

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA

In re:

THE DISCIPLINARY PROCEEDING OF  
ANTHONY P. CARA

State Bar Number 170720

Case No. 2:21-mp-00105-RK

ORDER ON DISCIPLINARY PROCEEDING  
OF ANTHONY P. CARA

DATE: February 11, 2022  
TIME: 11:00 A.M.  
PLACE: Zoom.gov

A hearing was scheduled before the undersigned attorney disciplinary panel of this court on the above-stated date and time to consider Statement of Cause of the Honorable Barry Russell, United States Bankruptcy Judge, against Attorney Anthony P. Cara. On February 8, 2022, Attorney Cara filed a Consent to Discipline; Consent to Terms of Reinstatement, which was also signed by Ron Maroko, Trial Attorney, Office of the United States Trustee, on behalf of Peter C. Anderson, the United States Trustee, the other party appearing in this discipline matter.

The panel having considered the Consent to Discipline; Consent to Terms of Reinstatement and the Statement of Cause and the other papers and pleadings related to this matter, for good cause appearing

**IT IS HEREBY ORDERED** as follows:

1. The Consent to Discipline; Consent to Terms of Reinstatement is approved.

1           2.     The discipline proposed therein and the terms of reinstatement therein are  
2 incorporated by reference herein and adopted as part of this Disciplinary Order of the court.

3           3.     In so approving the Consent to Discipline; Consent to Terms of Reinstatement,  
4 the panel strongly recommends that Attorney Cara participate in the activities in, and attend  
5 educational programs offered by, consumer bankruptcy bar organizations, such as the Central  
6 District Consumer Bankruptcy Attorneys' Association ("CDCBAA"), the Los Angeles  
7 Bankruptcy Forum, the Orange County Bankruptcy Forum, the Inland Empire Bankruptcy  
8 Forum and/or the Federal Bar Association, Los Angeles Chapter. The panel believes that  
9 participation in a consumer bankruptcy bar organization will help Attorney Cara maintain the  
10 high level of competency and ethical standards expected of consumer bankruptcy attorneys in  
11 the Central District of California.

12           4.     To effectuate the discipline consented to by Attorney Cara and adopted in this  
13 Disciplinary Order, Attorney Cara's privilege to practice before the United States Bankruptcy  
14 Court for the Central District of California (the "District") is hereby REVOKED for a period of not  
15 less than six months from the effective date of this order, which is effective 30 days from the  
16 date of entry of the Disciplinary Order. More specifically, and without limiting the generality of  
17 the foregoing, unless and until Mr. Cara's privilege to practice before this court is reinstated  
18 Attorney Cara is expressly prohibited from:

- 19           a. commencing any new bankruptcy cases or adversary proceedings in the District;
- 20           b. representing any parties in connection with any bankruptcy case or adversary  
21           proceeding pending in the District; and
- 22           c. assisting any debtor in any manner in connection with the preparation for, or filing  
23           of, a new bankruptcy case in the District.

24           5.     The Clerk of Court is hereby directed to deactivate Attorney Cara's user  
25 identification and password for the CM/ECF system upon the effective date of this order and  
26 not to reactivate it unless and until Attorney Cara is reinstated.

1           6.     The scheduled hearing in this matter on February 11, 2022 at 11:00 a.m. is  
2 hereby vacated. No appearances are required.

3           7.     The Clerk of Court is directed to deliver a copy of Attorney Cara's Consent to  
4 Discipline; Consent to Terms of Reinstatement and this Disciplinary Order filed in this matter to  
5 each sitting judge of the United States Bankruptcy Court for the Central District of California, to  
6 the Clerk of Court for the United States District Court for the Central District of California and to  
7 the State Bar of California.

