

(Do not write above this line.)

State Bar Court of California  
Hearing Department  
Los Angeles  
ACTUAL SUSPENSION

PUBLIC MATTER

<p>Counsel for the State Bar</p> <p><b>Collin L. Grant</b> Deputy Trial Counsel 845 South Figueroa Street Los Angeles, CA 90017 (213) 765-1394</p> <p>State Bar # 311043</p>	<p>Case Number(s): SBC-19-H-30093; <del>19-O-12147-(inv)</del> <b>SBC-19-O-30295</b></p>	<p>For Court use only</p> <p><b>FILED</b> <i>AB</i> <b>JUL 15 2019</b></p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>In Pro Per Respondent</p> <p><b>Vyacheslav Kuznyetsov</b> 16000 Sherman Way Apt. 320 Van Nuys, CA 91406 (818) 808-9902</p> <p>State Bar # 290407</p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: <b>VYACHESLAV KUZNYETSOV</b></p> <p>State Bar # 290407</p> <p>(Respondent)</p>		

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

**A. Parties' Acknowledgments:**

- (1) Respondent is an attorney of the State Bar of California, admitted **June 5, 2013**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **18** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."

WT  
13-19

- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. It is recommended that (check one option only):
- Costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. Unless the time for payment of discipline costs is extended pursuant to subdivision (c) of section 6086.10, costs assessed against an attorney who is actually suspended or disbarred must be paid as a condition of reinstatement or return to active status.
  - Costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. **SELECT ONE** of the costs must be paid with Respondent's annual fees for each of the following years:  
  
If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance will be due and payable immediately.
  - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs."
  - Costs are entirely waived.

**B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]. Facts supporting aggravating circumstances are required.**

- (1)  **Prior record of discipline:**
- (a)  State Bar Court case # of prior case: **17-C-03585-CV. See page 14; see also exhibit 1, 15 pages.**
  - (b)  Date prior discipline effective: **February 7, 2018**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Conviction referral proceeding pursuant to Business and Professions Code sections 6101 and 6102 and California Rules of Court, rule 9.10, that did not involve moral turpitude, but did involve other misconduct warranting discipline.**
  - (d)  Degree of prior discipline: **Public reproof with conditions for a period of one year**
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.
- (2)  **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3)  **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by, misrepresentation.
- (4)  **Concealment:** Respondent's misconduct was surrounded by, or followed by, concealment.

- (5)  **Overreaching:** Respondent's misconduct was surrounded by, or followed by, overreaching.
- (6)  **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code, or the Rules of Professional Conduct.
- (7)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (8)  **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of Respondent's misconduct.
- (10)  **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of Respondent's misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11)  **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing. **See page 14.**
- (12)  **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13)  **Restitution:** Respondent failed to make restitution.
- (14)  **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**Failure to Comply with Criminal Probation, see pages 14-15.**

**C. Mitigating Circumstances [Standards 1.2(i) & 1.6]. Facts supporting mitigating circumstances are required.**

- (1)  **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not likely to recur.
- (2)  **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3)  **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of Respondent's misconduct or to the State Bar during disciplinary investigations and proceedings.
- (4)  **Remorse:** Respondent promptly took objective steps demonstrating spontaneous remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of Respondent's misconduct.
- (5)  **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6)  **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced Respondent.

- (7)  **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.
- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct, Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish were directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by Respondent, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (9)  **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress resulting from circumstances which were not reasonably foreseeable or were beyond Respondent's control and were directly responsible for the misconduct.
- (10)  **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in Respondent's personal life which were other than emotional or physical in nature.
- (11)  **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of Respondent's misconduct.
- (12)  **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances:**

Pretrial Stipulation, see page 15.

**D. Recommended Discipline:**

- (1)  **Actual Suspension:**

Respondent is suspended from the practice of law for **one year**, the execution of that suspension is stayed, and Respondent is placed on probation for **one year** with the following conditions.

- Respondent must be suspended from the practice of law for the first **90 days** of the period of Respondent's probation.

- (2)  **Actual Suspension "And Until" Rehabilitation:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum of the first \_\_\_\_\_ of Respondent's probation and until Respondent provides proof to the State Bar Court of Respondent's rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

- (3)  **Actual Suspension "And Until" Restitution (Single Payee) and Rehabilitation:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

(Do not write above this line.)

- Respondent must be suspended from the practice of law for a minimum of the first \_\_\_\_\_ of Respondent's probation, and Respondent will remain suspended until both of the following requirements are satisfied:
  - a. Respondent makes restitution to \_\_\_\_\_ or such other recipient as may be designated by the Office of Probation or the State Bar Court, in the amount of \$ \_\_\_\_\_ plus 10 percent interest per year from \_\_\_\_\_ (or reimburses the Client Security Fund to the extent of any payment from the Fund to such payee, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
  - b. Respondent provides proof to the State Bar Court of Respondent's rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(4)  **Actual Suspension "And Until" Restitution (Multiple Payees) and Rehabilitation:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum of the first \_\_\_\_\_ of Respondent's probation, and Respondent will remain suspended until both of the following requirements are satisfied:
  - a. Respondent must make restitution, including the principal amount plus 10 percent interest per year (and furnish satisfactory proof of such restitution to the Office of Probation), to each of the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburse the Client Security Fund to the extent of any payment from the Fund to such payee in accordance with Business and Professions Code section 6140.5):

<i>Payee</i>	<i>Principal Amount</i>	<i>Interest Accrues From</i>

- b. Respondent provides proof to the State Bar Court of Respondent's rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(5)  **Actual Suspension "And Until" Restitution (Single Payee) with Conditional Std. 1.2(c)(1) Requirement:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum for the first \_\_\_\_\_ of Respondent's probation, and Respondent will remain suspended until the following requirements are satisfied:

NT  
1-13-19

- a. Respondent makes restitution to \_\_\_\_\_ or such other recipient as may be designated by the Office of Probation or the State Bar Court, in the amount of \$ \_\_\_\_\_ plus 10 percent interest per year from \_\_\_\_\_ (or reimburses the Client Security Fund to the extent of any payment from the Fund to such payee, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and,
- b. If Respondent remains suspended for two years or longer, Respondent must provide proof to the State Bar Court of Respondent's rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(6)  **Actual Suspension "And Until" Restitution (Multiple Payees) with Conditional Std. 1.2(c)(1) Requirement:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum for the first \_\_\_\_\_ of Respondent's probation, and Respondent will remain suspended until the following requirements are satisfied:
  - a. Respondent must make restitution, including the principal amount plus 10 percent interest per year (and furnish satisfactory proof of such restitution to the Office of Probation), to each of the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburse the Client Security Fund to the extent of any payment from the Fund to such payee in accordance with Business and Professions Code section 6140.5):

<i>Payee</i>	<i>Principal Amount</i>	<i>Interest Accrues From</i>

- b. If Respondent remains suspended for two years or longer, Respondent must provide proof to the State Bar Court of Respondent's rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(7)  **Actual Suspension with Credit for Interim Suspension:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent is suspended from the practice of law for the first \_\_\_\_\_ of probation (with credit given for the period of interim suspension which commenced on \_\_\_\_\_).

