



FOR IMMEDIATE RELEASE
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L.A. CITY ATTORNEY ROCKY DELGADILLO FILES CRIMINAL CHARGES IN BANKRUPTCY SERVICES FRAUD

LOS ANGELES – Los Angeles City Attorney Rocky Delgadillo, the City's chief prosecutor, today joined with representatives of the Los Angeles Police Department Commercial Crimes Division and the United States Department of Justice, Office of the U.S. Trustee to announce the filing of multiple criminal counts against a Colorado paralegal for unauthorized practice of law in bankruptcy court.

Emmanuel Assaf, 42, has been charged by the City Attorney's Office with one count of conspiracy, one count of financial elder abuse, one count of grand theft, two counts of unauthorized practice of law, one count of false advertising, and one count of misleading advertising as a paralegal. If convicted, Assaf could face up to 4.5 years in jail and more than \$15,500 in fines.

The investigation into this case began in May 2007 after Judge Kathleen Thompson in the US Bankruptcy Court and the US Trustee for the United States Department of Justice Central District of California (Region 16) observed potentially illicit acts of Assaf, a paralegal. In September 2007, detectives from the LAPD Fraud Unit were assigned to investigate a case involving Assaf fraudulently advertising paralegal services and providing bankruptcy preparation for a then-85-year-old victim.

During the course of the investigation, detectives learned that in early 2006 the victim, Maximiliano Jimenez, and his daughter spoke with representatives at Assaf's paralegal office in Van Nuys after seeing an advertisement in El Aviso, a Spanish language publication, offering assistance in a variety of legal matters, including paralegal services for bankruptcy filings. The victim was assured by Assaf, over the phone, that he would handle everything and even have someone accompany him to court. Unbeknownst to the victim, Assaf was calling from Colorado. The victim provided his social security number and \$1,200 in fees to Assaf.

In July, 2006 Jimenez filed for bankruptcy and Assaf declared to the court that he had accepted a fee of only \$200, though he did not make any appearance in court or inform Jimenez he was required to complete a course in financial management. As a result, Jimenez's case was closed in April 2007 without discharging him as a debtor for failing to complete the course. After a lengthy process to explain the situation to the court, Jimenez was discharged from his obligations as a debtor and the case was referred to the City Attorney's Identity Theft and Fraud Unit for prosecution.

Under the law, a paralegal cannot provide legal services independently without the supervision of an attorney or a law firm to ensure proper legal service is provided in the highly technical field of bankruptcy law. In addition, it is unlawful for a paralegal to advertise legal services without stating they are employed by, or contracting with, a licensed attorney and they may only perform limited acts on behalf of the petitioners with a maximum fee of \$200.

Arraignment in the case against Mr. Assaf is scheduled for May 29 in Department 81 of the Los Angeles Superior Court.

"We are grateful to City Attorney Delgadillo for his vigilance in pursuing wrongdoing by non-attorney bankruptcy petition preparers, and we are pleased to coordinate with his office to protect consumers," stated Peter C. Anderson, United States Trustee for the Central District of California (Region 16). "Some non-attorneys perform a legitimate service by providing typing services for a fee permitted by law. Unfortunately, however, we frequently learn about consumers in need of debt relief who turn to a non-attorney bankruptcy petition preparer who improperly provides legal advice that causes the consumers irreparable harm."

Individuals seeking Bankruptcy filing assistance should understand that only a licensed attorney is capable of providing legal advice. Paralegals or document preparer centers are only allowed to type the forms for the consumer and are not allowed to perform the following services:

- Instruct what forms to use
- Provide any advice on bankruptcy proceedings
- Ask consumers to fill out a questionnaire to use for filling out the petition forms
- Provide representation in the courtroom

Individuals who may have been a victim of Mr. Assaf are encouraged to contact the City Attorney's Identity Theft and Fraud Unit at (213) 473-9948 to make a report. Those that have been involved in other bankruptcy fraud schemes should contact the United States Department of Justice Trustee Program at ustp.bankruptcy.fraud@usdoj.gov or by mailing:

Office for U.S. Trustee

Fraud Reporting Dept.
725 S. Figueroa St., 26th Fl.
Los Angeles, CA 90017

or in the San Fernando Valley:

Office for U.S. Trustee

Fraud Reporting Dept.
21051 Warner Center Lane, Suite 115
Woodland Hills, CA 91367

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