

State Bar Court
Hearing Department

Petitioner Geoffrey C. Mousseau 1421 Val Verde Pl. Glendale, CA 91208 gcm.1789@gmail.com, 310-560-8000	(for Court use only)
Counsel for Petitioner <i>In Pro Per</i>	FILED JUL 18 2018 PUBLIC MATTER STATE BAR COURT CLERK'S OFFICE LOS ANGELES
In the Matter Of: Geoffrey C. Mousseau Petitioner for Reinstatement Former Bar Number: 135769	Case Number (to be assigned by State Bar Court) 18-P-14759 PETITION FOR REINSTATEMENT Cal. Rules of Court, rule 9.10(f); Rules Proc. of State Bar, rules 5.440 et seq.
NOTE PETITIONER MUST CONTINUE TO UPDATE THE INFORMATION CONTAINED IN THE PETITION WHENEVER CHANGES TO THE INFORMATION OCCUR AND MUST PROMPTLY FILE THE UPDATES WITH THE STATE BAR COURT AND SERVE THEM ON THE OFFICE OF CHIEF TRIAL COUNSEL.	
All information which cannot be set forth in the space provided must be included in attachments on consecutively numbered pages that reference the section of the petition being addressed. Begin numbering the attachments after the last page of this Petition.	
Total number of pages, including all attachments: 59	

I, Geoffrey C. Mousseau, the above-named petitioner, having read the California Rules of Court, rule 9.10(f), and the Rules of Procedure of the State Bar of California, rules 5.440 et seq., do hereby petition for reinstatement as a member of the State Bar of California based on the following grounds:

A. REQUIREMENTS FOR PETITION FOR REINSTATEMENT

1. TIME ELIGIBILITY FOR FILING PETITION (check all that apply)

- a. ☐ Petitioner was disbarred, effective date:
- ☒ Petitioner resigned with disciplinary charges pending, effective date: 01/18/2007
- ☐ Petitioner resigned without disciplinary charges pending, effective date:



b. ☐ Petitioner was interimly suspended or enrolled inactive immediately preceding disbarment or resignation, effective date:

c. ☐ Petitioner filed prior petition(s) for reinstatement, as listed below.

Date Prior Petition Filed

Case Number

☒ Check here if no prior petition has been filed.

d. ☐ Petitioner has attached to this petition any decision or order of the Supreme Court or the State Bar Court that petitioner relies upon in submitting this petition for reinstatement earlier than permitted by rule 5.442 of the Rules of Procedure.

2. PROOF OF PASSAGE OF ATTORNEYS' EXAMINATION

- a. ☒ Petitioner resigned with charges pending or was disbarred and has attached to this petition proof that petitioner has taken and passed the Attorneys' Examination administered by the Committee of Bar Examiners within three years prior to the filing of this petition.
- b. ☐ Petitioner resigned without charges pending more than five years before filing this petition for reinstatement and has attached to this petition proof that petitioner has taken and passed the Attorneys' Examination administered by the Committee of Bar Examiners within five years prior to the filing of this petition.
- c. ☐ Petitioner resigned without charges pending within five years prior to filing this petition for reinstatement and is not required to provide proof that petitioner has taken and passed the Attorneys' Examination. Petitioner understands that he or she must establish present ability and learning in the general law.

3. PROOF OF PAYMENT OF DISCIPLINE COSTS

- a. ☒ Petitioner has attached to this petition proof of payment of all discipline costs imposed pursuant to Business and Professions Code section 6086.10, subdivision (a). To obtain proof, contact the Membership Billing Services at (415) 538-2365. This proof is required even if no discipline costs were imposed.
- b. ☐ Proof of payment of all discipline costs is not attached. Explain:

4. PROOF OF PAYMENT TO CLIENT SECURITY FUND

- a. ☒ Petitioner has attached to this petition proof of payment of all reimbursement for payments

made by the Client Security Fund as a result of Petitioner's conduct, plus applicable interest and costs pursuant to Business and Professions Code section 6140.5, subdivision (c). To obtain proof, contact the Client Security Fund at (213) 765-1150. This proof is required even if no reimbursement was required.

