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**STATE BAR COURT
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LOS ANGELES**

Dermot D. Givens SBN 194571
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Attorney in Pro Per

STATE BAR COURT
HEARING DEPARTMENT - LOS ANGELES

IN THE MATTER OF) 18-O-10099;18-O-10295
DERMOT GIVENS, NO. 194571)
) RESPONSE TO NOTICE OF
) DISCIPLINARY CHARGES
)
)
)

TO THE COURT AND COUNSEL OF RECORD:

I. FACTS

A) James Williams is an elderly man who lives in Arkansas. Williams came to Los Angeles and retained attorney Bruce Landau to petition for Williams to become administrator of the estate of Rena Nash. The petition was granted.

James Williams retained attorney Edmond Nassirzadeh, based on the recommendation of Mr. Landau, to partition a property in the estate. Nassirzadeh filed BC389519 and the property was sold and partitioned.

Attorney Nassirzadeh took an unreasonable fee from the fees from the sale of the property. Mr. Landau as attorney for Williams and the administrator of the estate where the fee was taken approved the unreasonable fee of Nassirzadeh.

Mr. Williams questioned the fee and was removed as Trustee of the estate of Rena Nash.

Mr. Williams retained Dermot Givens.



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2 Mr. Givens filed for State Bar Fee Arbitration. The State Bar found that the fee was unreasonable
3 and should be refunded.

4
5 Mr. Nassirzadeh filed an action to set aside the arbitration award in the Los Angeles Superior
6 Court, BC482832.

7 A bench trial was held. Mr. Landau was called as a witness by Mr. and testified that the fee was
8 reasonable. The court affirmed the decision.

9
10 Mr. Nassirzadeh appealed that decision, B260592. The Court of Appeals affirmed that the fee was
11 unreasonable but also found that Mr. Williams had no standing to collect the fee. The Court did
12 not provide a mechanism for notice to the new administrator in order for them to take action for
13 return of the fee. Thus, Nassirzadeh has retained the unreasonable fee.

14 Mr. Williams directed me to research if there was a way to hold Mr. Landau accountable for the
15 wrong he was subjected to.

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17 Based on my research I filed BC567149 on 12/19/14. Mr. Landau filed a demurrer and motion to
18 strike. I filed an opposition on 3/5/15. On 4/15/15, Mr. Williams directed me to take no further
19 action due to his conclusion that he could not find justice in a court in California and did not want
20 to spend any more resources fighting the case.

21 I have been unable to communicate with Mr. Williams ever since. Mr. Williams has not
22 responded to my calls, letters or signed and returned the substitution of attorney I sent him.

23 I did not appear at the hearing on 4/24/15 to the motion due to the direction of my client.
24

25 The motion to dismiss was granted.
26

1 Mr. Landau then filed SC125408, an action against me. At the bench trial, Mr. Landau asked the
2 court for sanctions against me and to report my actions to the state bar. The court refused to do so.
3 However, a judgment was entered against me.

4 I have recently been retained by a beneficiary of the estate to seek to have her named as
5 administrator of the estate in order to pursue further action for the return of the unreasonable fee.
6

7 B) 1628 N. Formosa Ave, unit B, LA, CA, 90046 is a 3-bedroom townhouse with a converted
8 private garage.

9
10 I purchased 1628 N. Formosa Ave., unit B, LA, CA, 90046 on 8/2/04.

11 I have maintained that address as my legal residence and domicile ever since, including now.
12

13 Keith Worthy lived at 1628 N. Formosa Ave., Unit B, LA, CA, 90046.
14

15 At some point in 2017 Keith Worthy leased a room to Will Brown. Will Brown invited Rhett
16 Leslie to live in his room. Rhett Leslie did not enter into a lease.

17 Keith Worthy died in June 2017. Notice was given to Will Brown that he would have to move
18 out. He asked for a month to find a new place to live. He was directed to pay his monthly rent to
19 me and did give me one month's rent for July 2017. Will Brown stopped paying rent. Will Brown
20 and Rhett Leslie then changed the locks on the doors locking me and the other residents out.
21

22 Subsequently, Wells Fargo Bank began a wrongful foreclosure action against third parties but not
23 me, Dermot Givens, the borrower. That action is the subject of the current litigation in
24 BC709483.

25 Wells Fargo has never alleged that they had a tenancy relationship with Brown or Leslie. Nor has
26 Wells Fargo intervened, alleging any ownership interest, or sought in any manner to interfere
27

1 with the eviction of Brown or Leslie.

2
3 Through several attempts to evict Brown and Leslie, including 17STUD04601, they eventually
4 moved out in or about April of 2018 before the sheriff came to evict them.

5 The ownership of Unit B is not an issue for the tenancy of Brown and Leslie. Will Brown
6 established tenancy as a sub tenant of Keith Worthy. Rhett Leslie established tenancy as a sub
7 tenant of Will Brown. Neither Will Brown or Rhett Leslie paid rent to anyone for the 8-month
8 period from August 2018 to April 2018.

9
10 II. COUNT ONE

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12 BC567149 was filed on for the purpose of holding Mr. Landau accountable for the harm suffered
13 by James Williams. The case was dismissed before any discovery occurred. After Mr. Williams
14 directed Mr. Givens to not further pursue the action, no further action occurred, no response was
15 filed.

16
17 For all the above, there was no violation 6068(c)

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19 III. COUNT TWO

20 17STUD04601 was filed on 11/16/17 for the purpose of evicting Will Brown and Rhett Leslie
21 from 1628 N. Formosa Ave. Unit B, LA, CA, 90046.

22
23 The eviction was not frivolous, without merit or prosecuted for an improper purpose. Brown and
24 Leslie were not paying rent and were disruptive.

25 The court did not grant the unlawful detainer as the issue of ownership of the unit was in dispute.
26 Subsequent actions to evict Brown and Leslie were undertaken.

1
2 In or about April 2018, Will Brown and Rhett Leslie moved out before the sheriff eviction could
3 occur in 18STUD00237.

4
5 For all the above, there was no violation 6068 (c)

6 IV. COUNT THREE

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8 17STUD04601 was filed to exercise a right to and to protect an ownership interest in 1628 N.
9 Formosa Ave., Unit B, LA, CA, 90046.

10 The statement of ownership is not false.

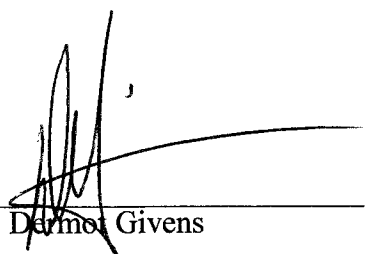
11 For all the above, there was no violation 6106.

12
13 V. CONCLUSION

14 For all of the above the counts should be dismissed.

15 Dated: 9/7/18

16 By:

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18 Dermot Givens
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PROOF OF SERVICE

I, Marc Oliver, am over the age of 18 and not a party to the within action; my business address is 1628 N Formosa, unit A, LA, CA, 90046

On September 8, 2018, I served the:


RESPONSE TO NOTICE OF DISCIPLINARY CHARGES

By depositing an envelope in the mail at Los Angeles , Ca. with postage fully paid addressed as follows:

Melanie J. Lawrence, Esq.
Interim Chief Trial Counsel
845 S Figueroa St.
LA, CA, 90017

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Dated: 9/8/18

By:  _____
Marc Oliver