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HEARING DEPARTMENT - LOS ANGELES

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| In the Matter of |) | Case No. 03-R-00982-RAH |
| CHARLES CLINTON HUNTER, |) | DECISION |
| Petitioner for Reinstatement. |) | |

I. INTRODUCTION

This matter is before this Court on a petition for reinstatement to the practice of law filed by Petitioner **CHARLES CLINTON HUNTER** on March 7, 2003. Petitioner was represented by Arthur L. Margolis of Margolis & Margolis LLP. The Office of the Chief Trial Counsel of the State Bar of California ("State Bar") was represented by Paul T. O'Brien. Trial was held on August 16, 2004, and the matter was taken under submission on August 26, 2004.

As is set forth in more detail below, Petitioner has sustained his burden of establishing by clear and convincing evidence that he is rehabilitated and thus possesses the present moral qualifications for reinstatement to the practice of law in California, that he possesses present ability and learning in the general law and that he has passed the Multistate Professional Responsibility Examination.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court makes the following findings of fact based on the parties' stipulation of facts, the petition, and the evidence introduced at the hearing in this proceeding.

A. Procedural Background and Prior Misconduct

Petitioner was admitted to the practice of law in the State of California on December 16,

1 1980. From 1983 to 1991, his active status with the State Bar was frequently interrupted by brief
2 periods where he was not entitled to practice due to failures to pay State Bar membership dues.

3 Effective August 9, 1991, the California Supreme Court suspended Petitioner for three years,
4 stayed the suspension and placed Petitioner on probation for five years conditioned upon a 30-day
5 actual suspension.¹ Petitioner was found culpable of trust account violations between 1985 through
6 1988 for commingling personal funds in his client trust account and writing a client trust account
7 check against insufficient funds. Petitioner also practiced law while administratively suspended for
8 non-payment of State Bar dues in 1988. None of Petitioner's violations was determined to involve
9 moral turpitude.

10 Effective November 6, 1994, the California Supreme Court revoked Petitioner's probation
11 in the above disciplinary matter and imposed a three-year actual suspension on Petitioner. In a
12 proceeding that proceeded by default, Petitioner was found culpable of failing to file his first
13 quarterly probation report, failing to communicate with and make himself available to his probation
14 monitor, and failing to timely notify the State Bar of his change of address. This misconduct
15 occurred in 1991.

16 Effective December 28, 1994, the California Supreme Court disbarred Petitioner. In another
17 default proceeding which was consolidated with the above probation matter, Petitioner was found
18 culpable in four separate client matters of failing to comply with court orders, and recklessly failing
19 to perform services competently due to his failure to file pleadings and attend scheduled court
20 appearances. In one of the client matters (Tami), Petitioner did not return unearned fees. This
21 misconduct occurred from 1991 to January 1992.

22 The 30-day period of actual suspension stemming from Petitioner's first incident of discipline
23 went into effect during Petitioner's representation of Tami. Petitioner did not notify the trial judge
24

25 ¹During trial, the Court took judicial notice of Attachments 1 and 2 of the State Bar's
26 pretrial statement filed January 14, 2004, consisting of copies of the Review Department decision
27 filed in case numbers 91-O-02488, 91-O-05101 and 91-P-07913 (Cons.) and the Hearing
28 Department decision filed in case number 86-O-12077. On its own motion, the Court takes
judicial notice of Petitioner's prior discipline in Supreme Court case numbers S020837 and
S042203 as well as documents filed in case number 92-C-18877.

1 in that case of his impending suspension until the day it went into effect. The judge ordered him to
2 appear the day following the effective date of the suspension, but Petitioner did not comply with the
3 court's order. A body attachment for his arrest was issued by the court and Petitioner was found in
4 contempt of court for his failure to appear.² Petitioner was arrested on the warrant, posted bail and
5 was again ordered to appear on January 10, 1992. He failed to appear on that date and the court
6 issued a no-bail bench warrant. Petitioner was arrested on this second warrant a week later, and was
7 held in custody for about 5 days. On his promise to return later that month, the judge released him.
8 He failed to so appear, and was again held in contempt.