- b. ☐ Proof of payment to the Client Security Fund is not attached. Explain:

5. PROOF OF PASSAGE OF PROFESSIONAL RESPONSIBILITY EXAMINATION

- a. ☒ Petitioner has attached to this Petition proof of passage of a professional responsibility examination after the effective date of petitioner's disbarment or resignation but not more than one year before the filing of this Petition.
- b. ☐ Proof of passage of a professional responsibility examination is not attached. Explain:

6. OTHER REQUIREMENTS (all boxes must be checked)

- a. ☒ **Filing Fee.** Petitioner has included a filing fee of \$1,600, payable to the State Bar of California. The court will not waive a filing fee.
- b. ☒ **Disclosure Statement.** Petitioner has completed and verified a Disclosure Statement on the form approved by the court and in compliance with the instructions. Along with a copy of this Petition, Petitioner has served the original Disclosure Statement on the Office of Chief Trial Counsel pursuant to rule 5.25 of the Rules of Procedure of the State Bar. The Petition will not be filed without a proof of service showing service of the Petition and Disclosure Statement on the Office of Chief Trial Counsel.
- c. ☒ **Fingerprints Submitted.** Under Business and Professions Code section 6054, Petitioner has (1) submitted fingerprints to the California Department of Justice via Live Scan technology, or (2) if the Petitioner resides outside the state, submitted two sets of original fingerprints on record cards furnished by the State Bar to the Office of Chief Trial Counsel.
- d. ☒ **Reinstatement Authorization and Release.** Petitioner has fully completed the State Bar's approved Reinstatement Authorization and Release form. Along with a copy of this Petition, Petitioner has served the original Reinstatement Authorization and Release on the Office of Chief Trial Counsel pursuant to rule 5.25 of the Rules of Procedure of the State Bar. The Petition will not be filed without a Proof of Service reflecting service of the Reinstatement Authorization and Release on the Office of Chief Trial Counsel.

B. PREVIOUS DISBARMENT OR RESIGNATION INFORMATION

1. DISBARMENT

- a) List the case number(s) of the case in which disbarment was ordered:
- b) List the case number(s) of the matters pending in State Bar Court on the date the disbarment order was filed:
- c) List the case number(s) of any matters not yet filed with State Bar Court of which petitioner is aware were pending on the date that the disbarment order was filed:

2. RESIGNATION

- a) List the case number(s) of the matters pending in the State Bar Court on the date the resignation was tendered: **None**
- b) List the case number(s) of any matters not yet filed with State Bar Court of which petitioner is aware were pending on the date that the resignation was tendered: **None**

C. ESTABLISHING REHABILITATION, MORAL CHARACTER QUALIFICATIONS AND DEMONSTRATING PRESENT ABILITY AND LEARNING IN THE GENERAL LAW


Attach a statement summarizing the evidence that Petitioner contends establishes his or her:
(1) rehabilitation and present moral qualifications for reinstatement, and (2) present ability and learning in the general law.

VERIFICATION

I, Geoffrey C. Mousseu, Petitioner, declare under penalty of perjury that the foregoing, including all attachments and/or addenda, is true and correct and that this declaration is executed at, Glendale, CA (enter city, state), on July 17, 2018 (enter date).

Geoffrey C. Mousseu

Petitioner (print or type name)



Signature of Petitioner

Petitioner's Counsel (print or type name)

Signature of Petitioner's Counsel

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1
2 PETITION FOR REINSTATEMENT
3 AFTER RESIGNATION WITH CHARGES PENDING
4 OF
5 GEOFFREY C. MOUSSEAU
6
7

8 I resigned from the State Bar of California with charges pending eleven years ago (CBN
9 135769). The California Supreme Court accepted my resignation on January 18, 2007. I satisfied
10 all of the Court's requirements, including timely compliance with former Rule 955 of the California
11 Rules of Court (now Rule 9.20).