**E. Additional Conditions of Probation:**

✓  
-1319

(Do not write above this line.)

- (1)  **Review Rules of Professional Conduct:** Within 30 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must read the California Rules of Professional Conduct (Rules of Professional Conduct) and Business and Professions Code sections 6067, 6068, and 6103 through 6126. Respondent must provide a declaration, under penalty of perjury, attesting to Respondent's compliance with this requirement, to the State Bar's Office of Probation in Los Angeles (Office of Probation) with Respondent's first quarterly report.
- (2)  **Comply with State Bar Act, Rules of Professional Conduct, and Probation Conditions:** Respondent must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of Respondent's probation.
- (3)  **Maintain Valid Official State Bar Record Address and Other Required Contact Information:** Within 30 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must make certain that the State Bar Attorney Regulation and Consumer Resources Office (ARCR) has Respondent's current office address, email address, and telephone number. If Respondent does not maintain an office, Respondent must provide the mailing address, email address, and telephone number to be used for State Bar purposes. Respondent must report, in writing, any change in the above information to ARCR, within ten (10) days after such change, in the manner required by that office.
- (4)  **Meet and Cooperate with Office of Probation:** Within 15 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must schedule a meeting with Respondent's assigned probation case specialist to discuss the terms and conditions of Respondent's discipline and, within 30 days after the effective date of the court's order, must participate in such meeting. Unless otherwise instructed by the Office of Probation, Respondent may meet with the probation case specialist in person or by telephone. During the probation period, Respondent must promptly meet with representatives of the Office of Probation as requested by it and, subject to the assertion of applicable privileges, must fully, promptly, and truthfully answer any inquiries by it and provide to it any other information requested by it.
- (5)  **State Bar Court Retains Jurisdiction/Appear Before and Cooperate with State Bar Court:** During Respondent's probation period, the State Bar Court retains jurisdiction over Respondent to address issues concerning compliance with probation conditions. During this period, Respondent must appear before the State Bar Court as required by the court or by the Office of Probation after written notice mailed to Respondent's official State Bar record address, as provided above. Subject to the assertion of applicable privileges, Respondent must fully, promptly, and truthfully answer any inquiries by the court and must provide any other information the court requests.
- (6)  **Quarterly and Final Reports:**
  - a. **Deadlines for Reports.** Respondent must submit written quarterly reports to the Office of Probation no later than each January 10 (covering October 1 through December 31 of the prior year), April 10 (covering January 1 through March 31), July 10 (covering April 1 through June 30), and October 10 (covering July 1 through September 30) within the period of probation. If the first report would cover less than 30 days, that report must be submitted on the next quarter date and cover the extended deadline. In addition to all quarterly reports, Respondent must submit a final report no earlier than ten (10) days before the last day of the probation period and no later than the last day of the probation period.
  - b. **Contents of Reports.** Respondent must answer, under penalty of perjury, all inquiries contained in the quarterly report form provided by the Office of Probation, including stating whether Respondent has complied with the State Bar Act and the Rules of Professional Conduct during the applicable quarter or period. All reports must be: (1) submitted on the form provided by the Office of Probation; (2) signed and dated after the completion of the period for which the report is being submitted (except for the final report); (3) filled out completely and signed under penalty of perjury; and (4) submitted to the Office of Probation on or before each report's due date.

WT  
6-13-19

**c. Submission of Reports.** All reports must be submitted by: (1) fax or email to the Office of Probation; (2) personal delivery to the Office of Probation; (3) certified mail, return receipt requested, to the Office of Probation (postmarked on or before the due date); or (4) other tracked-service provider, such as Federal Express or United Parcel Service, etc. (physically delivered to such provider on or before the due date).

**d. Proof of Compliance.** Respondent is directed to maintain proof of Respondent's compliance with the above requirements for each such report for a minimum of one year after either the period of probation or the period of Respondent's actual suspension has ended, whichever is longer. Respondent is required to present such proof upon request by the State Bar, the Office of Probation, or the State Bar Court.

- (7)  **State Bar Ethics School:** Within one year after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must submit to the Office of Probation satisfactory evidence of completion of the State Bar Ethics School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and Respondent will not receive MCLE credit for attending this session. If Respondent provides satisfactory evidence of completion of the Ethics School after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (8)  **State Bar Ethics School Not Recommended:** It is not recommended that Respondent be ordered to attend the State Bar Ethics School because **Respondent attended State Bar Ethics School on December 4, 2018 and passed the test given at the end of the session. (See rule 5.135(A), Rules Proc. of the State Bar of California [attendance at State Bar Ethics School not required where the attorney completed State Bar Ethics School within the prior two years].)**
- (9)  **State Bar Client Trust Accounting School:** Within one year after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must submit to the Office of Probation satisfactory evidence of completion of the State Bar Client Trust Accounting School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and Respondent will not receive MCLE credit for attending this session. If Respondent provides satisfactory evidence of completion of the Client Trust Accounting School after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (10)  **Minimum Continuing Legal Education (MCLE) Courses – California Legal Ethics [Alternative to State Bar Ethics School for Out-of-State Residents]:** Because Respondent resides outside of California, within \_\_\_\_\_ after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must either submit to the Office of Probation satisfactory evidence of completion of the State Bar Ethics School and passage of the test given at the end of that session or, in the alternative, complete \_\_\_\_\_ hours of California Minimum Continuing Legal Education-approved participatory activity in California legal ethics and provide proof of such completion to the Office of Probation. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for this activity. If Respondent provides satisfactory evidence of completion of the Ethics School or the hours of legal education described above, completed after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (11)  **Criminal Probation:** Respondent must comply with all probation conditions imposed in the underlying criminal matter and must report such compliance under penalty of perjury in all quarterly and final reports submitted to the Office of Probation covering any portion of the period of the criminal probation. In each quarterly and final report, if Respondent has an assigned criminal probation officer, Respondent must provide the name and current contact information for that criminal probation officer. If the criminal probation was successfully completed during the period covered by a quarterly or final report, that fact must be reported by Respondent in such report and satisfactory evidence of such fact must be provided

WT  
6-3-19



with it. If, at any time before or during the period of probation, Respondent's criminal probation is revoked, Respondent is sanctioned by the criminal court, or Respondent's status is otherwise changed due to any alleged violation of the criminal probation conditions by Respondent, Respondent must submit the criminal court records regarding any such action with Respondent's next quarterly or final report.