8           **IT IS SO ORDERED.**


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10  
11 Dated: February 10, 2022

  
ROBERT N. KWAN  
United States Bankruptcy Judge

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15 Dated: February 10, 2022

  
DEBORAH J. SALTZMAN  
United States Bankruptcy Judge

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19 Dated: February 10, 2022

  
WAYNE JOHNSON  
United States Bankruptcy Judge



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**UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA**

In re: ) Case No.: 2:21-mp-00105-RK  
THE DISCIPLINARY PROCEEDING OF )  
ANTHONY P. CARA. ) CONSENT TO DISCIPLINE; CONSENT TO  
TERMS OF REINSTATEMENT  
DATE: February 11, 2022  
TIME: 11:00 am  
To Be Conducted Via Zoom for Government

TO THE HONORABLE JUDGES OF THE DISCIPLINARY PANEL:

On November 2, 2021, the Honorable Barry Russell issued a Statement of Cause (“Statement of Cause”) referring attorney Anthony P. Cara (SBN 170720) (“Cara”) to the Disciplinary Panel for the Bankruptcy Court for the Central District of California (“Disciplinary Panel”) related to the case of *In re 1323 Venice LLC*, No. 2:21-bk-12066-BR (“1323 Venice”). Attached as Exhibit A to the Statement of Cause was the November 2, 2021 Order following continued hearings on motion to withdraw as attorney and order to show cause in the 1323 Venice case (“November Order”). Judge Russell attached to the November Order other documents as exhibits, including a prior order, pleadings and declarations. The November Order contained extensive factual statements, findings of fact, and conclusions of law, including Cara’s: (1) failure to provide the debtor with adequate legal services; (2) failure to exercise due diligence with respect to all aspects of the 1323 Venice case; (3) failure to appear at any of the 341(a) meeting of creditors; (4) failure to appear at the relief from stay hearing; (5) failure to appear at the hearing on motion to withdraw as counsel; and (6) failure to control his own or his office staff’s attention to detail, resulting in the improper copying of Tomas F. Garcia’s signature onto Mr. Garcia’s

1 declaration attached to the opposition to a relief from stay motion (Doc 17 in the 1323 Venice case).  
2 As part of this consent to discipline, Cara is not contesting the factual statements, findings of fact,  
3 and conclusions of law in the November Order.

4 The Disciplinary Panel established disciplinary file 2:21-mp-00105-RK based upon the  
5 Statement of Cause. In the Statement of Cause, Judge Russell recommended that Cara's "privileges  
6 to practice in the United States Bankruptcy Court for the Central District of California be revoked  
7 for a period of at least one year from the date of the entry of an order on this disciplinary  
8 proceeding." Judge Russell further recommended that Cara only be allowed to apply for  
9 reinstatement upon a showing that Cara: (1) successfully completed ten (10) hours of bankruptcy  
10 related continuing legal education in ethics; (2) was in good standing with the California State Bar;  
11 and (3) has met all the additional reinstatement requirements set forth in the Sixth Amended  
12 General Order 96-05.

13 A hearing on the disciplinary matter currently is set for February 11, 2022.

14 **CONSENT**

15 1. Cara consents to the Disciplinary Panel imposing an order ("Disciplinary Order") for  
16 a six-month suspension ("Suspension Period") from practicing law in and before the Bankruptcy  
17 Court for the Central District of California ("Central District Bankruptcy Court"). During the  
18 Suspension Period, Cara will not represent clients or render services in connection with bankruptcy  
19 matters brought in, pending before, or for which proper venue would be the Central District of  
20 California provided, however, that Mr. Cara shall have thirty (30) days to conclude his  
21 representation of existing bankruptcy clients. Also, during the Suspension Period, Cara shall not  
22 have any electronic filing privileges and any such privileges shall be immediately suspended by the  
23 court.

24 2. Cara consents to, as a condition to his reinstatement, completing at least ten hours of  
25 bankruptcy related continuing legal education in ethics ("Training Requirement"), as well as  
26 showing that he is in good standing with the California State Bar; and has met all the additional  
27 reinstatement requirements set forth in the Sixth Amended General Order 96-05.

