

1 The State Bar of California alleges:

2 JURISDICTION

3 1. Omid Emile Khalifeh (“Respondent”) was admitted to the practice of law in the
4 State of California on December 3, 2009. Respondent was a licensed attorney at all times
5 pertinent to these charges and is currently a licensed attorney of the State Bar of California.

6 GENERAL BACKGROUND FACTS COMMON TO ALL COUNTS

7 2. Respondent represented plaintiff, Flowz Digital, LLC, in a trademark matter
8 *Flowz Digital LLC v. Carolina Dala et al.* (Case No. 2:25-cv-709-SB-PVC) (“*Flowz Digital*”),
9 before the United States District Court, Central District of California (“the Court”).

10 3. The Court’s Civil Standing Order (“standing order”), filed on January 28, 2025,
11 included Section 5c. re Artificial Intelligence, requiring that: “Any party who uses generative
12 artificial intelligence ... to generate any portion of a brief, pleading, or other filing must attach to
13 the filing a separate declaration disclosing the use of artificial intelligence and certifying that the
14 filer has reviewed the source material and verified that the artificially generated content is
15 accurate and complies with the filer's Rule 11 obligations.”

16 4. On February 4, 2025, Respondent filed proofs of service of the Court’s Civil
17 Standing Order on two defendants in *Flowz Digital* on January 29, 2025 and February 2, 2025.

18 5. On April 4, 2025, Respondent filed Plaintiff’s Opposition to Defendants’ Motion
19 to Dismiss (“opposition brief”) containing a citation to a decision — *Shell Petroleum N.V. v.*
20 *Republic of Costa Rica*, 608 F. Supp. 2d 269 (S.D.N.Y. 2009) (“Shell case”) — that is non-
21 existent and language that mischaracterized the decisions in two other cases, *In re Daou*
22 *Systems, Inc.*, 411 F.3d 1006 (9th Cir. 2005) (“*In re Daou*”) and *S.E.C. v. Cross Financial*
23 *Services, Inc.*, 908 F. Supp. 718 (C.D. Cal. 1995) (“*Cross Financial*”) (collectively, “fabricated
24 legal authority”).

25 6. On April 25, 2025, the Court’s Civil Minutes (“minute order”) ordered
26 Respondent to comply with the standing order, citing “concerns about errors in the opposition
27 brief. For instance, it cites to a case that does not appear to exist and cites to others that do not
28 appear relevant to its arguments.”

1 7. On May 1, 2025, Respondent filed a Disclosure Regarding Use of Artificial
2 Intelligence and Clarification of Authorities Cited in Opposition to Motion to Dismiss
3 (“disclosure”), wherein he stated, “All AI-assisted content was subsequently reviewed, edited,
4 and revised by counsel to ensure accuracy, relevance, and compliance with all legal and
5 professional standards. The final content reflects the independent legal judgment of undersigned
6 counsel.” Respondent further stated, “All authorities cited in Plaintiff’s opposition brief are
7 published judicial decisions from courts within the United States. Plaintiff relied on these
8 authorities in good faith and selected them based on their relevance to the legal theories
9 presented.” Respondent added, “...*Shell Petroleum N.V. v. Republic of Costa Rica*, 608 F. Supp.
10 2d 269 (S.D.N.Y. 2009), was cited for its general discussion distinguishing direct and derivative
11 claims. Although accurate in principle, the case arises in the context of foreign investment treaty
12 arbitration and is not directly on point for a Lanham Act dispute.”

13 8. The disclosure included Annex A: Explanatory Table of Authorities (“annex”),
14 wherein Respondent stated: “*Shell Petroleum* was cited for its general discussion distinguishing
15 direct from derivative claims. Plaintiff, a Delaware limited liability company, cited the case in
16 good faith to illustrate that Rule 23.1 does not apply when an entity brings claims on its own
17 behalf for harm it directly suffered. While *Shell Petroleum* does not concern trademark law
18 specifically, its reference to the distinction between direct and derivative actions remains
19 relevant. Nonetheless, Plaintiff acknowledges that the case's application to the present trademark
20 dispute is tangential, and the citation may be removed or substituted with a more directly
21 applicable authority.”

22 9. On May 1, 2025, with the disclosure above, Respondent filed Declaration of
23 Omid E. Khalifeh Regarding Use of Artificial Intelligence (“declaration”) which included these
24 statements:

25 “4. Following drafting, I reviewed, revised, and supplemented all
26 portions of the brief, including those that were informed by the use
27 of Lexis+ AI or based on prior templates. I independently verified
28 the factual and legal accuracy of the content and confirmed that all
arguments and authorities were appropriate to the issues
presented...”