- (12)  **Minimum Continuing Legal Education (MCLE):** Within \_\_\_\_\_ after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must complete \_\_\_\_\_ hour(s) of California Minimum Continuing Legal Education-approved participatory activity in **SELECT ONE** \_\_\_\_\_ and must provide proof of such completion to the Office of Probation. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for this activity. If Respondent provides satisfactory evidence of completion of the hours of legal education described above, completed after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (13)  **Other:** Respondent must also comply with the following additional conditions of probation: \_\_\_\_\_
- (14)  **Proof of Compliance with Rule 9.20 Obligations:** Respondent is directed to maintain, for a minimum of one year after commencement of probation, proof of compliance with the Supreme Court's order that Respondent comply with the requirements of California Rules of Court, rule 9.20, subdivisions (a) and (c). Such proof must include: the names and addresses of all individuals and entities to whom Respondent sent notification pursuant to rule 9.20; a copy of each notification letter sent to each recipient; the original receipt or postal authority tracking document for each notification sent; the originals of all returned receipts and notifications of non-delivery; and a copy of the completed compliance affidavit filed by Respondent with the State Bar Court. Respondent is required to present such proof upon request by the State Bar, the Office of Probation, or the State Bar Court.
- (15)  **The following conditions are attached hereto and incorporated:**
  - Financial Conditions  Medical Conditions
  - Substance Abuse Conditions

The period of probation will commence on the effective date of the Supreme Court order imposing discipline in this matter. At the expiration of the probation period, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

**F. Other Requirements Negotiated by the Parties (Not Probation Conditions):**

- (1)  **Multistate Professional Responsibility Examination Within One Year or During Period of Actual Suspension:** Respondent must take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year after the effective date of the Supreme Court order imposing discipline in this matter or during the period of Respondent's actual suspension, whichever is longer, and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).) If Respondent provides satisfactory evidence of the taking and passage of the above examination after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this requirement.
- (2)  **Multistate Professional Responsibility Examination Requirement Not Recommended:** It is not recommended that Respondent be ordered to take and pass the Multistate Professional Responsibility Examination because \_\_\_\_\_

WT  
6-13-19

- (3)  **California Rules of Court, Rule 9.20:** Respondent must comply with the requirements of California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court order imposing discipline in this matter. Failure to do so may result in disbarment or suspension.

For purposes of compliance with rule 9.20(a), the operative date for identification of "clients being represented in pending matters" and others to be notified is the filing date of the Supreme Court order, not any later "effective" date of the order. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45.) Further, Respondent is required to file a rule 9.20(c) affidavit even if Respondent has no clients to notify on the date the Supreme Court filed its order in this proceeding. (*Powers v. State Bar* (1988) 44 Cal.3d 337, 341.) In addition to being punished as a crime or contempt, an attorney's failure to comply with rule 9.20 is, inter alia, cause for disbarment, suspension, revocation of any pending disciplinary probation, and denial of an application for reinstatement after disbarment. (Cal. Rules of Court, rule 9.20(d).)

- (4)  **California Rules of Court, Rule 9.20 – Conditional Requirement:** If Respondent remains suspended for 90 days or longer, Respondent must comply with the requirements of California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the effective date of the Supreme Court order imposing discipline in this matter. Failure to do so may result in disbarment or suspension. In addition, Respondent must also comply with the probation condition at paragraph E.(14) entitled Proof of Compliance with Rule 9.20 Obligations.

For purposes of compliance with rule 9.20(a), the operative date for identification of "clients being represented in pending matters" and others to be notified is the filing date of the Supreme Court order, not any later "effective" date of the order. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45.) Further, Respondent is required to file a rule 9.20(c) affidavit even if Respondent has no clients to notify on the date the Supreme Court filed its order in this proceeding. (*Powers v. State Bar* (1988) 44 Cal.3d 337, 341.) In addition to being punished as a crime or contempt, an attorney's failure to comply with rule 9.20 is, inter alia, cause for disbarment, suspension, revocation of any pending disciplinary probation, and denial of an application for reinstatement after disbarment. (Cal. Rules of Court, rule 9.20(d).)

- (5)  **California Rules of Court, Rule 9.20, Requirement Not Recommended:** It is not recommended that Respondent be ordered to comply with the requirements of California Rules of Court, rule 9.20, because

- (6)  **Other Requirements:** It is further recommended that Respondent be ordered to comply with the following additional requirements:

WT  
6-3-19

**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:                         VYACHESLAV KUZNYETSOV  
CASE NUMBER:                               SBC-19-H-30093; 19-O-12147 (inv)

**FACTS AND CONCLUSIONS OF LAW.**

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. SBC-19-H-30093 (State Bar Investigation)

**FACTS:**

1. On January 6, 2018, respondent entered into a stipulation for a public reproof with conditions in State Bar Court case no. 17-C-03585.

2. On January 18, 2018, the State Bar Court imposed a public reproof with conditions for one year against respondent. The discipline became effective on February 7, 2018.

3. As conditions of the public reproof, the State Bar Court required respondent to comply with the conditions of the public reproof for a period of one year; submit quarterly reports to the Office of Probation ("Probation") on each January 10, April 10, July 10, and October 10 of the condition period attached to the reproof; submit a final report to Probation no later than the last day of the condition period; provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE") within one year of the effective date; and comply with all conditions of probation imposed in the underlying criminal matter, *People of the State of California v. Vyacheslav Kuznyetsov*, Superior Court of California, County of Santa Barbara, case no. 1497261, and to declare such under penalty of perjury in conjunction with any quarterly report to be filed with Probation.

4. On January 30, 2018, Probation uploaded a courtesy letter to respondent's State Bar membership profile to remind respondent of his reproof and its conditions. Probation emailed respondent at respondent's membership records email address that Probation uploaded the courtesy letter to respondent's State Bar membership profile.

