

ORIGINAL

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State Bar Court of California		
Hearing Department <input checked="" type="checkbox"/> Los Angeles <input type="checkbox"/> San Francisco		
Counsel for the State Bar THE STATE BAR OF CALIFORNIA OFFICE OF THE CHIEF TRIAL COUNSEL - ENFORCEMENT CHARLES A. MURRAY 1149 South Hill Street, 9th Floor Los Angeles, California 90015-2299 Telephone: (213) 765-1236 Bar # 146069	Case number(s) 03-0-03912 - RAK kwiktag® 022 604 648 	(for Court's use) FILED <i>MAS</i> APR 28 2005 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
<input type="checkbox"/> Counsel for Respondent <input type="checkbox"/> In Pro Per, Respondent John Robert Noble 2 Locust Irvine, CA 92604 Phone (949) 559-5405 Bar # 87153	PUBLIC MATTER	
In the Matter of John Robert Noble Bar # 87153 A Member of the State Bar of California (Respondent)	Submitted to <input checked="" type="checkbox"/> assigned judge <input type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted July 6, 1979 (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 13 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) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) 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.

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(8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):

- until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 284, Rules of Procedure.
- costs to be paid in equal amounts prior to February 1 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 in a separate attachment entitled "Partial Waiver of Costs"
- costs entirely waived

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 01-0-04199, et al.

(b) Date prior discipline effective November 21, 2003

(c) Rules of Professional Conduct/ State Bar Act violations: RPC 3-110(A);

3-700(A)(2); 3-700(D)(2), 1-310, and Business and Professions Code section 6068(m)

(d) Degree of prior discipline 9 months & until restitution paid actual suspension.

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

see page ~~████~~

- ② FAIL TO comply with probation - 2 yrs actual (eff. 8/22/04)
- ③ FAIL TO comply with rule 955 - 1 yr. actual (eff. 12/17/04).

(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.

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- (5) **Indifference:** Respondent 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 with 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.

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- (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:** Considerable 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:

D. Discipline:

(1) **Stayed Suspension:**

(a) Respondent must be suspended from the practice of law for a period of 3 years

i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.

ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation,

iii. and until Respondent does the following: Pays all restitution and complies

(b) The above-referenced suspension is stayed.

with the fee arbitration conditions imposed in Supreme Court case no S118197. (state Bar Court Case nos. 01-0-04119, et al.)

(2) **Probation:**

Respondent must be placed on probation for a period of four (4) years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 953, Calif. Rules of Ct.)

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(3) **Actual Suspension:**

(a) Respondent must be actually suspended from the practice of law in the State of California for a period of eighteen (18) months

i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct

ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii. and until Respondent does the following: Pays all restitution and complies with all fee arbitration conditions agreed to or imposed in Sup. Ct. case no. 5118197 (State Bar Court Case nos. 01-0-04199, et. al.

E. Additional Conditions of Probation:

(1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.

(2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.

(3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), 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) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.

(5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next 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 period of probation and no later than the last day of probation.

(6) Respondent must be assigned a probation monitor. Respondent must 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 must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

(7) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation 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 probation conditions.

(Do not write above this line.)

- (8) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
- No Ethics School recommended. Reason: _____
- (9) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (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 checked="" type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 951(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- No MPRE recommended. Reason: _____
- (2) **Rule 955, California Rules of Court:** Respondent must comply with the requirements of rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 955, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension: _____
- (5) **Other Conditions:**

(Do not write above this line.)

In the Matter of JOHN ROBERT NOBLE # 87153	Case Number(s): 03-0-03912
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Financial Conditions

a. Restitution

- Respondent must pay restitution (including the principal amount, plus interest of 10% per annum) to the payee(s) listed below. If the Client Security Fund ("CSF") has reimbursed one or more of the payee(s) for all or any portion of the principal amount(s) listed below, Respondent must also pay restitution to CSF of the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From
Charles Martin	\$1,250⁰⁰	December 21, 2001

- Respondent must pay the above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than _____.

b. Installment Restitution Payments

- Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of reprobation), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

c. Client Funds Certificate

1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
- Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";

(Do not write above this line.)

In the Matter of John Robert Noble # 87153	Case Number(s): 03-0-03912
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b. Respondent has kept and maintained the following:

- i. a written ledger for each client on whose behalf funds are held that sets forth:
 1. the name of such client;
 2. the date, amount and source of all funds received on behalf of such client;
 3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
 4. the current balance for such client.
- ii. a written journal for each client trust fund account that sets forth:
 1. the name of such account;
 2. the date, amount and client affected by each debit and credit; and,
 3. the current balance in such account.
- iii. all bank statements and cancelled checks for each client trust account; and,
- iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.

c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:

- i. each item of security and property held;
- ii. the person on whose behalf the security or property is held;
- iii. the date of receipt of the security or property;
- iv. the date of distribution of the security or property; and,
- v. the person to whom the security or property was distributed.

