


STATE BAR COURT OF CALIFORNIA HEARING DEPARTMENT 845 S. Figueroa Street, 3rd Floor Los Angeles, CA 90017	FOR CLERK'S USE ONLY: <div style="text-align: center;"> FILED  JUL 12 2018 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
In the Matter of: ROBERT H. SACK, Member No.:165033, A Member of the State Bar.	Case No(s): 00-O-13349, 00-O-13651, 00-O-14522, 00-O-14675, 02-O-11677 (\$147606); and 07-O-13898 (\$184797) <div style="text-align: center;">ORDER GRANTING COST RELIEF</div>

On June 29, 2018, Respondent filed a request for additional cost relief. In his motion, he indicates being surprised to discover that he had an obligation to make two installment payments of \$1,000 in 2018, notwithstanding the fact that he successfully sought a one-year delay of the installment due in 2017 and the order granting that extension, attached to his motion, specifically states, "The deadline for making that payment is now extended to the same deadline as the installment payment due in 2018."

In addition, Respondent complains that he sought to pay a portion of the 2017 installment obligation in February 2017 but the \$100 he then paid was subsequently applied by the State Bar toward the reinstatement fee resulting from his delinquency in getting relief from that payment obligation. He asks that the State Bar be ordered to apply this fee to his installment obligation.

On July 10, 2018, the State Bar filed a response to the motion. Although the State Bar opposed Respondent's request that the \$100 reinstatement fee now be treated as a partial payment of his installment obligation, it did not oppose Respondent's request that his obligation to pay an additional \$1,100 in 2018 be deferred. It also indicated a desire for this court to avoid any future stacking of installment payments.

In 2014, this court granted extensive cost relief, reducing Respondent's overall obligation to pay costs to \$5,000, and creating an installment plan consisting of five annual payments of a minimum of \$1,000 to be paid by Respondent on or before February 1 of the years 2015, 2016, 2017, 2018, and 2019. Since then, the payment for 2015 was made; the 2016 payment was extinguished by a subsequent order of this court; and the 2017 payment was deferred to 2018, but now paid (subject to the issue about whether Respondent should get credit for the \$100 used by the State Bar as the reinstatement fee). Hence, the costs remaining total either \$2,100 or \$2,000.


This court declines to require the State Bar to give Respondent retroactive credit toward his disciplinary costs for the \$100 payment previously used by it as the reinstatement fee. Hence, the balance of Respondent's disciplinary costs remain \$2,100. However, because the State Bar has now indicated in an email attached to Respondent's motion that Respondent will be required to pay an additional reinstatement fee in the event this court's order extending the payment deadline is not issued before July 2, 2018, the court reduces the total amount of the costs owed by \$100, to \$2,000, to reflect the fact that Respondent's motion for relief was filed well prior to the July 2, 2018 deadline and the State Bar's response was not filed until well after the deadline.

Good cause appearing, Respondent's obligation to pay the remaining \$2,000 of costs is modified, nunc pro tunc, as follows:

Such costs will be due and payable in two annual installments, with annual payments of a minimum of \$1,000 to be paid by Respondent on or before February 1 of the years 2019 and 2020. Respondent is ordered to submit his payments to the State Bar's Membership Billing Office and to provide proof of each such payment to the State Bar's Office of Probation within ten (10) days of each such payment. In the event Respondent fails to make any installment payment or submits any installment payment more than ten (10) days after the due date without the prior written approval of the State Bar or the State Bar Court, the unpaid balance of the discipline costs will become immediately due and owing and the State Bar, without further notice to or approval of the State Bar Court, may obtain and seek a judgment for that unpaid balance.

IT IS SO ORDERED.

Dated: July 12, 2018



DONALD F. MILES
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Court Specialist of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on July 12, 2018, I deposited a true copy of the following document(s):

ORDER GRANTING COST RELIEF

in a sealed envelope for collection and mailing on that date as follows:

- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ROBERT H. SACK
LAW OFC ROBERT SACK
1635 13TH ST
LOS ANGELES, CA 90042 - 2297

- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

BRANDON TADY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 12, 2018.



Mazie Yip
Court Specialist
State Bar Court