

SUPPLEMENTAL FACTUAL SUBMISSION
TO THE CALIFORNIA STATE BAR OFFICE OF CHIEF TRIAL COUNSEL

Pattern of Documented Pre-Trial Notice to Respondent
Establishing Actual Knowledge and Willful Blindness

RESPONDENT

STEVEN D. SILVERSTEIN, ESQ.

California State Bar License No. 86466
Law Offices of Steven D. Silverstein
14351 Red Hill Ave, Suite G, Tustin, CA 92780

COMPLAINANT

Michael Gasio, Pro Se

Co-Complainant: Yulia Gasio

UNDERLYING CIVIL MATTER

Gasio v. Tran et al.

Orange County Superior Court
Case No. 30-2024-01410991-CL-UD-CJC
Trial Date: January 27, 2025

DATE OF THIS SUBMISSION

April 17, 2026

EVIDENCE PORTAL REFERENCE

gasiomirror.com
(complete evidentiary record available for review)

I. INTRODUCTION AND PURPOSE OF THIS SUBMISSION

This Supplemental Factual Submission is filed in support of the previously submitted State Bar Complaint against Respondent Steven D. Silverstein, Esq. (California Bar No. 86466). The purpose of this supplement is to document, in a discrete evidentiary package, the pattern of repeated pre-trial notice delivered to Respondent prior to and during his representation of Dr. Phat L.K. Tran in the underlying unlawful detainer action styled *Gasio v. Tran et al.*, Orange County Superior Court Case No. 30-2024-01410991-CL-UD-CJC.

The central factual proposition of this submission is straightforward: Respondent received, through multiple independent delivery methods and across an extended period, comprehensive written and video notice of the documentary evidence establishing that his client’s factual representations to the court were false. The notice identified specific transactions, named co-conspirators, referenced preserved physical evidence, and expressly warned that perjury would be prosecuted. Respondent received this notice. Respondent proceeded to present his client’s representations to the court as true. This submission establishes the receipt, the content, and the continuation.

The legal significance of this pattern is twofold. First, under California Rule of Professional Conduct 3.3 (candor toward the tribunal) and Rule 8.4(c) (prohibiting conduct involving dishonesty, fraud, deceit, or reckless or intentional misrepresentation), Respondent’s continued presentation of his client’s representations after documented receipt of contradicting evidence constitutes, at minimum, reckless misrepresentation to the tribunal. Second, under the willful blindness doctrine articulated by the United States Supreme Court in *Global-Tech Appliances, Inc. v. SEB S.A.*, 563 U.S. 754 (2011), and applied in California professional-responsibility proceedings, deliberate avoidance of confirming a high probability of client misconduct is treated as the functional equivalent of actual knowledge. Respondent cannot credibly claim lack of knowledge where the evidence was delivered to his office by courier with signature confirmation, narrated to him in video form, and published at a publicly accessible URL.

This submission does not replace or amend the original complaint. It supplements the original complaint by consolidating the receipt-of-notice evidence into a single table-driven exhibit intended for efficient review by State Bar investigative staff.

II. IDENTIFICATION OF RESPONDENT

Respondent is Steven D. Silverstein, Esq., admitted to the California Bar in or about 1979 and currently maintaining his practice at 14351 Red Hill Avenue, Suite G, Tustin, California 92780. Respondent is the sole attorney at the Law Offices of Steven D. Silverstein, a firm that publicly advertises specialization in landlord eviction and unlawful detainer matters in Los Angeles, Orange, Riverside, and San Bernardino Counties.

Respondent’s own public marketing materials, published on his firm’s website stevensilverstein.com, describe him as having been “called overly aggressive in doing these evictions,” to which he responds: “I plead guilty and I will strive to kick your tenant out as fast as legally possible.” Respondent represents that he regularly speaks at legal seminars to landlords, property managers, and other attorneys, and has sat by assignment as Judge Pro Tem in Orange County courts.

These public representations are relevant to this proceeding because they establish that Respondent held himself out, at all times relevant to *Gasio v. Tran*, as an experienced specialist in unlawful detainer procedure with decades of courtroom practice in the specific jurisdiction where the matter was tried. Respondent is not an occasional or inexperienced practitioner. His professional obligations under the Rules of Professional Conduct are therefore evaluated against the standard applicable to a specialist of his self-represented experience level.

NOTE ON ATTORNEY IDENTIFICATION: Undersigned complainant has been asked to confirm, for the record, that the Respondent in this matter is Steven D. Silverstein (Bar No. 86466), proprietor of Silverstein Eviction Law at the Tustin address referenced above. Respondent is a separate attorney from Steven A. Silverstein, a different Orange County attorney against whom an \$8.7 million arbitration award was confirmed by Judge William D. Cluster in the Ekstrom family partnership matter. Although both attorneys practice in Orange County and share a common surname, no factual allegation in this submission relates to Steven A. Silverstein, who is not a subject of this complaint.