5. On March 5, 2018, respondent held the required meeting with Probation, during which time the Probation deputy discussed the conditions of respondent's reproof with respondent, including deadlines and that Probation must receive compliance documents by on or before their due dates.

6. On July 10, 2018, respondent submitted a non-compliant July 10, 2018 quarterly report. In the report, respondent failed to affirm respondent's compliance with the State Bar Act, the Rules of Professional Conduct, the conditions of the reproof during the reporting period, and the conditions of probation imposed upon respondent in the underlying criminal matter.

7. On July 12, 2018, Probation emailed respondent that respondent's July 10, 2018 quarterly report was not compliant because respondent failed to report respondent's compliance with the State Bar Act, Rules of Professional Conduct, and the conditions of reprobation during the reporting period. Probation did not inform respondent that he failed to report his compliance with the conditions of probation imposed upon respondent in the underlying criminal matter.

8. On July 13, 2018, respondent submitted a revised but non-compliant July 10, 2018 quarterly report. The revised July 10, 2018 quarterly report was untimely and failed to address respondent's compliance with the conditions of probation imposed upon respondent in the underlying criminal matter.

9. On August 28, 2018, Probation emailed respondent a letter to inform respondent that the revised July 10, 2018 quarterly report was not compliant because it was not timely and failed to report respondent's compliance with the conditions of probation imposed upon respondent in the underlying criminal matter. Probation instructed respondent to submit a new July 10, 2018 quarterly report.

10. On October 10, 2018, respondent submitted a non-compliant October 10, 2018 quarterly report. Respondent failed to identify whether respondent is in compliance with the conditions of probation imposed upon respondent in the underlying criminal matter.

11. On October 17, 2018, Probation mailed respondent a letter to inform respondent that the July 10, 2018, revised July 10, 2018, and October 10, 2018 quarterly reports were not compliant. Probation requested that respondent submit a new July 10, 2018 quarterly report. Probation also informed respondent that respondent's October 10, 2018 quarterly report was non-compliant because respondent failed to report his compliance with the conditions of probation imposed upon respondent in the underlying criminal matter. Probation instructed respondent to submit a complete October 10, 2018 quarterly report which reports respondent's compliance with his criminal probation.

12. On November 7, 2018, Probation emailed respondent a courtesy copy of the October 17, 2018 letter.

13. On November 14, 2018, Probation and respondent discussed the contents of the October 17, 2018 letter in a telephone call.

14. On November 16, 2018, respondent untimely submitted a new July 10, 2018 quarterly report and a revised October 10, 2018 quarterly report. In the new July 10, 2018 quarterly report, respondent failed to address respondent's compliance with the conditions of probation imposed upon respondent in the underlying criminal matter.

15. On November 16, 2018, Probation emailed respondent that respondent's new July 10, 2018 and revised October 10, 2018 quarterly reports were not compliant because the quarterly reports were not timely. Probation also informed respondent that respondent's new July 10, 2018 quarterly report was not compliant because respondent failed to identify respondent's compliance with the conditions of probation imposed upon respondent in the underlying criminal matter.

16. On January 10, 2019, respondent submitted a non-compliant January 10, 2019 quarterly report. Respondent failed to identify respondent's compliance with the conditions of probation imposed upon respondent in the underlying criminal matter.

17. Respondent failed to provide proof of passage of the MPRE by February 8, 2019.

18. On February 11, 2019, respondent submitted an untimely final report to Probation after its February 8, 2019 due date.

#### CONCLUSIONS OF LAW:

19. By failing to submit compliant quarterly reports due July 10, 2018 and October 10, 2018, respondent failed to comply with conditions attached to a public reproof, and therefore willfully violated former Rules of Professional Conduct, rule 1-110.

20. By failing to submit a compliant quarterly report due January 10, 2019, a compliant final report due February 8, 2019, and proof of passage of the MPRE by February 8, 2019, respondent failed to comply with the terms and conditions attached to a public reproof, and therefore willfully violated Rules of Professional Conduct, rule 8.1.1.

#### Case No. 19-O-12147 (inv) (State Bar Investigation)

#### FACTS:

21. On May 24, 2017, as a condition of respondent's criminal probation in *People of the State of California v. Vyacheslav Kuznyetsov*, Superior Court of California, County of Santa Barbara, case no. 1497261, the court ordered respondent to pay a fine, restitution, and fees in full or to sign up for an installment payment plan by August 24, 2017.

22. On August 4, 2017, respondent submitted an Installment Payment Plan Agreement to the Superior Court of California, County of Santa Barbara, and agreed to make monthly installment payments on or before the 5<sup>th</sup> of each month.

23. On January 6, 2018, respondent entered into a stipulation for a public reproof, with conditions, in State Bar Court case no. 17-C-03585.

24. On January 18, 2018, the State Bar Court imposed a public reproof with conditions for one year against respondent. The discipline became effective on February 8, 2018.

25. As a condition of the public reproof, the State Bar Court required respondent to comply with all conditions of probation imposed in the underlying criminal matter, *People of the State of California v. Vyacheslav Kuznyetsov*, Superior Court of California, County of Santa Barbara, case no. 1497261, and to declare such under penalty of perjury in conjunction with any quarterly report to be filed with Probation.

26. Respondent failed to make a monthly installment payment on or before March 5, 2018.

27. On March 6, 2018, the Superior Court of California, County of Santa Barbara declared respondent delinquent for failure to pay but did not immediately serve respondent with a notice of failure to pay.

28. On April 9, 2018, respondent timely submitted his April 10, 2018 quarterly report. In the April 10, 2018 quarterly report, respondent marked the box stating "I have complied with the conditions of probation/parole imposed upon me in the underlying criminal matter during the reporting period

noted above or portion thereof." Respondent declared under penalty of perjury that all of the information provided in the April 10, 2018 quarterly report was true and accurate in the underlying criminal matter, despite failing to make his March 5, 2018 payment.

29. On May 16, 2018, the Superior Court of California, County of Santa Barbara mailed respondent a failure to pay notice.

30. On November 14, 2018, Probation informed respondent in a telephone call that Superior Court of California, County of Santa Barbara records indicated that respondent was delinquent for failure to pay in the underlying criminal matter during the reporting period for the April 10, 2018 quarterly report. Respondent confirmed his failure to comply with the conditions of probation imposed upon respondent in the underlying criminal matter during the reporting period for the April 10, 2018 quarterly report.

31. On November 16, 2018, respondent emailed to Probation proof that as of October 5, 2018, respondent paid in full the fine imposed by the Superior Court of California, County of Santa Barbara, in the underlying criminal matter.

