

PUBLIC MATTER

FILED

1 STATE BAR OF CALIFORNIA
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JUN 11 2014
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

12 In the Matter of:) Case No. 13-O-11107
 13 LOTFY MRICH,)
 14 No. 202286,) 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
 WILL NOT BE PERMITTED TO PRACTICE LAW;
- 22 (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
 24 ORDER RECOMMENDING YOUR DISBARMENT WITHOUT
 25 FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,
 26 RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

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1 The State Bar of California alleges:

2 JURISDICTION

3 1. LOTFY MRICH ("Respondent") was admitted to the practice of law in the State of
4 California on July 16, 1999, 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. 13-O-11107
8 Business and Professions Code section 6103
9 [Failure to Obey a Court Order]

10 2. Respondent disobeyed or violated an order of the court requiring Respondent to do or
11 forbear an act connected with or in the course of Respondent's profession which Respondent
12 ought in good faith to do or forbear by failing to comply with the December 10, 2012 Order to
13 Show Cause issued by the United States Bankruptcy Court, Central District of California, San
14 Fernando Valley Division in case number 1:12-bk-19984-VK, to file a response by December
15 19, 2012 regarding why the Chapter 7 bankruptcy case on behalf of Respondent's client should
16 not be dismissed, why Respondent should not refund any compensation received from his client,
17 and why Respondent should not be referred to the State Bar for filing a document with a forged
18 signature, in willful violation of Business and Professions Code section 6103.

18 COUNT TWO

19 Case No. 13-O-11107
20 Business and Professions Code section 6068(d)
21 [Seeking to Mislead a Judge]

22 3. Between on or about November 12, 2012 and November 26, 2012, Respondent filed a
23 bankruptcy petition, schedules and an electronic filing declaration in the United States
24 Bankruptcy Court, Central District of California, San Fernando Valley Division in case number
25 1:12-bk-19984-VK, under the guise that the documents were all signed by his client, Mark
26 Bilinski (Bilinski), when in fact Respondent's employee signed Bilinski's name to the
27 bankruptcy documents and Respondent knew that but failed to disclose to the Court that
28 someone other than Bilinski had signed the documents, and thereby sought to mislead the judge

1 or judicial officer by an artifice or false statement of fact or law, in willful violation of Business
2 and Professions Code section 6068(d).

3 COUNT THREE

4 Case No. 13-O-11107
5 Business and Professions Code section 6068(d)
6 [Seeking to Mislead a Judge]

7 4. On or about November 26, 2012, Respondent filed a declaration in the United States
8 Bankruptcy Court, Central District of California, San Fernando Valley Division in case number
9 1:12-bk-19984-VK, representing that he personally observed and witnessed real property buyers
10 Commercial Management Concepts, LLC (defendants), enter the property of his client, Mark
11 Bilinski (Bilinski), without presenting any written warrant or giving written notice to vacate or
12 allowing Bilinski to obtain his personal belongings or medication and that Respondent was
13 distressed when he heard accounts of Bilinski saying goodbye to his cats and crying in pain
14 while the agents of the defendants stood there with satisfactory smirks on their faces. These
15 statements were false and Respondent knew they were false because, in fact, Respondent did not
16 personally observe or witness these events. By knowingly filing a false declaration with the
17 United Sate Bankruptcy Court, Respondent sought to mislead the judge or judicial officer by an
18 artifice or false statement of fact or law, in willful violation of Business and Professions Code
19 section 6068(d).

20 COUNT FOUR

21 Case No. 13-O-11107
22 Rules of Professional Conduct, rule 3-310(F)
23 [Accepting Fees From a Non-Client]

24 5. On or about November 12, 2012, Respondent accepted \$806 from Andrade Financial,
25 Inc. as compensation for representing a client, Mark Bilinski, without obtaining his client's
26 informed written consent to receive such compensation, in willful violation of the Rules of
27 Professional Conduct, rule 3-310(F).
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NOTICE - INACTIVE ENROLLMENT!

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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!

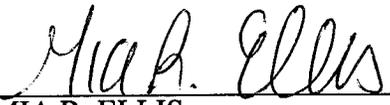
IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: June 11, 2014

By: _____


MIA R. ELLIS
Senior Trial Counsel

DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 13-O-11107

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.: 7196 9008 9111 6410 9372 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: LOTFY MRICH
Business-Residential Address: Law Offices of Lotfy Mrich, 10681 Foothill Blvd., Ste. 390, Rancho Cucamonga, CA 91730
Fax Number: 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: June 11, 2014

SIGNED: Sandra Reynolds
Sandra Reynolds
Declarant