2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.

3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

d. Client Trust Accounting School

- Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: **JOHN ROBERT NOBLE** ("Respondent"), #87153

CASE NUMBER: **03-O-03912-RAH**

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(6), was February 23, 2005.

PARTIES ARE BOUND BY THE STIPULATED FACTS:

The parties intend to be and are hereby bound by the stipulated facts contained in this stipulation. This stipulation as to facts and the facts so stipulated shall independently survive even if the conclusions of law and/or stipulated disposition set forth herein are rejected or changed in any manner whatsoever by the Hearing Department or the Review Department of the State Bar Court, or by the California Supreme Court.

STIPULATION AS TO FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct, or has otherwise committed acts of misconduct warranting discipline:

STIPULATED FACTS:

On or about October 31, 2001, Charles Martin ("Mr. Martin") employed Respondent to represent him in his marriage dissolution matter. The retainer agreement signed by Respondent and Mr. Martin stated that Mr. Martin hired Respondent, "to prosecute dissolution of marriage to judgement." Respondent informed Mr. Martin that he needed \$500 to begin work on the case and then his fees would be \$150 per hour.

At that meeting, Mr. Martin paid Respondent \$500 in advanced attorney fees.

On or about December 21, 2001, Respondent requested that Mr. Martin pay an additional \$750 in advanced attorney fees. Mr. Martin paid the additional \$750 in advanced attorney fees to Respondent.

On or about March 15, 2002, Respondent filed a Petition for Dissolution of Marriage on behalf of Mr. Martin with the Orange County Superior Court, case number 02D002623.

Respondent performed no further work on Mr. Martin's dissolution matter. At no time did Mr. Martin instruct Respondent to cease work on his dissolution matter.

From January 2003 to August 2003, Mr. Martin contacted Respondent by telephone numerous times at the telephone number Respondent provided to him to learn the status of his case. Respondent always responded that he was working on the case, but would not provide any specifics to Mr. Martin.

From September 2003 to present, Mr. Martin has not been able to contact Respondent, as the telephone number he had for Respondent has been disconnected and Mr. Martin has not been able to locate Respondent. Respondent has not contacted Mr. Martin and has not provided Mr. Martin with any other telephone numbers with which to contact Respondent.

At no time did Respondent inform Mr. Martin that he would do no further work on his dissolution matter or that Mr. Martin should seek new counsel. At no time did Respondent file a substitution of attorney or Motion to be Relieved as Counsel in Mr. Martin's matter.

By failing to perform any additional work on Mr. Martin's dissolution matter after filing the Petition for Dissolution of Marriage on March 15, 2002, Respondent effectively withdrew from representation of Mr. Martin.

Respondent only met with Mr. Martin once regarding the dissolution matter. Each time Mr. Martin was able to reach Respondent by telephone, Respondent only assured Mr. Martin that he was working on the matter, and Mr. Martin and Respondent did not discuss the merits of the matter. Respondent only filed the Petition for Dissolution of Marriage, which was a two page, check-off-the-box form and there is no evidence that Respondent performed any further services on behalf of Mr. Martin.

Respondent did not provide the legal services he undertook on behalf of Mr. Martin, specifically prosecuting the matter to judgement. Respondent did not earn the total of the advanced fees paid by Mr. Martin. At no time did Respondent refund any portion of the \$1250 paid to him in advance by Mr. Martin. Respondent did not perform legal services to justify his retention of the \$1250 paid to him by Mr. Martin.

CONCLUSIONS OF LAW:

By failing to prosecute Mr. Martin's dissolution matter to judgement, as described above, Respondent intentionally, recklessly, or repeatedly failing to perform legal services with competence, in wilful violation of the Rules of Professional Conduct, rule 3-110(A).

By failing to adequately respond to Mr. Martin's telephone calls and failing to provide a telephone number where Mr. Martin could reach him after his telephone number was disconnected, Respondent failed to respond to Mr. Martin's reasonable status inquiries, in wilful violation of Business and Professions Code, section 6068(m),

By not informing Mr. Martin that he would do no further work on his dissolution matter, or of his intent to withdraw from employment, Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to his client, in wilful violation of the Rules of Professional Conduct, rule 3-700(A)(2).

By failing to refund to Mr. Martin any portion of the \$1250 in advanced fees, which Respondent had not earned, Respondent wilfully failed to refund unearned fees, in wilful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

AUTHORITIES SUPPORTING DISCIPLINE:

Standards 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 2.4, 2.6 and 2.10 of the Standards of Attorney Sanctions for Professional Misconduct, Title IV, of the Rules of Procedure of the State Bar of California.