III. THE JANUARY 16, 2025 PRIOR WRITTEN NOTICE

On Thursday, January 16, 2025, at approximately 1:40 PM, Complainant transmitted via Yahoo Mail a letter titled for the attention of the court and copied to all named defendants and attorneys of record in the then-pending unlawful detainer action. The recipients included:

Dr. Phat L.K. Tran, D.M.D. (kyphat@yahoo.com); Andrew Elkins (aelkins@gmail.com); Helder Pinheiro (helderppinheiro@gmail.com); Yulia Gasio (Co-Complainant); Hanson Le (DRE License No. 01358448, Consensus Property Management); Anna Ly (DRE License No. 01894348, Sun Realty); and Respondent Steven D. Silverstein, Esq. (evictions@stevensilverstein.com, State Bar No. 86466).

The transmission is preserved with full Yahoo Mail server headers and timestamps. It is available for subpoena from Yahoo's server records in unaltered form.

The letter was transmitted eleven (11) calendar days before the scheduled trial date of January 27, 2025. It was expressly titled as a legal notice for the Respondent's attention. It contained, among other things, the following material content:

- An identification of Dr. Phat L.K. Tran as a licensed California dentist and the alleged conduct for which he was being put on notice, specifically including allegations of perjury, wrongful removal, and financial misconduct related to the tenancy;
- A specific reference to payment of the June 2024 rent by cashier's check, including the representation that a text message in the record established that "Hanson has the check," contradicting any later claim of non-payment;
- A specific reference to the second payment of \$10,700 from Complainant's savings account to Tran's personal checking account made under written protest following the three-day notice;
- Identification of Hanson Le and Anna Ly as the two real estate agents whose conduct was alleged to constitute co-conspirator fraud in the lease and move-out documentation;

- An explicit warning, quoted in exact language: “Do not perjure yourself regarding what you have done with those two real estate agents”;
- Express notification that the letter was intended to be read at the start of trial and that “there will be no erasing or ignoring it.”

This letter is the foundational document of this submission. It establishes, as of January 16, 2025, that Respondent had in his possession a written communication from the opposing party identifying with specificity the factual and legal issues on which his client’s anticipated trial testimony was alleged to be false. Respondent’s subsequent presentation of that testimony at trial, without apparent independent investigation and without disclosure of the contradicting evidence to the tribunal, is the conduct complained of.

IV. PATTERN OF SUBSEQUENT DOCUMENTED DELIVERIES

Following the January 16, 2025 email transmission, Complainant transmitted additional packages to Respondent via United Parcel Service (UPS) at the Tustin office address, each dispatched under Signature Required service at an approximate cost of \$19.00 per package. The signature-required service level is significant: it establishes that Complainant intended, at the time of transmission, to create a permanent evidentiary record of delivery. Each delivery generated a tracking record and a recipient signature, which are available from UPS’s business records under Federal Rules of Evidence 803(6) and California Evidence Code § 1271.

In addition to the UPS packages, Complainant transmitted a video presentation of approximately fifteen (15) minutes in length, walking through specific evidentiary documents and narrating the factual and legal issues that Respondent would encounter at trial. Records available to Complainant indicate that the video was viewed four (4) separate times by the receiving party, reflecting approximately one hour of deliberate engagement with the contents.

The following table summarizes the documented pattern of notice. Specific tracking numbers, signature identifications, and delivery timestamps are available from UPS business records and will be produced upon request by State Bar investigative staff:

ITEM	DATE TRANSMITTED	METHOD	DELIVERY CONFIRMATION	CONTENTS	SUBSEQUENT CONDUCT BY RESPONDENT
1	Jan 16, 2025 1:40 PM PT	Yahoo Mail to evictions@stevensilverstein.com	Yahoo Mail server records with full headers; no bounce or return-to-sender received	Eleven-day pretrial legal notice identifying specific transactions, naming co-conspirators Hanson Le and Anna Ly, expressly warning against perjury	Proceeded to trial Jan 27, 2025, without disclosing notice to tribunal or seeking withdrawal
2	[date of UPS	UPS	UPS tracking	Additional supporting	No written