#### CONCLUSIONS OF LAW:

32. By making a misrepresentation in respondent's April 10, 2019 quarterly report that respondent complied with the conditions of probation/parole imposed upon respondent in the underlying criminal matter during the reporting period when respondent should have known that he was not in compliance with the terms of his probation, respondent committed an act of moral turpitude, dishonesty, or corruption, in willful violation of Business and Professions Code section 6106.

#### AGGRAVATING CIRCUMSTANCES.

**Prior Record of Discipline (Std. 1.5(a)):** Respondent was admitted on June 5, 2013 and has one prior record of discipline. In State Bar Court case no. 17-C-03585, respondent stipulated that on July 29, 2016, respondent drove his vehicle while intoxicated and collided with an unoccupied vehicle. Respondent immediately left the scene of the collision without stopping. Respondent plead nolo contendere to driving under the influence. Respondent's criminal referral proceeding did not involve moral turpitude, but did involve other misconduct warranting discipline. On January 18, 2018, the State Bar Court issued a Reprimand Order approving the stipulated facts and disposition and imposing a public reprimand with conditions for one year.

Exhibit 1 is a true and correct copy of the prior discipline, and the parties stipulate to the authenticity of the document.

**Multiple Acts of Wrongdoing (Std. 1.5(b)):** Respondent failed to submit compliant July 10, 2018, October 10, 2018, and January 10, 2019 quarterly reports; failed to submit a compliant final report by February 8, 2019; failed to provide proof of passage of the MPRE; and misrepresented respondent's compliance with the conditions of probation/parole imposed upon respondent in the underlying criminal matter. These multiple acts of misconduct evidence repeated failures to comply with ethical obligations.

**Failure to Comply with Criminal Probation:** Respondent failed to comply with the terms of respondent's criminal probation by failing to pay fines and fees to the court on or before their due dates.

(See *In the Matter of Taylor* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 563, 580 [where the Review Department found an attorney's violation of criminal probation to be an aggravating factor].)

## MITIGATING CIRCUMSTANCES.

**Pretrial Stipulation:** By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (See *Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability]; *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the Review Department held that the attorney's stipulation to facts and culpability was a mitigating circumstance].)

## AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct “set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances.” (Rules Proc. Of State Bar, tit. IV, Stds. For Atty. Sanctions for Prof. Misconduct, Std. 1.1; hereinafter “Standards.”) The Standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts, and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See, Std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the Standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silverton* (2005) 36 Cal.4th 81, 92 (quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the Standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a Standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) “Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure.” (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776 & fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given Standard, in addition to the factors set forth in the specific Standard, consideration is to be given to the primary purpose of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system, or profession was harmed; and the member's willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b)-(c).)

Respondent made a misrepresentation to the State Bar and failed to comply with respondent's public reproof conditions. Respondent's misconduct is serious. (See *Rodgers v. State Bar* (1989) 48 Cal.3d 300, 317 [an attorney who commits an act of dishonesty and then attempts to conceal that fact by engaging in further deception presents a significant threat to the public and the attorney's actions warrant a higher level of discipline because the conduct demonstrates a lack of insight into the wrongfulness of the action]; see also *Potack v. State Bar* (1991) 54 Cal.3d 132, 139 [failure to abide by terms and conditions of probation is a serious violation].)

Standard 2.11 applies to respondent's violation of Business and Professions Code section 6106. Standard 2.11 provides that disbarment or actual suspension is the presumed sanction for an act of moral

turpitude, dishonesty, fraud, corruption, intentional or grossly negligent misrepresentation, or concealment of a material fact. The degree of sanction depends on the magnitude of misconduct; the extent to which the misconduct harmed or misled the victim, which may include the adjudicator; the impact on the administration of justice, if any; and the extent to which the misconduct related to the member's practice of law.

Standard 2.14 provides that actual suspension is the presumed sanction for failing to comply with a condition of discipline. The degree of sanction depends on the nature of the condition violated and the member's unwillingness or inability to comply with disciplinary orders.

Since respondent committed multiple acts of professional misconduct in violation of multiple Rules of Professional Conduct and Business and Professions Code sections, Standard 1.7(a) applies. Standard 1.7(a) states that if a member commits two or more acts of misconduct and the Standards specify different sanctions for each act, the most severe sanction must be imposed. Accordingly, disbarment or actual suspension is the appropriate discipline.

Since respondent has one prior record of discipline, Standard 1.8(a) also applies. It states, "If a member has a single prior record of discipline, the sanction must be greater than the previously imposed sanction unless the prior discipline was so remote in time and the previous misconduct was not serious enough that imposing greater discipline would be manifestly unjust." Here, respondent has a prior public reproof for a criminal conviction following conduct that occurred in 2016. Respondent's prior record of discipline is not remote in time and is serious enough to justify progressive discipline.

In mitigation, respondent has entered into a stipulation acknowledging his misconduct prior to trial. Respondent's prior record of discipline, multiple acts of misconduct, and failure to comply with criminal probation are aggravating factors. Respondent's misconduct did not relate to the member's practice of law and did not harm a victim. Therefore, disbarment is not appropriate. However, respondent's misconduct negatively impacts the administration of justice and warrants an actual suspension. Balancing respondent's misconduct and the mitigating and aggravating circumstances warrants a one-year stayed suspension and one-year probation with conditions, including 90 days' actual suspension and compliance with California Rules of Court, rule 9.20.

Case law supports this level of discipline. A misrepresentation through gross negligence constitutes moral turpitude. (*In the Matter of Maloney and Virsik* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 774, 786 ["It is well established that acts of moral turpitude include an attorney's false or misleading statements to a court or tribunal. [Citations.] The actual intent to deceive is not necessary; a finding of gross negligence in creating a false impression is sufficient for violation of section 6106. [Citations.];" see also *In the Matter of Downey* (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 151, 155 [attorney culpable of moral turpitude based on grossly negligent filing of false verification without reasonable basis to believe verified statements were true]; see also *In the Matter of Yee* (Review Dept. 2014) 5 Cal. State Bar Ct. Rptr. 330, 333-334 [attorney culpable of moral turpitude based on grossly negligent reporting of MCLE compliance to the State Bar].)