12 Prior to making this petition, I fulfilled the provisions of Rule 9.10(f)(1) and (3) of the
13 California Rules of Court. Specifically, I passed the Attorneys' Examination portion of the July
14 2017 administration of the California Bar Examination, and the August 12, 2017 administration of
15 the Multistate Professional Responsibility Examination. I have also confirmed with the State Bar of
16 California that I have no outstanding discipline costs or reimbursements. This is my first Petition
17 for Reinstatement.
18

19 I submit this statement in the hope that it will establish my rehabilitation and moral
20 qualifications for reinstatement to the State Bar of California pursuant to Rule 9.10(f)(2) of the
21 California Rules of Court. I have worked diligently to effectuate my rehabilitation and I hope my
22 statement and the attached letters of support demonstrate there is no risk that I would engage in
23 conduct involving moral turpitude, and that my present moral character is sufficient to warrant
24 reinstatement.
25

26 I am aware that the weight of the burden of demonstrating my rehabilitation depends on the
27 gravity of the conduct that led to my resignation. Therefore, any review of my rehabilitation and
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1 present good moral character must start with the fact that I am a felon. On June 16, 2006, I was
2 convicted of a crime that was aberrational and due to extraordinary circumstances. I was not
3 seeking illicit gains, to resolve a debt, or to repay a favor. There were no drugs or alcohol involved.
4 Instead, I was introduced to a new client in September 2000, and convicted of conduct that occurred
5 within weeks of my retention, over seventeen years ago.

6 I now place myself before the State Bar, the legal profession, the judiciary, and the public
7 for decision whether I should be allowed again to discharge the high responsibilities required of an
8 attorney at law in this state.
9

10 A. PRE-CONVICTION CIRCUMSTANCES

11 Prior to September 2000, I had a private legal practice representing businesses and
12 conducting 11th-hour trials. I had several years of experience in business, tort, and bankruptcy
13 litigation, having served initially in that position for McCutchen, Black, Verleger & Shea, and later
14 for Baker & Hostetler. While in private practice, my reputation as a trial attorney resulted in over
15 100 retentions to conduct civil jury trials for various other lawyers. I also represented business
16 owners, counseling them on issues such as litigation, compliance, and operations. I had no prior
17 record of discipline and had never been involved in criminal conduct.
18

19 At that time, my wife and I had two young boys and owned a small home in Glendale. We
20 had no other real estate or other investments. I structured my law practice so I could spend as much
21 time as possible with my family – I coached or sponsored my sons' soccer and basketball teams,
22 and family meals were a priority. We enjoyed vacations camping at the lake and occasional local
23 weekend ski trips. Our children attended the same Catholic grade school that my wife had attended.
24

25 In September 2000 I was introduced to Thomas Rubin by John Segal, who is currently an
26 Associate Justice of the California Court of Appeal. At that time, Justice Segal had recently been
27 appointed to the Superior Court, after having assisted me in civil trials during the prior year. Within
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1 weeks of having been retained by Mr. Rubin, his company Focus Media, Inc. ("Focus Media"),
2 became the subject of a contested involuntary bankruptcy case. I was asked to assist Focus Media
3 to retain appropriate counsel for this unusual type of litigation.

4 The litigation that ensued over the next two years was very active, highly charged, and
5 personal, with more than 1500 items on the docket. I worked on that case for approximately two
6 years while maintaining the balance of my practice.