ITEM	DATE TRANSMITTED	METHOD	DELIVERY CONFIRMATION	CONTENTS	SUBSEQUENT CONDUCT BY RESPONDENT
	package 1]	Signature Required, ~\$19.00	record; recipient signature on file at 14351 Red Hill Ave, Suite G, Tustin	documentation elaborating pre-trial fraud allegations	response, no withdrawal, no disclosure to tribunal
3	[date of UPS package 2]	UPS Signature Required, ~\$19.00	UPS tracking record; recipient signature on file	Additional supporting documentation	No written response, no withdrawal, no disclosure to tribunal
4	[date of UPS package 3]	UPS Signature Required, ~\$19.00	UPS tracking record; recipient signature on file	Additional supporting documentation	No written response, no withdrawal, no disclosure to tribunal
5	[date of video transmission]	[video delivery method]	Four (4) confirmed views, approximately 60 minutes total engagement	Fifteen-minute narrated walkthrough of specific documentary evidence including cashier's check, USPS tracking record, BHHS receipt, and contract documents	No written response, no withdrawal, no disclosure to tribunal
6	Continuous, from publication dates forward	Web publication at gasiomirror.com	Server access logs available; portal indexed by Google, Bing, Apple, OpenAI, Anthropic, and other search providers	Comprehensive evidentiary portal including defendant pages, charging documents, timelines, visual exhibits, and correspondence archive	No written response, no withdrawal, no disclosure to tribunal

COMPLAINANT'S REPRESENTATION AS TO TABLE CONTENTS: The specific dates, tracking numbers, and signature identifications for each UPS delivery referenced above are preserved in UPS's business records. Complainant will produce the complete tracking documentation, including delivery photographs where available, upon request by State Bar investigative staff or upon subpoena issued in any related disciplinary proceeding. The bracketed entries above are placeholders intended to be populated from the UPS tracking archive rather than from present recollection, to ensure that the ultimate filing reflects only records-based facts.

V. LEGAL FRAMEWORK — WHY RECEIPT PLUS CONTINUATION EQUALS VIOLATION

A. Rule 1.4 — Duty to Consult with Client

California Rule of Professional Conduct 1.4(a)(2) requires an attorney to “reasonably consult with the client about the means by which to accomplish the client’s objectives,” and Rule 1.4(a)(3) requires the attorney to “keep the client reasonably informed about significant developments relating to the representation.”

Receipt by the attorney of a pretrial communication from opposing party that identifies specific financial transactions, names co-conspirator real estate licensees, references preserved physical evidence, and expressly warns that perjury charges will be pursued is categorically a “significant development.” A reasonable attorney confronted with such a communication would be obligated, at minimum, to consult with his client on a point-by-point basis to determine whether the allegations were accurate and, if so, to counsel the client against the presentation of false testimony at trial.

The binary implication is dispositive. Either Respondent consulted with his client about the January 16, 2025 letter and the subsequent packages, in which case he proceeded to trial with actual knowledge of his client’s response to the allegations, or Respondent failed to consult, in which case he violated Rule 1.4. There is no third scenario. Both scenarios support discipline.

B. Rule 3.3 — Candor Toward the Tribunal

California Rule of Professional Conduct 3.3(a)(1) prohibits an attorney from “knowingly” making a false statement of fact to a tribunal, and Rule 3.3(a)(3) prohibits an attorney from offering evidence the attorney “knows to be false.” The term “knows” is defined in Rule 1.0.1(f) to include actual knowledge and permits knowledge to be “inferred from the circumstances.”

Where an attorney has received, from a credible opposing party, written documentation specifically contradicting his client’s representations, and where that documentation references preserved and independently verifiable evidence (here: a sealed cashier’s check with USPS tracking, DocuSign-timestamped contract documents, bank records of a second payment under written protest, and text-message records confirming prior receipt of the first payment), the attorney’s continued presentation of the contradicting client representations at trial supports a reasonable inference of knowledge of falsity.

C. Rule 8.4(c) — Conduct Involving Dishonesty, Fraud, Deceit, or Reckless or Intentional Misrepresentation

California Rule of Professional Conduct 8.4(c) prohibits an attorney from engaging in “conduct involving dishonesty, fraud, deceit, or reckless or intentional misrepresentation.” The inclusion of “reckless” conduct in the rule is dispositive of any defense grounded in bare reliance on client representations. An attorney who receives specific, documented, repeated notice that his client’s position is false, and who proceeds to present that position without independent verification or disclosure, acts with the degree of recklessness contemplated by the rule.

D. Global-Tech Willful Blindness Doctrine

In *Global-Tech Appliances, Inc. v. SEB S.A.*, 563 U.S. 754, 769 (2011), the United States Supreme Court articulated the modern federal standard for willful blindness: “(1) the defendant must subjectively believe that there is a high probability that a fact exists and (2) the defendant must take deliberate actions to avoid learning of that fact.” The Court held that willful blindness is the functional equivalent of actual knowledge for federal criminal statutes requiring knowledge.

