

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED
 NOV 03 2014
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

STATE BAR COURT
 HEARING DEPARTMENT - LOS ANGELES

In the Matter of:) Case Nos. 14-O-01272
)
 14 RONALD DAVID GARBER,) NOTICE OF DISCIPLINARY CHARGES
 15 No. 100760,)
 16 A Member of the State Bar.)

NOTICE - FAILURE TO RESPOND!

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**
WILL NOT BE PERMITTED TO PRACTICE LAW;
- 23 (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;
- 24 (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. Ronald David Garber ("Respondent") was admitted to the practice of law in the State
4 of California on December 1, 1981, 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. 14-O-01272
8 Rules of Professional Conduct, Rule 1-300(B)
[Unauthorized Practice of Law in Other Jurisdiction]

9 2. From in or about November 2012, through in or about January 2014, Respondent held
10 himself out as entitled to practice law in the states of Louisiana and Texas by entering into an
11 agreement to perform and performing home mortgage loan modification services for a client,
12 Cassandra Staples, residing in Louisiana, when to do so was in violation of the regulations of the
13 profession in Louisiana and Texas, namely rule 5.5(b) and (e) of the Louisiana Rules of
14 Professional Conduct and Texas Penal Code section 38.122 respectively, in willful violation of
15 the California Rules of Professional Conduct, rule 1-300(B).

16 COUNT TWO

17 Case No. 14-O-01272
18 Rules of Professional Conduct, rule 3-300
[Business Transaction with a Client]

19 3. In or about November 2012, Respondent entered into a business transaction with a
20 client, Cassandra Staples, specifically, wherein Staples agreed to allow Respondent to use her
21 credit card to finance Respondent's law firm, Gibraltar Law Group, in the buying and collecting
22 of debts and in return Respondent agreed to share profits from the law firm with Staples and
23 perform legal services on her behalf, including to perform home mortgage loan modification
24 services on five properties that she owned in Texas. The terms of the business transaction were
25 not fair and reasonable to Staples in that Respondent did not disclose the fact he was not a
26 licensed attorney in Louisiana and Texas and Respondent's use of Staples's credit card was
27 unsecured. Respondent also did not advise Staples in writing that she may seek the advice of an
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1 independent lawyer of her choice, and Respondent thereby willfully violated Rules of
2 Professional Conduct, rule 3-300.

3 COUNT THREE

4 Case No. 14-O-01272
5 Rules of Professional Conduct, rule 4-200(A)
6 [Illegal Fee]

7 4. In or about November 2012, Respondent entered into an agreement with and charged,
8 a client, Cassandra Staples, residing in Louisiana, a fee, to perform legal services in Texas, that
9 was illegal because Respondent was not admitted and entitled to practice law in the states of
10 Louisiana and Texas, in willful violation of the Rules of Professional Conduct, rule 4-200(A).

11 COUNT FOUR

12 Case No. 14-O-01272
13 Business and Professions Code section 6106
14 [Moral Turpitude]

15 5. In or about November 2012, Respondent entered into a business transaction with a
16 client, Cassandra Staples, residing in the state of Louisiana, specifically, wherein Staples agreed
17 to allow Respondent to use her credit card to finance Respondent's law firm, Gibraltar Law
18 Group, in the buying and collecting of debts and in return Respondent agreed to share profits
19 from the law firm with Staples and perform legal services on her behalf, including to perform
20 home mortgage loan modification services for Staples on five properties that she owned in
21 Texas. The terms of the business transaction were not fair and reasonable to Staples in that
22 Respondent did not disclose the fact he was not a licensed attorney in Louisiana and Texas and
23 Respondent's use of Staples's credit card was unsecured. After entering into the business
24 transaction, Respondent used Staples's credit card for his own personal purposes, and not for the
25 agreed-upon purpose for which Staples had agreed to enter into the business transaction, and
26 Respondent thereby willfully committed an act involving moral turpitude, dishonesty or
27 corruption in willful violation of Business and Professions Code section 6106.

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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.

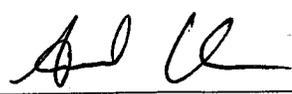
NOTICE - COST ASSESSMENT!

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: November 3, 2014

By: 
Anand Kumar
Deputy Trial Counsel

DECLARATION OF SERVICE

by

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

CASE NUMBER(s): 14-O-01272

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 1008 4326 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: Ronald David Garber, Gibraltar Law Group, 3435 Ocean Park Blvd., Ste. 107, Santa Monica, CA 90405, 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: November 3, 2014

SIGNED:

Sandra Reynolds
Sandra Reynolds
Declarant