7 B. CRIMINAL CONDUCT AND CONVICTION

8 In early 2005 I was informed that Mr. Rubin and Focus Media's chief financial officer,
9 Thomas Sullivan, had been arrested and charged with crimes based on events that had occurred
10 prior to when I had met them. I was retained as part of the team to assist their criminal lawyers.
11 This continued until October 28, 2005, when a superseding indictment included me, based on
12 allegations of criminal activity during the earliest stage of the involuntary bankruptcy case. I
13 provided immediate notice to the Bar and timely complied with all relevant rules.
14

15 I believed I was innocent of the charges in the superseding indictment. I believed the
16 evidence against me could be rebutted and evidence of my innocence could be presented. I went to
17 trial expecting to be exonerated. However, my motion to sever my trial from that of my former
18 clients was denied, and I was ethically prevented from testifying in my defense due to my
19 obligation to preserve the attorney-client privilege, Cal. Evid. Code § 955, and to maintain client
20 confidences pursuant to Cal. Bus. & Prof. Code § 6068(e) (even at risk of every peril to himself).
21 Although I was otherwise able to testify to facts exculpating me from the charges, I could not do so
22 without risking a violation of my duties as an attorney. California Rules of Professional Conduct 3-
23 100.
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1 Under these circumstances, and regardless of the risk I faced, I had no choice. I was a
2 lawyer and had obligations to my clients and to my profession that transcended my personal desire
3 to avoid conviction and prison.

4 C. POST-CONVICTION ACTIVITIES

5 After my conviction, I resigned from the State Bar of California and timely complied with
6 all relevant rules. I was sentenced to 21 months of incarceration plus 3 years of supervised release,
7 and ordered to pay restitution jointly with my former clients.

8 I was in prison for 15 months, then spent another 16 weeks at a half-way house and on
9 home-confinement. My 3-year supervised release sentence was terminated early based on a
10 determination that the penal objectives of my sentence had been satisfied.

11 Since my release, I have been continually employed or self-employed due to the help of
12 many good friends. I managed to stay married, to continue to raise my sons, and to keep my house.
13 I started three businesses, one of which is currently my source of income. I provide business
14 consulting services in the areas of operations and finance. My interest in counselling businesses is,
15 to an extent, similar to why I loved being a lawyer – I am surrounded by smart people who are
16 solving problems, creating something, and bringing value to others.

17 My time in prison, although relatively brief, was impactful. While in prison I used the law
18 library to study various topics such as litigation strategy, jury selection, rules of evidence, legal
19 ethics, and law firm business operations. I have continued this habit and, in addition to helping me
20 to pass the bar exam, I feel it has prepared me to re-enter practice if I am given the opportunity. My
21 experience as “client” is something that, if permitted to practice again, I will be able to use in every
22 case. It is my intention to be assiduous and scrupulous about maintaining the highest standard of
23 ethical conduct.

1 Most importantly, I learned a new level of humility and remorse from my time in prison that
2 has permitted me to face my new life. My wife and sons were my best example of how to deal with
3 this situation head on. No matter how troubled I felt during this time, I knew they had it worse. I
4 used their resilience as a reminder to continually learn and grow from this circumstance. I knew I
5 had to become a better person who, instead of rationalizing or using my felony conviction as an
6 excuse, must evolve to be able to regain a reputation for reliability, trustworthiness, and integrity.

7 I have accepted the shame and challenge of being a felon. I know what it means to check
8 that box on employment applications. I know what it means to have my most scurrilous facts
9 posted on the internet. I have learned that, if it does not test you, it will not change you.
10

11 Almost immediately after being released from prison I attended a job interview. Although I
12 was not hired, I inadvertently learned how valuable it would be for my future to be compassionate
13 and to be empathetic to those struggling in the face of severe life challenges. People who I would
14 have ignored were people to whom I now related. I was dressed in a suit for the interview and,
15 while returning to my car, a homeless man on the street asked for money. I apologized for having
16 none and explained that I had only just been released from prison. He embraced me and told me
17 that it was going to be ok. I use that moment often to remind myself that, regardless of how
18 someone appears, everyone has problems and needs to be treated with respect, kindness, and
19 compassion.
20