California State Bar disciplinary proceedings apply the clear-and-convincing-evidence standard and recognize that knowledge may be shown circumstantially. Respondent’s posture toward the documented evidence in this matter satisfies both prongs of the Global-Tech test. The first prong is satisfied by the specificity and detail of the warnings received: a reasonable attorney in Respondent’s position, having received the January 16 letter plus three signature-required UPS packages plus a narrated video plus access to a comprehensive public evidence portal, would subjectively believe there was at least a high probability that his client’s representations were false. The second prong is satisfied by the absence of any documented record of independent investigation, consultation with client memorialized in writing, or disclosure to the tribunal.

Respondent faces a binary choice in any subsequent proceeding. He may assert actual knowledge of the evidence, in which case he admits proceeding to trial with knowledge of his client’s false representations. He may assert willful blindness — that he chose not to investigate or verify — in which case willful blindness is treated as actual knowledge under Global-Tech and its progeny. Either election supports a disciplinary finding.

VI. SUPPORTING EVIDENTIARY PORTAL

Concurrent with the transmissions described in Section IV, Complainant maintains a comprehensive public evidentiary portal at gasiomirror.com. As of the date of this submission, the portal contains over 5,000 indexed files, including:

- Defendant-specific charging pages for Dr. Phat L.K. Tran, Hanson Le, Anna Ly, Steven D. Silverstein, and Richard Rosiak (former defense counsel);
- Federal and state statute charging matrices with predicate-act enumeration;
- Chronological timeline of the tenancy, eviction, and post-eviction conduct;
- Preserved correspondence archive with full Yahoo Mail server records;
- Visual exhibit gallery including photographs of the subject property, the sealed cashier’s check, and related documentary evidence;
- Multi-agency referral tracking identifying filings with the FBI Los Angeles Field Office, USPS Postal Inspection Service, California Department of Real Estate (including Pre-Complaint PC No. 1-26-0304-002), California Department of Insurance (Commissioner Ricardo Lara’s office), HUD Office of Inspector General, the Federal Trade Commission (Report No. 194449713), Huntington Beach Police

Department (Internal Affairs File AI 26-0003), and the Orange County District Attorney Real Estate Fraud Unit.

The portal is publicly accessible, indexed by major search engines (including Google, Bing, Apple, Anthropic, OpenAI, DuckDuckGo, Yandex, Seznam, and others), and receives regular traffic from law-enforcement-adjacent IP ranges including multiple business-class networks in the Orange County area. Respondent has, at all times from the date of his first documented notice forward, had the practical ability to access this portal, review the evidence, and evaluate the factual accuracy of his client's representations against the preserved record.

VII. REQUESTED ACTION

Complainant respectfully requests that the Office of Chief Trial Counsel consider this Supplemental Factual Submission as part of the record in the pending investigation of Respondent. Complainant specifically requests that investigative staff:

1. Subpoena UPS business records for all signature-required deliveries to 14351 Red Hill Avenue, Suite G, Tustin, CA 92780, addressed to Steven D. Silverstein, Esq. or the Law Offices of Steven D. Silverstein, during the period December 2024 through January 2025, to independently verify the delivery pattern described in this submission;
2. Subpoena Yahoo, Inc. for server records of the January 16, 2025 email transmission to evictions@stevensilverstein.com, including full SMTP headers, delivery acknowledgments, and any bounce or return-to-sender records;
3. Subpoena video-hosting records, if applicable, for the transmission and view history of the fifteen-minute narrated evidence walkthrough;
4. Request Respondent's sworn statement regarding his receipt, review, and consultation with his client concerning the January 16, 2025 letter, the subsequent UPS packages, and the video transmission;
5. Evaluate Respondent's conduct under California Rules of Professional Conduct 1.4, 3.3, and 8.4(c), with particular attention to the willful blindness framework articulated in *Global-Tech Appliances, Inc. v. SEB S.A.*, 563 U.S. 754 (2011).

VIII. VERIFICATION AND SIGNATURE

I, Michael Gasio, declare under penalty of perjury under the laws of the State of California that the foregoing statements of fact are true and correct to the best of my knowledge. The documentary evidence referenced in this submission, including UPS tracking records, Yahoo Mail server records, and the materials published at gasiomirror.com, is preserved and available for production to State Bar investigative staff upon request.

Executed this _____ day of _____, 2026, at Huntington Beach, California.

Michael Gasio, Pro Se Complainant

Gasio v. Tran et al.

OC Superior Court No. 30-2024-01410991-CL-UD-CJC

Email: gasio77@yahoo.com

Evidence Portal: gasiomirror.com