In *In the Matter of Palmer* (Review Dept. 2016) \_\_ Cal. State Bar Ct. Rptr. \_\_ [2016 WL 364192 at p. 7], the Review Department imposed a two-year stayed suspension, two-year probation, 90 days' actual suspension, and compliance with California Rules of Court, rule 9.20 where Palmer made three misrepresentations under penalty of perjury to the federal courts through gross negligence. Palmer's multiple acts of wrongdoing and a prior public reproof aggravated Palmer's misconduct. (*Id.* at pp. 6-

WT  
6-3-19



7.) The Review Department assigned Palmer some mitigation where Palmer admitted his false statements and demonstrated remorse. (*Id.* at p. 6.)

Like Palmer, respondent made a misrepresentation under penalty of perjury through gross neglect, and respondent has a prior public reproof. Unlike Palmer, respondent made a single misrepresentation and stipulates to his misconduct. Accordingly, a level of discipline similar to *Palmer* is appropriate, though respondent's current misconduct does raise concerns that respondent has not rehabilitated from his prior misconduct and that respondent's inability to conform respondent's conduct to the ethical standards demanded of attorneys compromises public protection.

Thus, a one-year stayed suspension and one-year probation with conditions, including 90 days' actual suspension and compliance with California Rules of Court, rule 9.20, is sufficient to protect the public, the courts, and the legal profession, maintain high professional standards, and preserve public confidence in the legal profession.

**WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CULPABILITY.**

The parties waive any discrepancy between the Notice of Disciplinary Charges filed in this matter and the factual statements and conclusions of law set forth in this stipulation.

**COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of June 7, 2019, the discipline costs in this matter are approximately \$5,073. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.



WT  
5-13-19

(Do not write above this line.)

In the Matter of: VYACHESLAV KUZNYETSOV	Case Number(s): SBC-19-H-30093; 19-O-12147 (inv)
--	---

**SIGNATURE OF THE PARTIES**

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

<u>6.17.19</u> Date	 Respondent's Signature	<u>Vyacheslav Kuznyetsov</u> Print Name
<u>6/18/19</u> Date	 Respondent's Counsel Signature	<u>Collin L. Grant</u> Print Name
	<u>Deputy Trial Counsel's Signature</u>	<u>Print Name</u>

WT  
6-13-19

(Do not write above this line.)

In the Matter of: VYACHESLAV KUZNYETSOV	Case Number(s): SBC-19-H-30093; SBC-19-O-30295 (Cons.)
--	--

### ACTUAL SUSPENSION ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

1. On page 2 of the Stipulation, at paragraph B.(1)(b), "February 7, 2018" is deleted, and in its place is inserted "February 8, 2018".
2. On page 11 of the Stipulation, at numbered paragraph 2, line 2, "February 7, 2018" is deleted, and in its place is inserted "February 8, 2018."


The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See Rules Proc. of State Bar, rule 5.58(E) & (F).) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after the filed date of the Supreme Court order. (See Cal. Rules of Court, rule 9.18(a).)**

July 15, 2019  
Date

Rebecca Meyer Rosenberg  
**REBECCA MEYER ROSENBERG, JUDGE PRO TEM**  
Judge of the State Bar Court



(Do not write above this line.)

<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b> <b>PUBLIC MATTER</b> <b>REPROVAL</b>		
<p>Counsel For The State Bar</p> <p><b>Angie Esquivel</b>                      Deputy Trial Counsel                      845 S. Figueroa Street                      Los Angeles, CA 90017-2515                      (213) 765-1080</p> <p>Bar # 286432</p>	<p>Case Number(s):                      17-C-03585-CV</p> <p style="text-align: center;">iWikitag®      226 154 904</p> 	<p>For Court use only</p> <p style="text-align: center; font-size: 24px; font-weight: bold;">FILED</p> <p style="text-align: center; font-size: 18px; font-weight: bold;">JAN 18 2018 <i>EE</i></p> <p style="text-align: center;">STATE BAR COURT                      CLERK'S OFFICE                      LOS ANGELES</p>
<p>In Pro Per Respondent</p> <p><b>Vyacheslav Kuznyetsov</b>                      16000 Sherman Way, Apt. #320                      Van Nuys, CA 91406                      (818) 808-9902</p> <p>Bar # 290407</p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND                      DISPOSITION AND ORDER APPROVING</p> <p><b>PUBLIC REPROVAL</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of:  <b>VYACHESLAV KUZNYETSOV</b></p> <p>Bar # 290407</p> <p>A Member of the State Bar of California                      (Respondent)</p>		

**Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.**

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted **June 5, 2013**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **11** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

*J.N.M.*  
*1-5-18*

(Do not write above this line.)

- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- Costs are added to membership fee for calendar year following effective date of discipline (public reproof).
  - Case ineligible for costs (private reproof).
  - Costs are to be paid in equal amounts prior to February 1 for the following membership years: (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
  - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
  - Costs are entirely waived.
- (9) The parties understand that:
- (a)  A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
  - (b)  A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
  - (c)  A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

**B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]. Facts supporting aggravating circumstances are required.**

- (1)  **Prior record of discipline**
- (a)  State Bar Court case # of prior case
  - (b)  Date prior discipline effective
  - (c)  Rules of Professional Conduct/ State Bar Act violations:
  - (d)  Degree of prior discipline
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."

(Effective April 1, 2016)

(Do not write above this line.)

---

- (2)  **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional; or surrounded by, or followed by bad faith.
- (3)  **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by misrepresentation.
- (4)  **Concealment:** Respondent's misconduct was surrounded by, or followed by concealment.
- (5)  **Overreaching:** Respondent's misconduct was surrounded by, or followed by overreaching.
- (6)  **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code or the Rules of Professional Conduct.
- (7)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (8)  **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (10)  **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11)  **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing.
- (12)  **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13)  **Restitution:** Respondent failed to make restitution.
- (14)  **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**C. Mitigating Circumstances [see standards 1.2(i) & 1.6]. Facts supporting mitigating circumstances are required.**

- (1)  **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not likely to recur.
- (2)  **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3)  **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct or to the State Bar during disciplinary investigation and proceedings.
- (4)  **Remorse:** Respondent promptly took objective steps demonstrating spontaneous remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.

(Do not write above this line.)

---

- (5)  **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6)  **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7)  **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.
- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (9)  **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10)  **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11)  **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12)  **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation.
- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances:**

**Good Character, see page 8.**  
**Pretrial Stipulation, see page 8.**

**D. Discipline:**

- (1)  **Private reproof (check applicable conditions, if any, below)**
  - (a)  Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
  - (b)  Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

- (2)  **Public reproof (Check applicable conditions, if any, below)**

**E. Conditions Attached to Reproval:**

- (1)  Respondent must comply with the conditions attached to the reproof for a period of **one (1) year**.
- (2)  During the condition period attached to the reproof, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.



