

PUBLIC MATTER

STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT – LOS ANGELES

FILED
OCT 13 2016 P.B.
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

| | | |
|-----------------------------------|---|---|
| In the Matter of |) | Case No.: 16-TB-16187-WKM |
| |) | |
| ANDREW MARK WEITZ, |) | ORDER ENROLLING RESPONDENT |
| |) | INACTIVE PURSUANT TO BUSINESS |
| Member No. 129962, |) | AND PROFESSIONS CODE SECTION |
| |) | 6007, subd. (b)(1); FURTHER ORDERS |
| <u>A Member of the State Bar.</u> |) | |

On September 9, 2016, this court issued an Order to Show Cause why it should not order that respondent Andrew Mark Weitz be involuntarily enrolled as an inactive member of the State Bar of California under Business and Professions Code section 6007, subdivision (b)(1). On September 12, 2016, the Office of Chief Trial Counsel filed a response, and on September 16, 2016, it filed a supplemental response. On September 19, 2016, respondent filed a reply.

The evidence in this matter shows clearly and convincingly the requirements of Business and Professions Code section 6007, subdivision (b)(1) have been met, and that respondent should be involuntarily enrolled as an inactive member of the State Bar under Business and Professions Code section 6007, subdivision (b)(1). Accordingly, the court orders respondent involuntarily enrolled as an inactive member of the State Bar effective three days after service of this order by mail, and he will remain inactively enrolled until further order by this court.

///

///



Within 30 days after the effective date of his inactive enrollment, respondent, through his counsel, will comply with the following actions:

1. Notify all of respondent's clients being represented in pending matters and any co-counsel of respondent's inactive enrollment pursuant to Business and Professions Code section 6007, subdivision (b)(1) and his consequent disqualification to act as an attorney. In the absence of co-counsel, respondent, through his counsel, must also notify the clients to seek legal advice elsewhere, calling attention to any urgency in seeking the substitution of another attorney or attorneys;

2. Deliver to all of respondent's clients being represented in pending matters any papers or other property to which the clients are entitled or notify the clients and any co-counsel of a suitable place and time where the papers and other property may be obtained, calling attention to any urgency for obtaining the papers or other property;

3. Refund any part of fees paid that are unearned; and

4. Notify opposing counsel in pending litigation or, in the absence of counsel, the adverse parties, of respondent's inactive enrollment and consequent disqualification to act as an attorney, and file a copy of the notice with the agency, court, or tribunal before which the litigation is pending for inclusion in the respective file or files.

All notices required by this order must be given by registered or certified mail, return receipt requested, and must contain an address where communications may be directed to respondent.

Furthermore, within 40 days after the effective date of his inactive enrollment, respondent, through his counsel, must file with the assigned hearing department judge's case administrator an affidavit showing that he has fully complied with the requirements set forth

above. The affidavit must also set forth an address where communications may be directed to respondent and his counsel.

IT IS SO ORDERED.

Dated: October 13, 2016

Handwritten signature of W. Kearse McGill in cursive script.

W. KEARSE MCGILL
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 Los Angeles, on October 13, 2016, I deposited a true copy of the following document(s):

ORDER ENROLLING RESPONDENT INACTIVE PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6007, subd. (b)(1); FURTHER ORDERS

in a sealed envelope for collection and mailing on that date as follows:

- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**RUSSELL JAMES THOMULKA
5850 CANOGA AVE #302
WOODLAND HILLS, CA 91367**

- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

**ANAND KUMAR, Enforcement, Los Angeles
SUE K. HONG, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 13, 2016.



Paul Barona
Case Administrator
State Bar Court