9 As noted above, between 1983 and 1991, Petitioner was frequently suspended from the
10 practice of law as a result of his failure to pay State Bar dues. On one such occasion, Petitioner
11 continued to represent a client and made an appearance in the matter of *People v. Lincheta* while so
12 suspended. (Exhibit 7.) As a result of such conduct, in February 1994, he was convicted of
13 practicing law while not authorized to do so.³

14 On other occasions, Petitioner apparently also practiced law without a license. On either
15 September 8 or 9, 1992,⁴ Petitioner appeared in Department 122 of the Los Angeles County Superior
16 Court and substituted into the matter of *People v. Vincas* (LASC case no. BA051491-01). (Exhibit
17 13.) From September 8, 1992, continuing to May 25, 1993, Petitioner was suspended for failure to
18 take and pass the Multistate Professional Responsibility Examination ("MPRE".) Petitioner again
19 appeared in Department 122 in the morning on September 14, 1992. (Exhibit 15.) Petitioner found
20 out about the suspension after attending the hearing on September 14, 1992, and later that day,
21 Petitioner filed a request with the State Bar Court for an extension of time to take and pass the

22
23 ²The court was required to continue the underlying case to allow the defendant time to
24 work with other counsel.

25 ³According to the briefs filed by counsel for Petitioner in this proceeding, the criminal
26 matter was charged as a felony, but Petitioner was permitted to plead no contest to a
27 misdemeanor. Upon his successful completion of probation, the court in that matter apparently
28 expunged the conviction.

⁴It is difficult to tell from the minute order whether the date of the hearing was September
8 or 9.

1 MPRE. (Exhibit 14.⁵)

2 On May 28, 1991, Petitioner was convicted of driving under the influence of alcohol.
3 (Exhibit 6.) Petitioner was on criminal probation for three years from May 28, 1991, for this offense.
4 As a result of Petitioner's failure to appear on at least three occasions, Petitioner's driver's license
5 was suspended on March 3, 1992, for 180 days and he was ordered to serve 23 days in county jail,
6 with credit for nine days served.

7 **B. Alleged Recent Misconduct**

8 The State Bar claims that certain more recent activities of Petitioner bear on this Court's
9 decision to reinstate Petitioner. In December, 1993, it is alleged that Petitioner submitted an
10 application for a Texas driver's license to the Texas Department of Motor Vehicles ("DMV") and
11 did not disclose on the form application that his driver's license in California had been suspended
12 as a result of the driving under the influence conviction Petitioner had in California in 1991.
13 Specifically, Petitioner checked the "NO" box in response to the question: "Has your license or
14 driving privilege ever been suspended, revoked, cancelled, denied or disqualified? Where?
15 _____ When? _____ Why? _____." (Exhibit 4.) At the time this representation was
16 made, Petitioner was on criminal probation for the DUI charge.

17 In March, 1999, Petitioner applied for a waiver from the rules of the State Bar of Texas,
18 seeking to be reinstated as an attorney in Texas. (Exhibit 5.) The basis for Petitioner's waiver
19 request was that the California order of disbarment was void as a matter of law because the State Bar
20 Court of California lacked jurisdiction over Petitioner due to defects in service of process. In
21 addition, Petitioner claimed that he was disbarred on the basis of insufficient evidence; specifically,
22 the declaration of a convicted felon. As a result of these failures, Petitioner contended that he was
23 denied due process. (Page 43 of Exhibit 5.) The Executive Committee of the Board of Law
24 Examiners of the Supreme Court of Texas denied Petitioner's request for a waiver on June 14, 1999.

25 _____
26 ⁵The application for an order vacating the suspension and extending time to pass the
27 MPRE is dated September 11, 1992, although it was filed September 14, 1992. At trial,
28 Petitioner testified that the September 11 date was an error, and that the correct date that he
actually signed it was September 14, 1992. The Court is satisfied that the error testified to by Petitioner
actually occurred, and that the correct date of the signature was, in fact, September 14, 1992.

1 The State Bar contends that Petitioner's action in claiming that he would not have been
2 disbarred had he been given a full hearing was misleading. The State Bar also contends that
3 Petitioner misled the Texas authorities by his failure to disclose that there were other declarations
4 from two Superior Court judges besides that of the "convicted felon" in support of his disbarment.
5 Further, the State Bar contends that Petitioner should have disclosed his conviction for the
6 unauthorized practice of law.⁶

7 Finally, the State Bar contends that Petitioner's failure to timely pay a \$1,200 bill owed from
8 1991 to Aragon Bail Bonds impacts this Court's decision. That bill was compromised by payment
9 of \$500 in 2004.

10 **C. Petitioner's Rehabilitation, Moral Qualifications and Character**

11 **1. Relevant Personal Background.**

12 Petitioner was born in 1955 in San Antonio, Texas. He had three older sisters and
13 one younger brother. His father was retired from the military and became a civil servant. His mother
14 was a registered nurse working in the public sector. The family was very close and he always had
15 assistance from his older sisters.