(Do not write above this line.)

- (3)  Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4)  Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of reprobation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the reprobation conditions period, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5)  Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the condition period attached to the reprobation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of the reprobation during the preceding calendar quarter. Respondent must also state in each report whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 (thirty) days, that report must be submitted on the next following quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the condition period and no later than the last day of the condition period.

- (6)  Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of reprobation with the probation monitor to establish a manner and schedule of compliance. During the reprobation conditions period, Respondent must furnish such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the monitor.
- (7)  Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the conditions attached to the reprobation.
- (8)  Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.

No Ethics School recommended. Reason: .

- (9)  Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10)  Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year of the effective date of the reprobation.

No MPRE recommended. Reason: .

- (11)  The following conditions are attached hereto and incorporated:

- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input type="checkbox"/> Financial Conditions             |

(Effective April 1, 2016)

(Do not write above this line.)

---

**F. Other Conditions Negotiated by the Parties:**

**None.**

**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:                      VYACHESLAV KUZNYETSOV

CASE NUMBER:                            17-C-03585-CV

**FACTS AND CONCLUSIONS OF LAW.**

Respondent admits that the following facts are true and that the facts and circumstances surrounding the offense for which he was convicted involved other misconduct warranting discipline.

Case No. 17-C-03585-CV (Conviction Proceedings)

**PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING:**

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On August 22, 2016, the Santa Barbara County District Attorney's Office filed a complaint in Santa Barbara Superior Court case no. 1497261, charging respondent with one count of violating California Vehicle Code section 23152(a) [Driving Under the Influence], a misdemeanor, one count of violating California Vehicle Code section 23152(b) [Driving with 0.08 percent or more blood alcohol], a misdemeanor, and one count of violating California Vehicle Code section 20002(a)[Hit and Run with Property Damage], a misdemeanor.
3. On May 24, 2017, respondent pled nolo contendere to one count of violating California Vehicle Code section 23152(a) [Driving Under the Influence], and the remaining counts were dismissed pursuant to Penal Code section 1385.
4. On May 24, 2017, the court accepted the respondent's plea and found him guilty. On that date, the court suspended the imposition of sentence and placed respondent on informal probation for a period of three years with conditions, which included incarceration in the Santa Barbara County Jail for 15 days, alcohol-related search terms, court ordered restitution and fine payment, and the requirements that he attend and complete the first time offender alcohol program. To date, respondent has successfully complied with the terms and conditions of his summary probation.
5. On May 24, 2017, the victim's Acknowledgment of Civil Compromise, acknowledging that respondent had paid the victim full satisfaction and compensation, was filed with the court.
6. On August 31, 2017, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed in the event that the Hearing Department finds that the facts and circumstances surrounding the offense for which respondent was convicted involved moral turpitude or other misconduct warranting discipline.

## FACTS:

7. In the early morning hours of July 29, 2016, respondent drove his vehicle while intoxicated and was involved in a traffic collision with an unoccupied vehicle in the area of Anacapa and Haley Streets in the city of Santa Barbara. Respondent immediately left the scene of the collision without stopping. However, respondent stopped his vehicle at a nearby location, shortly after the collision.

8. Two Santa Barbara police officers subsequently responded to the scene to conduct an investigation. Respondent's balance was unsteady and his breath smelled of alcohol when police officers made contact with him. Respondent was cooperative when questioned by the officers and admitted that he had two beers and a shot of Whiskey at a local bar prior to driving. Respondent also admitted that he was involved in a traffic collision in the area of Anacapa and Haley Streets.

9. Thereafter, respondent was detained on suspicion of driving under influence of alcohol and administered a series of subjective field sobriety tests, which respondent failed to complete successfully.

10. Respondent was thereafter arrested for driving under the influence of alcohol in violation of California Vehicle Code sections 23152(b) and hit and run in violation of California Vehicle Code Section 20002(a). Respondent submitted to a breath test. Respondent's blood alcohol content, as measured by the Intox EC/IR-II, was .21/.18/.22 percent.

## AGGRAVATING CIRCUMSTANCES.

None.

## MITIGATING CIRCUMSTANCES.

**Good Character (Std. 1.6(f)):** Respondent provided evidence of good character in the form of letters from eight individuals in the general and legal communities, which include four attorneys who have known respondent for more than six years, three colleagues who have known respondent for up to ten years and a family friend who has known respondent for more than twenty years. These individuals indicated that despite the misconduct committed by respondent of which they are fully aware, they believe it to be out of his character and do not hesitate to attest to respondent's character as being a considerate, trustworthy, helpful and hardworking individual that always puts others before himself.

**Pretrial Stipulation:** By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability]; *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the attorney's stipulation to facts and culpability was held to be a mitigating circumstance].)

## AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct "set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing

with similar misconduct and surrounding circumstances.” (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, Std. 1.1. All further references to standards are to this source.) The standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See Std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) “Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure.” (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given standard, in addition to the factors set forth in the specific standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member’s willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

In a conviction referral proceeding, “discipline is imposed according to the gravity of the crime and circumstances of the case.” (*In the Matter of Katz* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 502, 510.) Respondent’s culpability in this proceeding is conclusively established by the record of his convictions. (Bus. & Prof. Code, § 6101, subd. (a); *In re Crooks* (1990) 51 Cal.3d 1090, 1097.) Respondent is presumed to have committed all of the elements of the crimes of which he was convicted. (*In re Duggan* (1976) 17 Cal.3d 416, 423; *In the Matter of Respondent O* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 581, 588.)

A conviction for driving under the influence of alcohol is not a crime that involves moral turpitude per se. (*In re Kelley* (1990) 52 Cal.3d 487, 494.) The foremost purpose of the moral turpitude standard is not to punish attorneys but to protect the public, courts, and the profession against unsuitable practitioners. (*In re Scott* (1991) 52 Cal.3d. 968, 978.) The California Supreme Court has explained that “[c]riminal conduct not committed in the practice of law or against a client reveals moral turpitude if it shows a deficiency in any character trait necessary for the practice of law (such as trustworthiness, honesty, fairness, candor, and fidelity to fiduciary duties) or if it involves such a serious breach of a duty owed to another or to society, or such a flagrant disrespect for the law or for societal norms, that knowledge of the attorney’s conduct would be likely to undermine public confidence in and respect for the legal profession.” (*In re Lesansky* (2001) 25 Cal.4th 11, 16.)

