

Counsel for the State Bar Jerome H. Craig, Special Deputy Trial Counsel Morrison & Foerster LLP 555 West Fifth Street, #3500 Los Angeles, CA 90013-1024 (213) 892-5801	Case number(s) 02-0-14275 PUBLIC MATTER kwiktag® 022 602 900 	(for Court's use) ORIGINAL FILED MAR 19 2004 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
Counsel for Respondent R. Gerald Markle, Pansky & Markle 1114 Fremont Avenue South Pasadena, CA 91030	Submitted to <input type="checkbox"/> assigned judge <input checked="" type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING REPROVAL <input type="checkbox"/> PRIVATE <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of RAVINDER MEHTA Bar # 113805 A Member of the State Bar of California (Respondent)		

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted June 13, 1984 (date).
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation, and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation and order consist of 7 pages.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."
- (6) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (7) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
 - costs added to membership fee for calendar year following effective date of discipline (public reproval)
 - case ineligible for costs (private reproval)
 - costs to be paid in equal amounts for the following membership years:

 (hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
 - costs waived in part as set forth under "Partial Waiver of Costs"
 - costs entirely waived

Note: All information required by this form and any additional information which cannot be provided in the space provided, shall be set forth in the text component of this stipulation under specific headings, i.e. "Facts," "Dismissals," "Conclusions of Law."

(8) The parties understand the

- (a) A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
- (b) A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
- (c) A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

(1) Prior record of discipline [see standard 1.2(f)]

(a) State Bar Court case # of prior case _____

(b) Date prior discipline effective _____

(c) Rules of Professional Conduct/ State Bar Act violations: _____

(d) degree of prior discipline _____

(e) If Respondent has two or more incidents of prior discipline, use space provided below or under "Prior Discipline".

(2) Dishonesty: Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.

(3) Trust Violation: Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.

(4) Harm: Respondent's misconduct harmed significantly a client, the public or the administration of justice.

- (5) Indifference: Responder demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) Lack of Cooperation: Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) Multiple/Pattern of Misconduct: Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) No aggravating circumstances are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) No Prior Discipline: Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) No Harm: Respondent did not harm the client or person who was the object of the misconduct.
- (3) Candor/Cooperation: Respondent displayed spontaneous candor and cooperation to the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) Remorse: Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) Restitution: Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) Delay: These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) Good Faith: Respondent acted in good faith.
- (8) Emotional/Physical Difficulties: At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) Severe Financial Stress: At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) Family Problems: At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) Good Character: Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.

(12) Rehabilitation: Consider the time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.

(13) No mitigating circumstances are involved.

Additional mitigating circumstances:

Respondent has a record of exemplary public service. The present circumstances do not arise out of the practice of law, and no client was harmed.

D. Discipline:

(1) Private reproof (check applicable conditions, if any, below)

(a) Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).

(b) Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

(2) Public reproof (check applicable conditions, if any, below)

E. Conditions Attached to Reproval:

(1) Respondent shall comply with the conditions attached to the reproval for a period of One year.

(2) During the condition period attached to the reproval, Respondent shall comply with the provisions of the State Bar Act and Rules of Professional Conduct.

(3) Within ten (10) days of any change, Respondent shall report to the Membership Records Office and to the Probation Unit, all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

(4) Respondent shall submit written quarterly reports to the Probation Unit on each January 10, April 10, July 10, and October 10 of the condition period attached to the reproval. Under penalty of perjury, respondent shall state whether respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of the reproval during the preceding calendar quarter. If the first report would cover less than thirty (30) days, that report shall be submitted on the next following quarter date and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the condition period and no later than the last day of the condition period.

- (5) Respondent shall be assigned a probation monitor. Respondent shall promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, respondent shall furnish such reports as may be requested, in addition to quarterly reports required to be submitted to the Probation Unit. Respondent shall cooperate fully with the monitor.
- (6) Subject to assertion of applicable privileges, Respondent shall answer fully, promptly and truthfully any inquiries of the Probation Unit of the Office of the Chief Trial Counsel and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the conditions attached to the reproof.
- (7) Within one (1) year of the effective date of the discipline herein, respondent shall provide to the Probation Unit satisfactory proof of attendance of the Ethics School and passage of the test given at the end of that session.
- No Ethics School ordered.
- (8) Respondent shall comply with all conditions of probation imposed in the underlying criminal matter and shall so declare under penalty of perjury in conjunction with any quarterly report required to be filed with the Probation Unit.
- (9) Respondent shall provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Probation Unit of the Office of the Chief Trial Counsel within one year of the effective date of the reproof.
- No MPRE ordered.
- (10) The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |
- (11) Other conditions negotiated by the parties:

ATTACHMENT TO STIPULATION RE FACTS,
CONCLUSIONS OF LAW AND DISPOSITION

In the Matter of Ravinder Mehta

Case No. 02-O-14275 (SBI)

FACTS AND CONCLUSIONS OF LAW

Respondent Ravinder Mehta (“Respondent”) admits that the following facts are true:

On or about October 1, 2001, Respondent and the Fair Political Practices Commission (“FPPC”) entered into a stipulation for entry of judgment in a civil action brought by the FPPC in the Sacramento Superior Court, 800 Ninth Street, Department 53, Sacramento, CA 95814-2686, (916) 874-7858, the Hon. Charles Kobayashi, Judge Presiding. Respondent stipulated to, and the superior court subsequently entered judgment on Respondent’s violations of campaign finance laws in 1998, including sections 84211(i), 84211(j)(6) and 89512.5 of the Government Code. Pursuant to the stipulated judgment, a copy of which is attached hereto as Exhibit “1,” Respondent paid a civil fine in the amount of \$23,000 on August 31, 2001.

