



The State Bar
of California

OFFICE OF CHIEF TRIAL COUNSEL

845 S. Figueroa Street, Los Angeles, CA 90017

213-765-1338

bo.yang@calbar.ca.gov

November 28, 2022

David Californiaman
davidcaliforniaman@gmail.com

Via e-mail

RE: Case Number: 22-O-14481

Dear David Californiaman:

The State Bar's Office of Chief Trial Counsel has reviewed your complaint against Michael Valencia to determine whether there are sufficient grounds to prosecute a possible violation of the State Bar Act and/or Rules of Professional Conduct.

You stated that you were a friend of one Ms. Kate Talbot (deceased), and that Michael Valencia represents the co-trustees of the Kate Talbot Trust, Mr. Ron Talbot and Ms. Sarah Ellerbrock. You alleged that Mr. Valencia helped his clients mislead the court by concealing, among other things, the facts that Ms. Kate Talbot had removed certain assets from her trust prior to her death, that Ms. Talbot had been diagnosed with a terminal cancer and had opted for assisted suicide, and that Ms. Talbot had diminished capacity due to morphine usage at the time her signature was notarized, etc..

Based on our evaluation of the information provided, we are closing your complaint due to the confidential nature of the attorney-client relationship. We have determined that you are complaining about the attorney's performance of duties owed to his clients. An inquiry by the State Bar into your allegation(s) against Michael Valencia could potentially interfere with the attorney-client relationship. In response to our inquiry, the attorney would have to assert the confidentiality of the attorney-client relationship, and the State Bar would not be able to make a determination in the matter.

Even a complaint by a relative or a friend who has paid the attorney's fees does not waive confidentiality between an attorney and client unless that individual is the client's legal guardian.

For these reasons, the State Bar is closing this matter.

Nevertheless, please be advised that the client may bring a complaint and waive the confidentiality of the attorney-client relationship so that the State Bar may obtain the attorney's response. If the client files a complaint and wants you to receive information on his or her behalf, please provide us with the client's written authorization.

If you have presented all of the information that you wish to have considered, and you disagree with the decision to close your complaint, you may request that the State Bar's Complaint Review Unit review your complaint. The Complaint Review Unit will recommend that your complaint be reopened if it determines that further investigation is warranted. To request review by the Complaint Review Unit, you must submit your request in writing, either:

- 1) Via email: Within 90 days of the date of this letter, by email to: CRU@calbar.ca.gov; or
- 2) Via United States Mail: Post-marked within 90 days of the date of this letter, by United States Mail to:

The State Bar of California
Complaint Review Unit
Office of General Counsel
180 Howard Street
San Francisco, CA 94105-1617

If you decide to send new information or documents to this office, the 90-day period will continue to run during the time that this office considers the new material. You may wish to consult with legal counsel for advice regarding any other available remedies. You may contact your local or county bar association to obtain the names of attorneys to assist you in this matter.

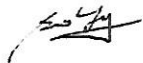
We would appreciate if you would complete a short, anonymous survey about your experience with filing your complaint. While your responses to the survey will not change the outcome of the complaint you filed against the attorney, the State Bar will use your answers to help

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improve the services we provide to the public. The survey can be found at
<http://bit.ly/StateBarSurvey1>.

Thank you for bringing your concerns to the attention of the State Bar.

Sincerely,



Bo Yang
Deputy Trial Counsel