, Ke-Ruo Wang, by constructively	
7	terminating respondent's employment by failing to take any action on the client's behalf after or	1
8	or about April 26, 2017, and thereafter failing to inform the client that respondent was	
9	withdrawing from employment, in willful violation of the former Rules of Professional Conduct	,
10	rule 3-700(A)(2).	
11	<u>COUNT FOUR</u>	
12	(The Wang Matter) Case No. 17-O-04346	
13	Former Rules of Professional Conduct, Rule 4-100(B)(3) Current Rules of Professional Conduct, Rule 1.15(d)(4)	
14	[Failure to Render Accounts of Client Funds]	
15	5. On or about June 7, 2016, respondent received from respondent's client, Ke-Ruo	
16	Wang, the sum of \$1,200 as advanced fees for legal services to be performed. Respondent	
17	thereafter failed to render an appropriate accounting to the client regarding those funds following	;
18	the termination of respondent's employment on or about April 26, 2017, in willful violation of	
19	the former Rules of Professional Conduct, rule 4-100(B)(3) and the current Rules of Professional	
20	Conduct, rule $1.15(d)(4)$.	
21	<u>COUNT FIVE</u>	
22	(The Wang Matter) Case No. 17-O-04326	
23	Former Rules of Professional Conduct, Rule 3-700(D)(2)	
24	Current Rules of Professional Conduct, Rule 1.16(e)(2) [Failure to Refund Unearned Fees]	
25	6. On or about June 7, 2016, respondent received advanced fees of \$1,200 from his	
26	client, Ke-Ruo Wang, to represent her and obtain a default judgment in Wang v. Huynh, Santa	
27	Clara County Superior Court case number 15FL172965. Respondent failed to take the necessary	
28	-3-	

1	steps to obtain a default judgment and therefore, earned none of the advanced fees paid.
2	Respondent failed to return promptly, upon respondent's termination of employment on or about
3	April 26, 2017, any part of the \$1,200 fee that was not earned to the client, in willful violation of
4	the former Rules of Professional Conduct, rule 3-700(D)(2) and the current Rules of Professional
5	Conduct, rule 1.16(e)(2).
6	<u>COUNT SIX</u>
7 8 9	(The Xiao Matter) Case No. 18-O-14985 Former Rules of Professional Conduct, Rule 3-110(A) [Failure to Perform with Competence]
10	7. On or about March 16, 2016, Jingyu Xiao employed respondent to perform legal
11	services, namely to file an uncontested marriage dissolution proceeding against her husband and
12	obtain a default judgment, which respondent intentionally, recklessly, or repeatedly failed to
13	perform with competence, in willful violation of the former Rules of Professional Conduct, rule
14	3-110(A), by failing to take the necessary steps to obtain a default judgment before effectively
15	withdrawing from employment on or about May 16, 2017.
16	<u>COUNT SEVEN</u>
17	(The Xiao Matter)
18	Case No. 18-O-14985 Former Rules of Professional Conduct, Rule 3-700(A)(1)
19	[Failure to Obtain Court Permission to Withdraw]
20	8. On or about March 16, 2016, Jingyu Xiao, employed respondent to perform legal
21	services, and thereafter, respondent filed a petition for dissolution and appeared as counsel of
22	record for the client in Xiao v. Wang, Santa Clara County Superior Court case number
23	16FL174341. On or about May 16, 2017, respondent took no further action on behalf of the
24	client after he submitted defective default judgment documents to the court on or about May 2,
25	2017, and effectively withdrew from the employment. At that time, respondent did not obtain
26	the permission of the court to withdraw from the client's representation in the case before that
27	court when the rules of the court required that respondent do so, and respondent withdrew from
28	-4-

.

