



The State Bar of California

OFFICE OF CHIEF TRIAL COUNSEL

845 S Figueroa Street, Los Angeles, CA 90017

Tel: 213-765-1000

Attorney Misconduct Complaint Form

Your Contact Information

First Name: Darryl

Middle Name: Gerard

Last Name: Cotton

Address: 6176 Federal Blvd

City: San Diego

State: CA

Zip: 92114

Email: indagrodarryl@gmail.com

Home Phone: none

Work: none

Cell: 619.954.4447

Attorney's Information

First Name: Natalie

Middle Name: Trang-My

Last Name: Nguyen

Address: 2260 Avenida De La Playa

City: La Jolla

State: CA

Zip: 92037

Email: natalie@nguyenlawcorp.com

CA Bar License #: 246753

Home Phone: unknown

Work Phone: (858) 757-8577

Cell Phone: unknown

Website: www.nguyenlawcorp.com

Have you or a member of your family complained to the State Bar about this attorney previously?

☐

YES

☒

NO

Did you hire this attorney?

☐

YES

☒

NO

Enter the approximate date you hired the attorney and the amount paid (if any) to the attorney.

Date: _____

Amount Paid: _____

What is your connection to this attorney? Explain briefly.

Nguyen represented Ms. Corina Young who was a material fact witness in the above referenced case. Nguyen was not hired by Young. Nguyen was hired my atty Matt Shapiro (292542) who I have also filed a CA-BAR complaint against. Shapiro knew he was involved in an illegal plot to help his client Aaron Magagna acquire a Conditional Use Permit (CUP) for a licensed Marijuana Outlet (MO) that if granted, because of the setback/spacing regulations that the City of SD has between MO licenses, would make my CUP ineligible for the license. Shapiro represented not only Magagna but Young as well. He needed another attorney to represent Young and that atty would have to be willing to use any means necessary to keep Young from being deposed or testify at trial. Shapiro picked Nguyen for this task and she cooperated fully.

Attorney's Information

Statement of Complaint

Include with your submission, a statement of what the attorney did or did not do that is the basis of your complaint. Please state the facts as you understand them. Do not include opinions or arguments. If you hired the attorney(s), state what you hired the attorney(s) to do. Additional information may be requested.

On or about 01/16/19 my atty, Jacob Austin had a series of email exchanges with Nguyen that would make Young available for a deposition. Young would have testified to her relationship with Shapiro, Magagna and a political lobbyist James Bartell when it comes to maintaining illegal, unlicensed cannabis dispensaries and how Magagna was the straw person being used to acquire a competing license to mine which once granted would disqualify my application. Nguyen was a good soldier for her team. She kept telling Austin she was working on scheduling a mutually accpetable date or would atleast provide a sworn statement for our use at trial. Besides multiple promises by email and phone, that never occurred. Since Young's testimony was never provided it played a large part in evidence we were not able to bring to the jury and I lost a verdict against Geraci. After the trial it became known that Shapiro had paid for Nguyen's services. Nguyen should be disbarred for her unethical participation in this scheme.

Related Court Case Information (If known)

Name of Court: Superior Court

Case Name: Geraci v Cotton

Case Number: 37-2017-00010073

Approx. date case was filed: 03/21/17

Size of law firm complained about:

If you are not a party to this case, what is your connection with it? Explain briefly.

I am a party in the above referenced case.

Translation Information☒ Not Applicable

The State Bar accepts complaints in over 200 languages. If you need translation services to communicate with the State Bar, please let us know by completing this section of the complaint form. We will communicate with you through a translation service in the language of your choice. Do you need translation services?

☐ YES☒ NO

Please state the language in which you need formal translation:

The State Bar's mission is to protect complainants regardless of their immigration status. Complainants who are unable to complete this form due to disability, language restrictions, or other circumstances may obtain help by calling the complaint line at 800-843-9053.

Attestation

By checking this box I certify that all information on this form is true and correct. I understand that the content of my complaint can be disclosed to the attorney. I ☒ understand that I waive the attorney client privilege and any other applicable privilege between myself and the attorney to the extent necessary for the investigation and prosecution of the allegations.

Signature:



Date: 02/06/2020



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 22, 2020

SENT VIA U.S. MAIL

PERSONAL AND CONFIDENTIAL

Darryl Cotton
6176 Federal Blvd.
San Diego, CA 92114

Re: Respondent: Natalie Nguyen
Case Number: 20-O-02531

Dear Mr. Cotton:

I am writing to inform you that the State Bar has decided to close your complaint against Natalie Nguyen.

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.

You alleged that attorney Matthew Shapiro represented a fact witness, Corina Young, in the *Geraci v. Cotton* case, but there was a conflict because Mr. Shapiro was representing both Ms. Young and the competitor, Aaron Magagna. As such, Mr. Shapiro would need to distance himself from any representation of Ms. Young in the *Geraci v. Cotton* case. Due to this, Mr. Shapiro hired Ms. Nguyen to represent Ms. Young and to appear to act in accordance with your attorney's request that Ms. Young be deposed for your case. You alleged that you had evidence to show that Mr. Shapiro hired Ms. Nguyen.

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. Nguyen'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

Los Angeles Office

845 S. Figueroa Street

Los Angeles, CA 90017

www.calbar.ca.gov

In addition, during the interview, it was also explained to you that it is not illegal for an attorney to prevent testimony from being heard by the court through the legal process, as it is their duty to protect their client's interests.

During the interview, you stated that you would provide proof that Mr. Shapiro hired Ms. Nguyen. You were given several weeks to produce information that you believed would help the investigation, but you failed to do so. Without proof of the alleged actions by Ms. Nguyen and given that these allegations were addressed to the court with no findings of impropriety, we are unable to prove a violation.

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.

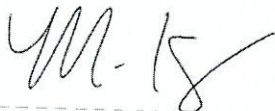
If you have presented all of the information that you wish to have considered, and you disagree with the decision to close your complaint, you may request that the State Bar's Complaint Review Unit review your complaint. The Complaint Review Unit will recommend that your complaint be reopened if it determines 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