

FILED

AUG 20 2018

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

STATE BAR OF CALIFORNIA  
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**PUBLIC MATTER**

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:	)	Case No. 18-O-10099; 18-O-10295
DERMOT DAMIAN GIVENS,	)	NOTICE OF DISCIPLINARY CHARGES
No. 194571,	)	
	)	
A Member of the State Bar	)	

**NOTICE - FAILURE TO RESPOND!**

**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:**

- (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.**

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. Dermot Damian Givens ("respondent") was admitted to the practice of law in the  
4 State of California on March 11, 1998, was a member at all times pertinent to these charges, and  
5 is currently a member of the State Bar of California.

6 COUNT ONE

7 Case No. 18-O-10099  
8 Business and Professions Code, section 6068(c)  
[Maintaining an Unjust Action]

9 2. Between approximately December 19, 2014 and April 24, 2015, respondent failed to  
10 counsel or maintain such actions, proceedings, or defenses only as appeared to respondent legal  
11 or just by filing a complaint in *James Williams v. Bruce Landau*, Los Angeles Superior Court  
12 case number BC567149, that was frivolous, without merit, and prosecuted for improper purpose,  
13 in willful violation of Business and Professions Code section 6068(c).

14 COUNT TWO

15 Case No. 18-O-10295  
16 Business and Professions Code, section 6068(c)  
[Maintaining an Unjust Action]

17 3. Between approximately November 16, 2017 and January 5, 2018, respondent failed to  
18 counsel or maintain such actions, proceedings, or defenses only as appeared to respondent legal  
19 or just by filing a complaint in *Dermot Givens v. Will Brown and Rhett Leslie*, Los Angeles  
20 Superior Court case number 17STUD04601, that was frivolous, without merit, and prosecuted  
21 for improper purpose, in willful violation Business and Professions Code section 6068(c).

22 COUNT THREE

23 Case No. 18-O-10295  
24 Business and Professions Code, section 6106  
[Moral Turpitude – Misrepresentation]

25 4. On or about November 16, 2017, respondent filed a verified complaint in *Dermot*  
26 *Givens v. Will Brown and Rhett Leslie*, Los Angeles Superior Court case number 17STUD04601,  
27 and stated in writing that respondent's interest in the subject premises was as owner when  
28 respondent knew that the statement was false. Respondent thereby committed an act involving

1 moral turpitude, dishonesty, or corruption in willful violation of Business and Professions Code,  
2 section 6106.

3 5. A violation of section 6106 may result from intentional conduct or grossly negligent  
4 conduct. Respondent is charged with committing intentional misrepresentation. However, should  
5 the evidence at trial demonstrate that respondent committed misrepresentation as a result of gross  
6 negligence, respondent must still be found culpable of violating section 6106 because  
7 misrepresentation through gross negligence is a lesser included offense of intentional  
8 misrepresentation.

9  
10  
11 **NOTICE - INACTIVE ENROLLMENT!**

12 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**  
13 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**  
14 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**  
15 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**  
16 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**  
17 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**  
18 **ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE**  
19 **RECOMMENDED BY THE COURT.**

20  
21 **NOTICE - COST ASSESSMENT!**

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

27 Respectfully submitted,

28 THE STATE BAR OF CALIFORNIA  
OFFICE OF CHIEF TRIAL COUNSEL

DATED: 8/20/18

By: David Aigboboh  
DAVID AIGBOBOH  
Deputy Trial Counsel

# DECLARATION OF SERVICE

by

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

CASE NUMBER(s): **18-O-10099; 18-O-10295**

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:

## 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 0155 72 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)*

Person Served	Business-Residential Address	Fax Number	COURTESY COPY VIA REGULAR 1 <sup>ST</sup> CLASS MAIL
Dermot Damian Givens	468 N Camden Dr Ste 205 Beverly Hills, CA 90210-4507	Electronic Address	

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: August 20, 2018

SIGNED: \_\_\_\_\_

Lusine Hambardzumyan  
Declarant