Standard 1.4(c)(ii) states that "Normally, actual suspensions imposed for a two (2) year or greater period shall require proof satisfactory to the State Bar Court of the member's rehabilitation, present fitness to practice and present learning and ability in the general law before the member shall be relieved of the actual suspension."

Respondent has been on continuous actual suspension since November 21, 2003, and this will be his fourth imposition of discipline since that date. He should be required to make the showing set forth in Standard 1.4(c)(ii).

Standard 1.7(b) states that where a member has a record of two prior disciplinary matters the member shall be disbarred in the next disciplinary matter, unless "the most compelling mitigating circumstances clearly predominate."

1. Respondent was disciplined effective November 21, 2003, in State Bar Case Nos. 01-O-04199, et al., for several client matters in which he essentially committed the same misconduct as issue here, violations of rules 3-110(A), 3-700(D)(2), 3-700(A)(2), 1-310, and section 6068(m). His discipline included nine months actual suspension.
2. Respondent was again disciplined effective August 22, 2004, in State Bar Case No. 04-PM-10338, for failing to comply with several conditions of probation imposed by the November 22, 2003 Supreme Court disciplinary order. Discipline included two years actual suspension.
3. Respondent was disciplined a third time effective December 17, 2004, in State Bar Case No. 04-N-10022, for his failure to comply with rule 955 imposed by the July 23, 2004 Supreme Court disciplinary order. He was placed on actual suspension for one year.

Standard 2.4(a) states that where a member is culpable of a pattern of wilfully failing to perform services demonstrating the member's abandonment of the causes in which he was retained shall result in disbarment.

Respondent's abandonment in this matter is a part of his pattern of abandonment shown in the several client matters for which he was disciplined November 21, 2003, in State Bar Case Nos. 01-O-04199, et al.

Standard 2.6 states that where a member is culpable of a violation of Business and Professions Code section 6068 shall result in disbarment or suspension depending on the gravity of harm to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.

Nizinski v. State Bar (1975) 14 Cal.3d 587. Abandonment and failure to return unearned fee; second count for abandonment and misrepresentation re status of case. Attorney was admitted to bar over ten years and had a prior discipline for abandonment and misrepresentation. Two years actual suspension and until restitution made.

Alberton v. State Bar (1984) 37 Cal.3d 1. Failed to diligently or competently perform for a client and failed to keep client funds in trust. Record of two prior disciplines for similar misconduct. One year actual suspension, five years stayed suspension.

Conroy v. State Bar (1991) 53 Cal.3d 495. Failure to perform, failure to keep client informed of status of case and misrepresentation of facts concerning status of case to the client. Attorney failed to execute a substitution of attorney form when fired and failed to cooperate with the successor attorney. Two priors and failed to participate in disciplinary proceedings. One year actual suspension following hearing after default.

(Do not write above this line.)

In the Matter of JOHN ROBERT NOBLE	Case number(s): 03-O-03912; 05-N-00452 (Inv.)
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SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law and Disposition.

March 30 2005
Date


Respondent's signature

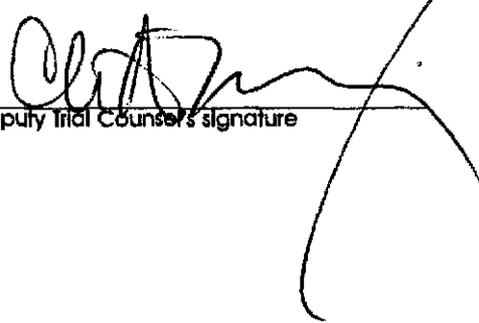
John Robert Noble
Print name

Date

Respondent's Counsel's signature

Print name

April 1, 2005
Date


Deputy Trial Counsel's signature

Charles A. Murray
Print name

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In the Matter of JOHN ROBERT NOBLE	Case number(s): 03-O-03912; 05-N-00452 (Inv.)
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ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

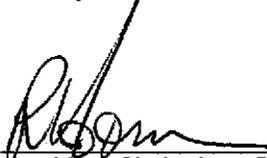
- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

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.) The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 953(a), California Rules of Court.)

Date

4/27/05

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 Los Angeles, on April 28, 2005, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION
AND ORDER APPROVING, filed April 28, 2005**

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:

**JOHN ROBERT NOBLE
ATTORNEY AT LAW
2 LOCUST
IRVINE, CA 92604**

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

Charles Murray, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on April 28, 2005.



Milagro del R. Salmeron
Case Administrator
State Bar Court