

**PRACTICE OF LAW BOARD
STATE OF WASHINGTON**

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June 26, 2009

[REDACTED], WA [REDACTED]

Re: Complaint Alleging Unauthorized Practice of Law against
Hector Gancedo and Gary Goodrich, POLB No. 09-07

Dear Mr. [REDACTED]:

The Practice of Law Board was created by order of the Washington State Supreme Court, General Rule (GR) 25. The Board is charged with the investigation of allegations of unauthorized practice of law in Washington. Revised Code of Washington (RCW) 2.48.180 states that a nonlawyer practicing law or holding himself out as entitled to practice law constitutes the unauthorized practice of law. Court rule GR 24 defines the practice of law. The unauthorized practice of law is a crime in Washington.

As you are aware, the Practice of Law Board opened a complaint against your clients, California attorney Hector Gancedo and his assistant, Gary Goodrich, alleging that they engaged in the unauthorized practice of law. In September 2008, J [REDACTED] T [REDACTED] was involved in a motorcycle accident in Tacoma, Washington. In October 2008, Mr. T [REDACTED] saw an advertisement featuring a picture of Gary Goodrich that encouraged viewers to call 1-800-CYCLE. Mr. T [REDACTED] called the number and spoke with Mr. Goodrich about the motorcycle accident. Mr. T [REDACTED] subsequently spoke with Mr. Goodrich over the phone at least two more times. Mr. Goodrich advised Mr. T [REDACTED] regarding reimbursing Medicare for medical expenses and discussed what Mr. T [REDACTED] might receive in a settlement. In that phone conversation, Mr. Goodrich never mentioned to Mr. T [REDACTED] that he worked in California or for a California attorney. Mr. T [REDACTED] never spoke to Mr. Gancedo.

Mr. Goodrich sent Mr. T [REDACTED] a retainer agreement, signed by Mr. T [REDACTED] on October 23, 2008, agreeing that

Gancedo & ██████ LLP would represent him in the September 2008 motorcycle accident. Mr. T ██████ included with his complaint a copy of a letter from Mr. Goodrich, dated October 22, 2008; a copy of the signed retainer agreement; and a copy of a letter from Mr. Gancedo, dated November 7, 2008. Both letters from Gancedo & ██████ LLP list an address in Seattle: "999 3rd Ave., Suite 3800."

In an interview with the Board's investigative attorney on May 13, 2009, Mr. Goodrich stated that he spoke with Mr. T ██████ regarding the accident and discussed repayment of medical expenses. Mr. Goodrich acknowledged that Mr. Gancedo never spoke to Mr. T ██████ and that he never told Mr. T ██████ that the law office he works for is located in California. Mr. Goodrich and Mr. Gancedo stated that Gancedo & ██████ LLP maintains a Seattle address, for which they pay an annual fee. The Seattle address is used as a place where they could meet clients.

Mr. Goodrich is not a lawyer. Mr. Gancedo is not licensed to practice law in the state of Washington. As defined by RCW 2.48.180(1)(b), Mr. Gancedo is a nonlawyer in the state of Washington. RCW 2.48.180(2)(a) states that a non-lawyer practicing law or holding himself out as entitled to do so constitutes the unauthorized practice of law. Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others for fees or other consideration is included in the GR 24 definition of the practice of law. By advertising in Washington, maintaining a Seattle address, and signing a retainer agreement with a Washington resident based on an accident that occurred in Washington, Mr. Gancedo and Mr. Goodrich engaged in the unauthorized practice of law.

At this time, pursuant to GR 25(f)(4)(B), we request that you enter into a written agreement with this Board, to refrain from the following conduct:

- Holding yourself out as entitled to practice law in Washington, including having an office in Washington and advertising in Washington without making clear that you are not admitted to practice in Washington;
- Any activity which is defined as the practice of law in GR 24, unless authorized by law to engage in such activities.

We further ask you to stipulate that in the event you violate this agreement, you agree that this stipulation, evidence of your further violation, the investigative report to the Board of your past violations, the original complaint, your response, and all other evidence of such violations shall be turned over to the appropriate County Prosecutor's Office with a request from the Board that that office institute a criminal proceeding against you.

In the event you do not return this stipulation as signed and agreed to within 15 days of the mailing of this letter, the Board will issue its report and consider turning over its investigation along with a request for prosecution to the County Prosecutor's Office.

If you disagree with the Practice of Law Board's final action, you may seek review by filing a Notice of Petition for Review with the Washington Supreme Court. The Notice must be filed within 30 days of final Practice of Law Board action. You must serve the original Notice of Petition for Review on the Supreme Court Clerk and a copy on the Practice of Law Board. Your Notice must set out your name and address, the name and address of your counsel, if any, and a concise statement of the reason for your appeal. Your Petition must comply with the Rules of Appellate Procedure (RAP). For further information on Petitions for Review, please see GR 25(g).

We are hopeful that we will be able to resolve these matters by stipulation. If you are willing to so stipulate, please sign and date your signature and have your signature witnessed by a person over the age of eighteen, who will also sign as the witness. The signed letter should be returned to the Board within 15 days.

Thank you in advance for your anticipated cooperation.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Steve Crossland', written in a cursive style.

Steve Crossland, Chair
Practice of Law Board

Enclosure: Agreement to Refrain

JS:as

cc: J [REDACTED] T [REDACTED] (w/out enclosure)