21 I continued my participation in charitable and service activities, but from a new perspective
22 of being a felon, being disenfranchised, and having been a prisoner. But I realized I was not
23 powerless. I was able, by using real compassion and empathy, to engage in a new way with others.
24 This realization had a deep resonance that fueled my commitment to the charitable and service-
25 oriented activities in which I had always participated.
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1 For 6 years, while my sons were students at Loyola High School, I engaged in 16 father-son
2 charitable activities including painting homeless shelters, cleaning and organizing group homes for
3 women and their children who fled domestic violence, painting economically disadvantaged
4 parochial schools, installing sprinkler systems at veteran's facilities, and landscaping skid row
5 shelters and schools. The people who would benefit from my labor didn't know who I am or what I
6 had done. Instead, I learned from this to appreciate everyone who had helped me and my family –
7 we do not succeed alone. I was remorseful, and not a person for whom "charity" meant a golf
8 tournament.
9

10 I continued my parish activities including as a member of the school grant-writing
11 committee, raising money from various foundations for air conditioning, library books, enrichment
12 programs, and teacher bonuses. But I did so from the perspective of humility. I wish it had not
13 taken something so drastic for me to become the person I am now.

14 For two of the years since prison, I was employed as the manager of a food processing
15 company with approximately 100 employees. I worked with local agencies to provide jobs to those
16 who were at risk or in dire need. I also cleaned out the local grocery when I filled a pickup truck
17 with Thanksgiving turkeys for the employees and their families. Although I freely shared with
18 them my experience as a felon who spent time in prison, none of them knew the urgency I felt to
19 use my position to help as many people as I could. But this is why, for example, my wife, children,
20 and I donate clothes to homeless shelters, and why we donated one of our vehicles to a charity for
21 children.
22

23 I have spoken publicly and privately to accountants and lawyers about my experience,
24 emphasizing where and how my conviction led to horrible and permanent consequences. I am a
25 resource for those who need referrals to competent legal counsel. I mentor young men and women
26 who are considering pursuing legal careers. I provide assistance to those who need help with
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1 business problems. All of this has made me realize the privilege of practicing law. By helping
2 others, I developed an appreciation for how crucial it is to have a reputation for integrity. If I am
3 privileged to be reinstated as a lawyer, I profoundly appreciate that, although not every situation I
4 may encounter can be foreseen, fundamental ethical principles are always present for guidance.

5 I prefer doing activities where I can be anonymous and I seek new opportunities to be of
6 service. I try not to deny any request for assistance. I do not keep a tally of the amount of time I
7 spend on these activities, but it easily amounts to an average of 6 hours per week. I do not do these
8 things because of how it makes me look or seem to anyone else. I have depended on help from so
9 many people, so I never hesitate when presented with the opportunity to help others. If this
10 demonstrates sustained conduct over an extended period of time indicating my rehabilitation to the
11 point where I am deemed once again fit to practice law, then those who I have helped will have
12 actually helped me. I will never overcome the stigma of being a felon, but for those I am able to
13 help, it does not matter. I have learned how important my integrity is, that I cannot take it for
14 granted, and I know that my rehabilitation is not over – it is an ongoing process.

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17 Having met so many individuals through my charitable work who survive much more
18 difficult situations than I have ever faced has taught me important lessons. Among the most
19 important is that my conscience must provide the touchstone against which to test whether my
20 actions rise above minimum standards. One of my strongest motivations for seeking reinstatement
21 has been the desire for the respect and confidence of the members of the profession to which I was
22 so proud to belong, and of the community I used to serve. The loss of that respect and confidence
23 has been a withering sanction.

24
25 I have found that managing life's inevitable hardships has enabled me to cultivate resilience
26 and hone my skills and capacity to adapt to challenging circumstances. Another reason I wish to be
27 reinstated is so I can concretely demonstrate to my sons that, when one has obligations to others,
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1 one must persevere. This has been, in addition to being a shift inside myself, a reawakening of the
2 urgency to be of value – to my family, to myself, to my community.