16 Petitioner attended kindergarten through third grade at St. Theresa's Academy. Thereafter,
17 he transferred to St. Margaret Mary's Academy. This provided a more rigorous academic training
18 for fourth to eighth grade. Thereafter, he attended Central Catholic High School on a scholarship.
19 Petitioner did very well academically in high school. He won a math award, and was chairman of
20 the student body board of directors. He graduated from high school in the top eight of his class.

21 After high school, Petitioner attended the University of Texas at Austin. There he majored
22 in business administration with an emphasis in finance. He received his bachelor's degree in
23 business administration with honors and a 3.4 grade point average. After his first year at college,
24 his parents divorced. He graduated from the University of Texas in 1977.

25 Petitioner took the Law School Admission Test (LSAT) and scored in the 97th percentile.

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28 ⁶However, the State Bar concedes that the Texas application did not specifically request
 information regarding conduct that occurred *after* the California discipline.

1 He was accepted at the University of Texas School of Law and graduated with his JD degree in 1980.
2 During law school, Petitioner enjoyed constitutional law and in particular, the First Amendment and
3 Privacy Issues.

4 After graduating from law school, Petitioner wanted to leave Texas and make a new start for
5 himself in California. He moved to Los Angeles with two hundred dollars in his pocket and began
6 living in Glendale. Petitioner signed up for, took, and passed the California Bar Examination on the
7 first attempt. Through family connections, Petitioner met Barry Fisher of the Law Firm of Fisher
8 & Moest (also known as Fleischman, Fisher & Moest). Mr. Fisher's firm focused on First
9 Amendment and Constitutional Issues and therefore, was attractive to Petitioner. Among other
10 clients, Petitioner represented the Hari Krishna Movement as well as Reverend Moon's Unification
11 Church. Petitioner was offered and accepted a position with Mr. Fisher's firm.

12 While Petitioner enjoyed the constitutional issues that were presented to him in Barry
13 Fisher's law firm, he wanted to explore the area of entertainment law. He resigned from the law firm
14 and began looking for another job. Unfortunately, he was not able to find another job immediately.
15 Therefore, he worked for various businesses and organizations for short periods of time.

16 Eventually, he moved to Santa Monica, doing some legal work for a group of attorneys
17 formerly with the firm now known as Haight, Brown & Bonesteel, who recommended him as *cumis*
18 counsel. Later, he was hired by another firm to do securities law. He was there less than one year.

19 In approximately 1988, Petitioner accepted a position with Kroll & Firestone in Century City.
20 The position was appealing to him because it came with benefits, something that he needed at the
21 time. He had obtained this position through the use of an executive recruiter. When the recruiter
22 sent the firm a bill for a \$25,000 finder's fee, Petitioner was fired.

23 Petitioner then went into practice for himself. His roommate at the time was one of his first
24 clients, since this person was repeatedly getting into trouble with the police. Based on this
25 experience in criminal law, he started taking cases for other criminal defendants. Initially he was
26 successful in this endeavor; however, he did not know how to manage his cases and frequently
27 received continuances to allow himself time to learn the subject matter he was presented with in each
28 case. During this time, Petitioner was not making a great deal of money.

1 Petitioner was involved in a long-term, personal relationship with his partner of five years.
2 In 1991, Petitioner's personal relationship with his partner came to an end. This event devastated
3 Petitioner and distracted him from his practice. Judges that Petitioner appeared before stopped
4 giving continuances. Petitioner had so much work that he could not do any of it very well.
5 Petitioner was an "emotional wreck," was anxious all the time, and could not sleep. He had no
6 stable place to live, he stopped updating his official membership address with the California State
7 Bar, and he began staying in hotels.

8 Having had a successful life up until this point, Petitioner did not know how to deal with
9 failure. Because of his financial situation, he was unable to hire additional help to assist him with
10 the burden of his case load. In addition, Petitioner became sick with hepatitis. This prevented him
11 from working for several months. In this environment, Petitioner began agreeing to take on
12 conflicting court appearances. As a result, judges began to sanction him for his failure to appear.
13 Compounding his problems, his landlord locked him out of his apartment at the time which
14 contained all of his possessions.

15 In 1993, Petitioner was placed on inactive status and has not been eligible to practice in
16 California since. In August 1993, Petitioner returned to Texas with a single sack containing all of
17 the personal items he was able to access.