Conclusions of Law

Based on the above facts, Respondent wilfully violated Business and Professions Code section 6103 and subdivisions (a) and (o)(2) of section 6068, which specify duties to support the laws of the State of California and to report certain civil judgments to the State Bar.

2-25-04
Date

Ravinder Mehta
Respondent's signature

RAVINDER MEHTA
print name

3-1-04
Date

[Signature]
Respondent's Counsel's signature

R. GERALD MARKLE
print name

3-8-04
Date

[Signature]
Special Deputy Trial Counsel's signature

JEROME H. CRAIG
print name

ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 135(b), Rules of Procedure.) Otherwise the stipulation shall be effective 15 days after service of this order.

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

3/12/04
Date

[Signature]
Judge of the State Bar Court

FILED
ENDORSED

01 OCT -3 AM 11:44

SACRAMENTO COURTS
DEPT. #53

1 STEVEN B. RUSSO, SBN # 104858
Enforcement Chief
2 MARK R. SOBLE, SBN # 136897
Senior Commission Counsel
3 FAIR POLITICAL PRACTICES COMMISSION
428 "J" Street, Suite # 620
4 Sacramento, California 95814
Telephone: (916) 327-2016
5 Facsimile: (916) 322-1932
6 Attorneys for Plaintiff

10 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF SACRAMENTO

01AS05985

13 FAIR POLITICAL PRACTICES) Case No.:
14 COMMISSION, a state agency,) (PROPOSED) FINAL JUDGMENT
15 Plaintiff,) PURSUANT TO STIPULATION
16 vs.) (Judgment in Favor of Plaintiff Against
17 CALIFORNIA PRO BUSINESS) Defendants California Pro Business
18 COMMITTEE and RAVINDER MEHTA,) Committee and Ravinder Mehta)
19 Defendants.)

21 Plaintiff, FAIR POLITICAL PRACTICES COMMISSION, a state agency, by its
22 attorneys, and Defendants, California Pro Business Committee and Ravinder Mehta, having
23 entered into the Stipulation for Entry of Judgment attached hereto, wherein the parties stipulated
24 and agreed to the existence of certain facts and conclusions of law and to the issuance of this
25 Final Judgment; and,

1 Defendants California Pro Business Committee and Ravinder Mehta having authorized
2 the court to enter judgment in this action, pursuant to this stipulation, on request of Plaintiff, Fair
3 Political Practices Commission, without notice to Defendants; and good cause appearing
4 therefore;

5 **IT IS HEREBY ORDERED, DECREED AND ADJUDGED THAT:**

6 Defendants California Pro Business Committee and Ravinder Mehta admit that the
7 Political Reform Act was violated as stipulated and agreed to within the attached Stipulation for
8 Entry of Judgment.

9 For these violations, Defendants California Pro Business Committee and Ravinder Mehta
10 are ordered to pay a monetary penalty of twenty-three thousand dollars (\$23,000.00).

11 Payment of the sum of twenty-three thousand dollars (\$23,000.00) shall be made by
12 Defendants California Pro Business Committee and Ravinder Mehta as follows:

13

14 Payment Number	Date Payment is Due	Amount of Payment
15 One	August 31, 2001.	\$23,000.00
16 Total		\$23,000.00

17

18 All payments shall be made payable to the "General Fund of the State of California." All
19 parties shall bear their own attorney fees and costs.

20 On August 31, 2001, Defendants California Pro Business Committee and Ravinder
21 Mehta paid the above-described sum of twenty-three thousand dollars (\$23,000.00) to Plaintiff.

22 This Final Judgment shall take effect immediately upon entry. The clerk is directed to
23 enter this Final Judgment forthwith.

24 DATED: ^{OCT - 3 2001}
October _____, 2001.

CHARLES C. KOBAYASHI

Judge of the Superior Court

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

I am a Case Administrator of the State Bar Court. 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 March 19, 2004, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND
ORDER APPROVING, filed March 19, 2004**

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

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

**ROBERT GERALD MARKLE
PANSKY & MARKLE
1114 FREMONT AVE
SOUTH PASADENA, CA 91030**

**JEROME H CRAIG
MORRISON & FOERSTER LLP
555 WEST 5TH STREET #3500
LOS ANGELES, CA. 90013-1024**

(Special Examiner)

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **March 19, 2004**.


Milagro del R. Salmeron
Case Administrator
State Bar Court