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1           3.       Cara consents, as a condition to his reinstatement, to a two-year probation period  
2 after reinstatement (“Probation Period”), during which Cara consents to these additional client  
3 protections:

4                   A. Cara will personally meet and have a meaningful discussion with all bankruptcy  
5 clients prior to filing their petitions and that he would acknowledge that he did so on his disclosure  
6 of compensation declaration;

7                   B. Without exception, Cara will personally electronically file all client bankruptcy  
8 documents with the Court and that the electronic filing of the document with the Court is  
9 presumptive evidence that Mr. Cara certifies that all signatures are authentic, authorized and are  
10 adequately documented in his case files;

11                   C. Cara will personally attend all 341(a) meetings of his clients, personally appear at  
12 all hearings on motions that he files in bankruptcy cases, and personally appear at hearings where  
13 he specifically is so instructed to by the Court; and

14                   D. Should Cara have an appearance attorney appear for him before the Bankruptcy  
15 Court, within 48 hours of the appearance, he will file with the Court a declaration stating that he  
16 personally notified the client prior to the appearance obtained the client’s consent, personally  
17 communicated and a have a meaningful discussion with appearance counsel prior to the hearing,  
18 and will disclose how much his office paid or agreed to pay to the appearance attorney and whether  
19 the client had to pay additional monies for this appearance.

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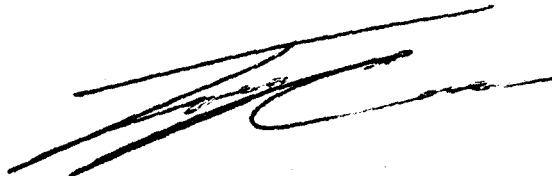
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4. At the conclusion of the Probation Period, Cara will file with the Court and serve upon the United States Trustee a declaration attesting that he has complied with the terms set forth in paragraph 3 of this Consent and that he further consents and affirms to continuing the practices set forth in paragraphs 3A and 3B after the conclusion of the Probation Period.

DATED:



Anthony P. Cara, State Bar No. 170720

No objection to the proposal and consent:

PETER C. ANDERSON  
UNITED STATES TRUSTEE

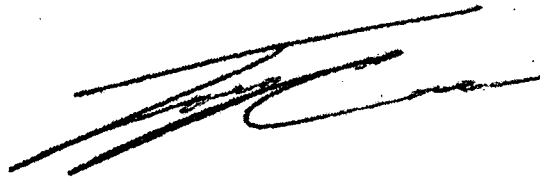
Dated: \_\_\_\_\_

Ron Maroko  
Trial Attorney



1           4. At the conclusion of the Probation Period, Cara will file with the Court and serve upon  
2 the United States Trustee a declaration attesting that he has complied with the terms set forth in  
3 paragraph 3 of this Consent and that he further consents and affirms to continuing the practices set  
4 forth in paragraphs 3A and 3B after the conclusion of the Probation Period.

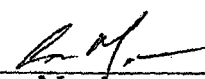
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7 DATED:



8 Anthony P. Cara, State Bar No. 170720

9 No objection to the proposal and consent:

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11 PETER C. ANDERSON  
12 UNITED STATES TRUSTEE

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14 Ron Maroko  
15 Trial Attorney

16 Dated: 2/8/2022

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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: **915 Wilshire Boulevard, Suite 1850, Los Angeles, California 90017**

A true and correct copy of the foregoing document entitled (*specify*): CONSENT TO DISCIPLINE; CONSENT TO TERMS OF REINSTATEMENT will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 2/8/2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Ron Maroko ron.maroko@usdoj.gov

Jesse J Thaler (**Counsel for Anthony P. Cara**) jessejthaler@gmail.com

United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) 2/8/2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Anthony P. Cara  
CDLG, PC  
2973 Harbor Blvd., Suite 594  
Costa Mesa, CA 92626

Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

2/8/2022  
Date

Ron Maroko  
Printed Name

/s/ Ron Maroko  
Signature