

[LETTERHEAD]

May 17, 2015

Jane Chou  
Bank Reportable Analyst  
State Bar of California  
845 S. Figueroa St  
Los Angeles, CA 90017

**Re: Reportable Action No. 15-164436-B**

Dear Ms. Chou:

Please allow this to serve as my response to your letter dated May 14, 2015 regarding the referenced reportable action. This letter is being submitted to you as my written explanation of the events which led to Check Number 1875 being submitted for deposit by a third party mediator at a time when there were insufficient funds to cover this check. In short, this situation arose due to an error with my client Denise Evans (a Member of the Bar in good standing) and her own bank, Wells Fargo Bank NA regarding a wire transfer to my trust account. Ms. Evans is providing a letter here for your information as well.

**FACTUAL EXPLANATION**

I am counsel to Ms. Evans in a civil litigation. The case is pending in Superior Court in Hayward, California and is captioned Evans v. Cooper et al, HG1261555349.

In the pretrial phase of the litigation, the parties were ordered to mediation. To pay the mediator, Ms. Evans wired \$950.00 to me from her own account. As Ms. Evans explains in her letter, she made the wire transfer online on March 5, 2015. However, without notifying Ms. Evans until five days later, Wells Fargo rejected the wire transfer on the grounds that it believed the wire to be fraudulent.

Ms. Evans did not learn of this rejection until March 10, 2015, on which date she immediately re-wired the money to my trust account. Unfortunately, because we were both under the misimpression that the wire had gone through as scheduled on March 5, I had already provided the mediator with Check 1875 on the day of mediation, March 6. It was deposited (and rejected for insufficient funds) before Wells Fargo notified Ms. Evans that the wire had been rejected and thus before the second wire arrived in my account.

I immediately, on March 11, 2015, provided the mediator with a new check for \$950.00 which did clear my account.

**MEASURES TO PREVENT RECURRENCE**

To ensure that an error like this does not happen again, I now (from March 2015 forward) confirm with my bank Citibank that a wire transfer has been actually received before I write any check drawn on the wired funds.

### **DOCUMENTS IN SUPPORT**

I provide for your reference in support of this explanation Ms. Evans' letter and supporting documents.

### **CONCLUSION**

This situation arose from an isolated error. I take this unfortunate situation very seriously, I immediately made the situation right with the mediator to whom the funds were owed, and I have taken affirmative steps to prevent this situation from occurring again. It is my position that the error which led to this check being dishonored did no harm and was immediately rectified. This matter should be closed with no further action. If you believe otherwise, I will fully cooperate in any further requests you may have.

Very truly yours,

Charles Dodgson