Although respondent was convicted driving under the influence, which is not a crime involving moral turpitude, the facts and circumstances surrounding respondent’s conviction constitute other conduct warranting discipline. (*In the Matter of Oheb* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920 [“the circumstances surrounding respondent’s convictions are reviewed to determine whether they in fact involved moral turpitude or other misconduct warranting discipline.”].) Respondent committed hit and

run, while driving under the influence of alcohol with a BAC level of .20%, nearly three times above the legal limit.

As such, Standard 2.16(b) applies to respondent's conduct and provides that suspension or reproof is the presumed sanction for final conviction of a misdemeanor not involving moral turpitude but involving other misconduct warranting discipline. Given respondent's lack of aggravation and the fact that his misconduct is significantly mitigated by his good character and by entering into a pretrial stipulation, a public reproof will achieve the purposes of discipline expressed in Std. 1.1, including protection of the public, maintenance of high professional standards, and preservation of public confidence in the legal profession. (Std. 1.1.)

Case law supports this level of discipline. In *In re Kelley, supra*, 52 Cal.3d 487, an attorney was convicted twice of drunk driving within a 31-month period. On the first arrest, the attorney had driven her car into an embankment and was arrested at the scene. While on probation, imposed as a result of her first drunk driving conviction, she was stopped by a police officer while driving home and eventually arrested after failing a field sobriety test. No one was injured in either of her drunken driving offenses. The Court found that the attorney's conduct did not involve moral turpitude, but rather constituted other misconduct warranting disciplinary action. Noting there had been no specific harm caused to the public or the courts, as well as the attorney's significant mitigating evidence, the Court ordered her publicly reproofed and directed her to participate in the State Bar's program on alcohol abuse.

Like the attorney in *In re Kelley*, respondent was convicted of driving under the influence of alcohol and has no prior record of discipline. However, unlike the attorney in *In re Kelley*, respondent has not been twice convicted for driving under the influence and has not violated the terms of his criminal probation ordered by the Superior Court. Although respondent's misconduct resulted in property damage to the victim's vehicle, respondent paid restitution to the victim for the property damage he caused. Furthermore, although respondent did not immediately stop his vehicle to inform the victim of the accident or provide his contact information, he stopped his vehicle at a nearby location shortly after the collision and was forthcoming with officers when asked about the incident. The facts and circumstances surrounding respondent's conviction did not involve moral turpitude. Therefore, a public reproof, on the terms and conditions set forth herein is appropriate and will fulfill the purposes of attorney discipline set forth in Standard 1.1.

#### **COSTS OF DISCIPLINARY PROCEEDINGS**

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of January 5, 2018, the discipline costs in this matter are \$5,640. Respondent further acknowledges that should this stipulation be rejected or should relief from stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

#### **EXCLUSION FROM MINIMUM CONTINUING LEGAL EDUCATION ("MCLE") CREDIT**

Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: VYACHESLAV KUZNYETSOV	Case number(s): 17-C-03585-CV
--	----------------------------------

**SIGNATURE OF THE PARTIES**

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

01.06.18                                            Vyacheslav Kuznyetsov  
Date                              Respondent's Signature                      Print Name

\_\_\_\_\_  
Date                              Respondent's Counsel Signature                      Print Name

1/9/18                                            Angie Esquivel  
Date                              Deputy Trial Counsel's Signature                      Print Name

(Do not write above this line.)

In the Matter of: <b>VYACHESLAV KUZNYETSOV</b>	Case Number(s): <b>17-C-03585-CV</b>
---	---

**REPROVAL ORDER**

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- All court dates in the Hearing Department are vacated.

On page 1 of the Stipulation, in the lower right box, "Submitted to: Settlement Judge" is deleted and in its place is inserted "Submitted to: Assigned Judge"

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

**Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.**

January 18, 2018  
Date

Cynthia Valenzuela  
CYNTHIA VALENZUELA  
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 January 18, 2018, I deposited a true copy of the following document(s):

### STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

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:

VYACHESLAV KUZNYETSOV  
16000 SHERMAN WAY APT 320  
VAN NUYS, CA 91406

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

ANGIE ESQUIVEL, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 18, 2018.



---

Erick Estrada  
Case Administrator  
State Bar Court

FILED  
EE  
MAR 27 2018

STATE BAR COURT  
CLERK'S OFFICE  
LOS ANGELES

STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT - LOS ANGELES

In the Matter of	)	Case No. 17-C-03585-CV
	)	
VYACHESLAV KUZNYETSOV,	)	ORDER GRANTING MOTION TO
	)	MODIFY REPROVAL ORDER
A Member of the State Bar, No. 290407.	)	
_____	)	

On February 23, 2018, the Office of Chief Trial Counsel of the State Bar of California (OCTC) filed a motion requesting a modification to the reproval order in this matter filed on January 18, 2018. In the declaration attached to the motion, OCTC deputy trial counsel Angie Esquivel stated that respondent Vyacheslav Kuznyetsov does not oppose the motion. As such, the court concludes that the parties have agreed to this modification.

For good cause shown, the motion is **GRANTED**. The order approving the stipulation is hereby modified to include the following modification to the parties' January 18, 2018 Stipulation Re Facts, Conclusions of Law and Disposition: On page 8 of the stipulation, after paragraph 10, the following is inserted:

**"CONCLUSIONS OF LAW:**

11. The facts and circumstances surrounding the offense for which respondent was convicted did not involve moral turpitude, but did involve other misconduct warranting discipline."

kwiktag® 028 803 274



**CERTIFICATE OF SERVICE**

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

I am a Court Specialist 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 March 27, 2018, I deposited a true copy of the following document(s):

**ORDER GRANTING MOTION TO MODIFY REPROVAL ORDER**

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:

**VYACHESLAV KUZNYETSOV  
16000 SHERMAN WAY APT 320  
VAN NUYS, CA 91406**

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

**ANGIE ESQUIVEL, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on March 27, 2018.



---

Erick Estrada  
Court Specialist  
State Bar Court

## CERTIFICATE OF SERVICE

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

I am a Court Specialist 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 July 15, 2019, I deposited a true copy of the following document(s):

### STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

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:

Vyacheslav Kuznyetsov  
16000 Sherman Way Apt 320  
Van Nuys, CA 91406

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

Collin Grant, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 15, 2019.



---

Paul Songco  
Court Specialist  
State Bar Court