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STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO

STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT – SAN FRANCISCO

In the Matter of

Case No.: 14-N-01149-PEM

ORDER VACATING ORDERS

ENTERING DEFAULT AND

ENROLLING INACTIVE; ORDER

VACATING ORDER SUBMITTING

DEFAULT MATTER FOR DECISION;

PETITION FOR DISBARMENT MOOT;

ORDER RE FILING PROOF OF PROPER

SERVICE

On March 28, 2014, the State Bar of California, Office of the Chief Trial Cousnel (State Bar) filed with this court and sought to serve on respondent Jenny Wong (respondent) a First Amended Notice of Disciplinary Charges (First Amended NDC) in the above-entitled matter. When respondent subsequently failed to file a response to the First Amended NDC, the State Bar filed and properly served a motion for the entry of respondent's default on July 1, 2014. Respondent's default was thereafter entered on July 17, 2014. The State Bar has now filed a petition seeking respondent's disbarment pursuant to rule 5.85 of the Rules of Procedure of the State Bar of California.

After reviewing and considering the papers filed in this matter, the court finds that the State Bar has failed to provide proper proof of service of the First Amended NDC. The



declaration of service attached to the First Amended NDC reflects that the NDC, not the First Amended NDC, was served on respondent on March 28, 2014.

Accordingly, the court issues the following orders:

- 1. The July 17, 2014, order entering respondent's default and enrolling her inactive under Business and Professions Code section 6007, subdivision (e), is hereby vacated, nunc protunc, to July 17, 2014;
- 2. The State Bar's petition for disbarment filed on November 10, 2014, is deemed moot, as the court is vacating the order entering respondent's default in this matter;
- 3. The December 5, 2014, order submitting this default matter for decision is hereby vacated; and
- 4. The State Bar is directed to file proof of proper service of the First Amended NDC in this matter by March 2, 2015, or this matter will be dismissed without prejudice.

IT IS SO ORDERED.

Dated: February 17, 2015

PAT McELROY

Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on February 18, 2015, I deposited a true copy of the following document(s):

ORDER VACATING ORDERS ENTERING DEFAULT AND ENROLLING INACTIVE; ORDER VACATING ORDER SUBMITTING DEFAULT MATTER FOR DECISION; PETITION FOR DISBARMENT MOOT; ORDER RE FILING PROOF OF PROPER SERVICE

in a sealed envelope for collection and mailing on that date as follows: \boxtimes by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows: JENNY WONG 1050 SWEET PEA PL MANTECA, CA 95336 by certified mail, No., with return receipt requested, through the United States Postal Service at, California, addressed as follows: By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows: \boxtimes by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows: Susan Chan, Enforcement, San Francisco I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on February 18, 2015.

> Case Administrator State Bar Court