



The State Bar of California

OFFICE OF CHIEF TRIAL COUNSEL ENFORCEMENT

845 S. Figueroa Street, Los Angeles, CA 90017

213-765-1205

michelle.king@calbar.ca.gov

June 3, 2020

PERSONAL AND CONFIDENTIAL

Darryl Cotton
6176 Federal Blvd.
San Diego, CA 92114

Re: Respondent: Cynthia Morgan-Reed
Case Number: 20-O-02533

Dear Mr. Cotton:

I am writing to inform you that the State Bar has decided to close your complaint against Cynthia Morgan-Reed.

Please understand that the State Bar cannot proceed with disciplinary charges unless we can present evidence and testimony in court sufficient to prove by clear and convincing evidence that the attorney has committed a violation of the State Bar Act or the Rules of Professional Conduct. The violation must be serious enough to support both a finding of culpability and the imposition of professional discipline. In some cases, there may be evidence of attorney malfeasance or negligence, but this evidence may be insufficient to justify the commencement of a disciplinary proceeding or to be successful at a disciplinary trial.

After carefully reviewing the information that you provided in your complaint and interview, this office has concluded that we would not be able to prevail in a disciplinary proceeding.

Ms. Morgan-Reed represents a third-party client (not you) who hired her to acquire a CUP for a cannabis dispensary. You alleged that, had Ms. Morgan-Reed done any due diligence, she would have realized that the client's business did not qualify for a CUP, and as such she should have advised the client upfront that the goal of representation was impossible to achieve.

During your interview with the State Bar, it was explained to you that you were complaining about duties owed to the client and not to you. With this complaint, we do not have a client complainant, and Ms. Morgan-Reed's communications/advice to her client are privileged. As such, we lack clear and convincing evidence to prove a violation.

San Francisco Office
180 Howard Street
San Francisco, CA 94105

www.calbar.ca.gov

Los Angeles Office
845 S. Figueroa Street
Los Angeles, CA 90017

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If you would like to further discuss this matter or provide additional information or documentation, we request but do not require that you call us or send us the information within ten days of the date of this letter. You may leave a voice mail message with attorney Jessica Jorgensen at (213) 765-1409. In your message, be sure to clearly identify the lawyer complained against, the case number assigned to your complaint, and your name and return telephone number, including area code. The attorney will return your call as soon as possible.

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, **post-marked within 90 days of the date of this letter**, 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 improve the services we provide to the public. The survey can be found at <http://bit.ly/StateBarSurvey2>.

Respectfully,



Michelle King
Investigator

MK:wss