1 effectively use artificial intelligence, which resulted in the submission to the court of a brief
2 containing fabricated legal authority.

3 COUNT TWO

4 OCTC Case No. 25-O-21783
5 Rules of Professional Conduct, Rule 1.3(a)
6 [Failure to Perform with Diligence]

7 15. The general background facts alleged in paragraphs 2 through 12 are incorporated
8 by reference.

9 16. On or about April 4, 2025, Respondent intentionally, recklessly, with gross
10 negligence, and repeatedly failed to act with reasonable diligence, in willful violation of Rules of
11 Professional Conduct, rule 1.3(a), by failing to check the veracity and accuracy of all case
12 citations generated by artificial intelligence tools he used to research and prepare the opposition
13 brief, which resulted in the submission to the court of a brief containing fabricated legal
14 authority.

15 COUNT THREE

16 OCTC Case No. 25-O-21783
17 Business and Professions Code section 6106
18 [Moral Turpitude – Misrepresentation]

19 17. The general background facts alleged in paragraphs 2 through 12 are incorporated
20 by reference.

21 18. On or about April 4, 2025, Respondent committed acts involving moral turpitude,
22 dishonesty, and corruption, in willful violation of Business and Professions Code section 6106,
23 by signing and filing an opposition brief that Respondent knew or was grossly negligent in not
24 knowing that contained fabricated legal authority.

25 COUNT FOUR

26 OCTC Case No. 25-O-21783
27 Rules of Professional Conduct, Rule 3.4(f)
28 [Knowingly Disobeying Rules of a Tribunal]

19. The general background facts alleged in paragraphs 2 through 12 are incorporated
by reference.

1 derivative claims. Although accurate in principle, the case arises in the context
2 of foreign investment treaty arbitration and is not directly on point for a
3 Lanham Act dispute.”

4 D. “*Shell Petroleum* was cited for its general discussion distinguishing direct
5 from derivative claims. Plaintiff, a Delaware limited liability company, cited
6 the case in good faith to illustrate that Rule 23.1 does not apply when an entity
7 brings claims on its own behalf for harm it directly suffered. While *Shell*
8 *Petroleum* does not concern trademark law specifically, its reference to the
9 distinction between direct and derivative actions remains relevant.”

10 E. “Following drafting, I reviewed, revised, and supplemented all portions of the
11 brief, including those that were informed by the use of Lexis+ AI or based on
12 prior templates. I independently verified the factual and legal accuracy of the
13 content and confirmed that all arguments and authorities were appropriate to
14 the issues presented.”

15 F. “I certify that the opposition brief, including all portions informed by artificial
16 intelligence, complies with my obligations under Rule 11 of the Federal Rules
17 of Civil Procedure.”

18 23. At the time Respondent made the statements described in paragraph 22 above,
19 Respondent knew that they were false and misleading in that Respondent knew he had not
20 reviewed all of the cited authority, including the fabricated legal authority, in the opposition
21 brief. Respondent also knew that his statements regarding *Shell Petroleum* were false and
22 misleading because he knew he had not reviewed this case, which did not exist and could not
23 have stood for any of the legal propositions stated.

24 24. By making the statements to the court described in paragraph 22 above in his May
25 1, 2025 disclosure and declaration, when Respondent knew or was grossly negligent in not
26 knowing that the statements were false and misleading, Respondent committed an act involving
27 moral turpitude, dishonesty, and corruption in willful violation of Business and Professions Code
28 section 6106.

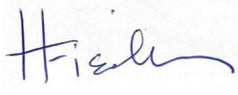
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NOTICE – MONETARY SANCTION!

IN THE EVENT THIS MATTER RESULTS IN ACTUAL SUSPENSION, DISBARMENT, OR RESIGNATION WITH CHARGES PENDING, YOU MAY BE SUBJECT TO THE PAYMENT OF A MONETARY SANCTION NOT TO EXCEED \$5,000 FOR EACH VIOLATION, TO A MAXIMUM OF \$50,000 PER DISCIPLINARY ORDER, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.13. SEE RULE 5.137, RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF CHIEF TRIAL COUNSEL



DATED: April 1, 2026

By: _____
Harriet Fischer
Trial Counsel

DECLARATION OF SERVICE BY U.S. CERTIFIED MAIL

CASE NUMBER: 25-O-21783

I, the undersigned, over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 180 Howard St., San Francisco, CA 94105; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco, on the date shown below, a true copy of the within


NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2239 3605 61, at San Francisco, on the date shown below, addressed to:

**OMID EMILE KHALIFEH
OMNI LEGAL GROUP
10880 WILSHIRE BLVD., SUITE 1860
LOS ANGELES, CA 90024-4115**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: April 1, 2026

Signed: 
Meagan McGowan
Declarant