



**FILED** *[Signature]*

MAR 24 2010

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**STATE BAR COURT OF CALIFORNIA  
HEARING DEPARTMENT – SAN FRANCISCO**

In the Matter of	)	Case No.: <b>02-C-11540;</b>
	)	<b>07-H-14870 (S167012)</b>
<b>VICTORIA MARGARET WALTER</b>	)	<b>(NOT CONSOLIDATED)</b>
	)	<b>ORDERS REGARDING RESPONDENT'S</b>
<b>Member No. 187805</b>	)	<b>MOTIONS REGARDING MPRE, LAB</b>
	)	<b>TESTING AND COSTS</b>
<b>A Member of the State Bar.</b>	)	
	)	

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On February 16, 2010, respondent Victoria Margaret Walter, through her counsel, Gregory J. Antone, filed motions in these two matters to extend the time to successfully complete the Multistate Professional Responsibility Examination (MPRE) and submit proof thereof until May 10, 2010; to modify the nature of laboratory testing to allow saliva and breathalyzer testing; and to extend the time in which to pay costs by one year (one-third of the costs awarded to be paid in 2011, 2012 and 2013).

On February 19, 2010, the State Bar's Office of Probation, by Terrie Goldade, filed a response regarding the possible MPRE and laboratory testing changes.

On March 19, 2010, 2010, the Office of the Chief Trial Counsel (OCTC), by Tammy Albertsen-Murray, filed an opposition regarding the costs aspect of the motions on the grounds

that the motions were not timely pursuant to rule 282(b), Rules Proc. of State Bar, and was not properly served on the Office of the Chief Trial Counsel.<sup>1</sup>

Having considered the parties' contentions and good cause appearing, the court GRANTS each of the motions as follows:

1. The time in which to successfully complete the MPRE and submit proof thereof is extended until May 10, 2010. It was represented that respondent has taken the MPRE offered on March 6, 2010;

2. The laboratory testing provisions found at page 9, item 3 and page 11, item c of the stipulation in State Bar Court case no. 07-H-14870 (S167012) are modified to allow the laboratory to conduct saliva and breathalyzer testing for alcohol use instead of the blood and/or urine testing. All other terms regarding laboratory testing remain the same; and

3. The time in which to pay costs awarded in S167012 (State Bar Court case no. 07-H-14870) is extended by one year. Accordingly, instead of one-third of the costs being due with membership fees in 2010, 2011 and 2012, one-third of the costs awarded are now payable with membership fees in 2011, 2012 and 2013.

It is further ordered that if respondent fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately

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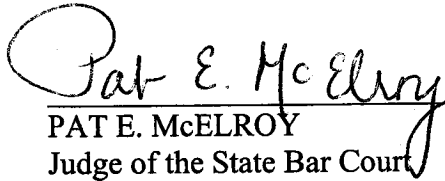
<sup>1</sup> Since the opposition addressed the merits of the motions and not solely the service issue, the service defect is waived. The purpose of requiring notice is to allow OCTC to address the issues raised therein and that was done. In addition, there is no indication of prejudice to OCTC as it had the opportunity of responding to the substance of the motions.

unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

All other terms and conditions remain the same.

IT IS SO ORDERED.

Dated: March 23, 2010

  
PAT E. McELROY  
Judge of the State Bar Court

## CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator 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 San Francisco, on March 24, 2010, I deposited a true copy of the following document(s):

### **ORDERS REGARDING RESPONDENT'S MOTIONS REGARDING MPRE, LAB TESTING AND COSTS**

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 San Francisco, California, addressed as follows:

**GREGORY JOHN ANTONE  
LAW OFFICES OF GREGORY J ANTONE  
POST OFFICE BOX 3739  
HALF MOON BAY, CA 94019-3739**

- ☐ by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:
- ☐ by overnight mail at , California, addressed as follows:
- ☐ by fax transmission, at fax number . No error was reported by the fax machine that I used.
- ☐ By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

**TAMMY A. ALBERTSEN-MURRAY**, Enforcement, San Francisco

**TERRIE L. GOLDADE**, Probation, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on March 24, 2010.



Bernadette C.O. Molina  
Case Administrator  
State Bar Court