1	employment in a proceeding before a tribunal without its permission, in willful violation of the
2	former Rules of Professional Conduct, rule 3-700(A)(1).
3	<u>COUNT EIGHT</u>
4 5	(The Xiao Matter) Case No. 18-O-14985 Former Rules of Professional Conduct, Rule 4-100(B)(3)
6	Current Rules of Professional Conduct, Rule 4-100(B)(3) [Failure to Render Accounts of Client Funds]
7	9. On or about March 16, 2016, respondent received from respondent's client, Jingyu
8	Xiao, the sum of \$1,500 as advanced fees for legal services to be performed. Respondent
9	thereafter failed to render an appropriate accounting to the client regarding those funds following
10	the termination of respondent's employment on or about May 16, 2017, in willful violation of the
11	former Rules of Professional Conduct, rule 4-100(B)(3) and the current Rules of Professional
12	Conduct, rule 1.15(d)(4).
13	<u>COUNT NINE</u>
14	(The Xiao Matter)
15 16	Case No. 18-O-14985 Former Rules of Professional Conduct, Rule 3-700(D)(2) Current Rules of Professional Conduct, Rule 1.16(e)(2) [Failure to Refund Unearned Fees]
17	10. On or about March 16, 2016, respondent received advanced fees of \$1,500 from his
18	client, Jingyu Xiao, to file an uncontested marriage dissolution proceeding against her husband
19	and obtain a default judgment. Respondent failed to take the necessary steps to obtain a default
20	judgment and therefore, earned none of the advanced fees paid. Respondent failed to return
21	promptly, upon respondent's termination of employment on or about May 16, 2017, any part of
22	the \$1,500 fee that was not earned to the client, in willful violation of the former Rules of
23	Professional Conduct, rule 3-700(D)(2) and the current Rules of Professional Conduct, rule
24	1.16(e)(2).
25	///
26	///
27	///
28	-5-

. .

1	<u>COUNT TEN</u>
2	Case Nos. 17-O-04346 and 18-O-14985
3	Business and Professions Code, section 6068(j) [Failure to Update Membership Address]
4	11. As of September 8, 2017, respondent had vacated respondent's office at the address
5	maintained on the official membership records of the State Bar and thereafter failed to comply
6	with the requirements of Business and Professions Code section 6002.1, by failing to notify the
7	State Bar of the change in respondent's address within 30 days, in willful violation of Business
8	and Professions Code, section 6068(j).
9	
10	NOTICE - INACTIVE ENROLLMENT!
11	YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE
12	SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO
13	THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE
14	ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE RECOMMENDED BY THE COURT.
15	
16	NOTICE - COST ASSESSMENT!
17	IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS
18	INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND
19	PROFESSIONS CODE SECTION 6086.10.
20	Respectfully submitted,
21	THE STATE BAR OF CALIFORNIA OFFICE OF CHIEF TRIAL COUNSEL
22	
23	1 M L
24	DATED: December 13, 2018 By: Rachel S. Grunberg
25	Senior Trial Counsel
26	
27	
28	
	-6-

1	DECLARATION OF SERVICE BY CERTIFIED MAIL AND REGULAR MAIL
2	RE: LU
3	CASE NOS. 17-O-04346, 18-O-14985
4	I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California
5	94105, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the
6	United States Postal Service; that 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
7 8	the United States Postal Service that same day; that I am aware that on motion of 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; and that in accordance with the practice of the State Bar of California for collection and processing of
9	mail, I deposited or placed for collection and mailing in the City and County of San Francisco, on the date shown below, a true copy of the within
10	NOTICE OF DISCIPLINARY CHARGES
11	
12	in a sealed envelope placed for collection and mailing as <i>certified mail</i> , return receipt requested, and in an additional sealed envelope as <i>regular mail</i> , at San Francisco, on the date shown below, addressed to:
13	Article No: 9414 7266 9904 2112 6657 21
14	David Lu
15	2 N 1st. St., 208 San Jose, CA 95113
16	in an inter-office mail facility regularly maintained by the State Bar of California addressed to:
17	N/A
18	I declare under penalty of perjury under the laws of the State of California that the
19	foregoing is true and correct. Executed at San Francisco, California, on the date shown below.
20	anhand
21	DATED: December 14, 2018 Signed: Jow Work The John Signed: Jow Work The Jow Work Th
22	Declarant
23	
24	
25	
26	
27	
28	-1-

1 B

.