3 I have spent so much time over the prior several years reflecting on the hardships I had to
4 overcome as a felon who must provide for my family without the benefit of my law license. My
5 realization was, in order to overcome my challenges, I had to embrace humility and proceed with
6 the dignity I saw in those overcoming their own hardships. Success occurs through persistence and
7 hard work. Success involves steps forward, and steps back. I have learned the value of
8 collaboration. I am more patient. I am a better listener. It has also been important to acknowledge
9 that my rehabilitation has occurred incrementally through establishing and building upon productive
10 habits while simultaneously minimizing unproductive ones. I do not wait for things to get easier or
11 simpler. I have tried to be as much of an example to my family as they have been for me. Instead
12 of making big sweeping pronouncements to dramatically alter my course, I have developed
13 successful habits to subtly move myself in a more resonate and rewarding direction.
14

15 D. RESTITUTION

16 A restitution order was included as a result of my conviction and made jointly payable by
17 me, Mr. Rubin, and Mr. Sullivan. Pursuant to the Mandatory Victims Restitution Act, when
18 restitution is required it is calculated without reference to the ability of the defendant to pay.
19 Consequently, my financial condition or ability to pay were not considered, and the restitution order
20 does not contain a payment schedule or other payment terms.
21

22 I did not wait for my co-defendants to make restitution payments or for them to thereby
23 satisfy my obligations. Instead, among the first steps I took upon my release from prison was to
24 settle all claims against me by the Focus Media bankruptcy estate. The Bankruptcy Court approved
25 the settlement because it was in the best business judgment of the trustee. I paid all the money I
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1 could, almost \$130,000, by refinancing our home, an amount that will take my wife and I thirty
2 years to pay off. The government has not requested further payments from me.

3 As is clear from my tax returns submitted as part of this Petition, I do not earn sufficient
4 income to make symbolic payments on the restitution order under these circumstances. I hope that
5 my prompt efforts to make restitution will be considered as an indication of my rehabilitation.

6 **E. CHARACTER WITNESSES**

7 I am humbled by the character references I have received in support of my petition for
8 reinstatement. These references are from friends in the legal community and others, all of whom
9 are aware of the full extent of my felony conviction and are willing to attest to my good character.
10 They believe I have been rehabilitated based on my sustained conduct over an extended period of
11 time; they believe based on their personal knowledge, that my conviction was aberrational and due
12 to extraordinary conditions; and they believe that I am, once again, fit to practice law based on my
13 present moral character.
14

15 These references corroborate that I pose no threat to the public and that I understand my
16 ethical obligations. My felony conviction that led to my resignation with charges pending does not
17 demonstrate a habitual disregard of ethical duties or a lack of insight and remorse. I know that my
18 felony conviction is a mark that cannot be removed, however, I wish to rejoin the State Bar of
19 California so I can use all that I have learned to be an example that one can recover and contribute
20 again as a professional. I hope you come to the conclusion that I am not at risk of engaging in
21 professional misconduct and that my present moral character is sufficient to permit me to practice
22 law.
23

24 Dated this 16 day of July, 2018.

25 

26
27 Geoffrey C. Mousseau
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am over the age of 18. My address is 1421 Val Verde Pl., Glendale, CA 91208

Personal Service
On today's date, I served by ~~certified mail, return receipt requested~~ a copy of the attached documents entitled:


**Petition for Reinstatement With Charges Pending;
Disclosure Statement; Authorization and Release**

in envelopes addressed as set forth below.

Office of the Chief Trial Counsel
State Bar of California
845 S. Figueroa St.
Los Angeles, CA 90017

Executed on July 18, 2018, at Glendale, California.

I declare under penalty of perjury that the foregoing is true and correct.


Geoffrey C. Mousseau