18 In Texas, Petitioner began to find stability. He lived in his mother's home and obtained a
19 part-time job at Texas Business College teaching business law. In 1994, his father passed away and
20 in 1995 he took on a full-time job at the school. Working at the school allowed him to regain his
21 self-esteem. He worked regular hours. At the school, Petitioner taught torts, contracts, civil
22 procedure, family law, wills and probate, ethics, and legal research. People looked up to him.
23 Petitioner actively sought to place his students in employment positions. To do so, Petitioner
24 contacted potential employers and worked hard to improve the academic reputation of the school.
25 He also encouraged his students to become active in community affairs as a component of their legal
26 training. He found that he was able to give these students the guidance they needed to establish
27 themselves in their careers as paralegals.

28 Petitioner has been in a committed relationship for approximately ten years and he describes

1 this relationship as "the bedrock of his existence." His partner has had mental problems, and
2 Petitioner has assisted him through these psychological challenges. His partner now appears to be
3 dealing well with his condition.

4 Currently, Petitioner lives three doors from his mother. He visits her everyday and assists
5 her in providing for her needs. For the last two years, he has worked in the law offices of Yuen &
6 Associates, working 8:00 a.m. to 7:00 p.m. During this period, he has done over four thousand hours
7 of legal work and approximately six hundred hours of computer programing for the firm's case
8 management system. During that time he has researched California law in the areas of torts, civil
9 procedure and contracts. The firm's cases primarily are in the areas of family law, wills, criminal
10 law, real estate and corporate law. The firm has two to three cases in California, one of which is in
11 federal court.

12 Petitioner is active in the Montrose Softball League, a men's softball league which acts as
13 a large contributor to local charities in Texas. Through this organization, Petitioner has gained
14 hundreds of friends, representing a very large support group.

15 **2. Character Evidence.**

16 Petitioner produced evidence of his good character in support of his petition for
17 reinstatement. This evidence came in the form of declarations from family members and employers
18 and coworkers. All of the following character witnesses were made aware of the details of
19 Petitioner's misconduct prior to their testimony on his behalf.

20 **a. Family.**

21 Several family members testified as to Petitioner's background, academic
22 abilities, personal characteristics, and his abilities as a lawyer. All were very positive and all held
23 Petitioner in very high esteem. Respondent's sister, **Anne Brent**, recalled Petitioner's past,
24 identifying him as the family member "most likely to succeed." She noted that Petitioner had a
25 rather extraordinary childhood, both in academic areas and other, extracurricular activities. He was
26 an altar boy in church, a Cub Scout and on the safety patrol as a child. He played sports and all the
27 while maintained his status as an honor student. He was elected class president in eighth grade,
28 played softball, volleyball, ran track and was an avid water skier. He received scholarships to a

1 college preparatory high school, but still worked at part-time jobs mowing lawns, working in a local
2 supermarket, unloading railcars, and working in construction as a laborer. According to Ms. Brent,
3 Petitioner excelled academically in high school as well. He participated in an advanced mathematics
4 program which allowed him to take college level calculus in his senior year. He received the highest
5 grade in calculus and received the math award at graduation. He eventually graduated from Central
6 Catholic High School in San Antonio, Texas, with highest honors. Ms. Brent also noted a similar
7 pattern that occurred when Petitioner went to law school. Throughout law school he worked at odd
8 jobs in order to help support himself. Despite a rigorous schedule, he was also able to excel
9 academically in law school.

10 Ms. Brent noticed a change, however, when Petitioner moved to California. She notes that
11 she and the rest of the family were greatly disappointed when they became aware of Petitioner's
12 misconduct in California. These actions of Petitioner's stood in stark contrast to the person they
13 knew. This is so, she states, because since his childhood, Petitioner was never in any trouble of any
14 kind. She notes that he was "always known for his responsibility, good character, concerns for rules
15 and concern for others." Petitioner has "exhibited great remorse and deep regret over his past
16 mistakes, errors in judgment, and failure to comply with court orders." She points out that Petitioner
17 has fought back from this humiliating experience, has performed well in jobs he has taken on, and
18 has purchased a home, and is "a financially responsible, self-supporting and solid, taxpaying citizen."
19 Ms. Brent trusts Petitioner implicitly, noting that he is the only person she knows who she will
20 entrust to take care of her home when she is away, often for extended periods of time. Having
21 worked in various business settings, including law firms, Ms. Brent has been exposed to the
22 importance of honesty, integrity, ethics, trust and high moral values required of professionals such
23 as attorneys. With that background, she has no doubt that petitioner can be counted upon "to
24 steadfastly uphold these professional standards."

25 Another sister, **Isla Hunter**, also spoke highly of her brother. She mentioned how impressed
26 she was of her brother for putting himself through the University of Texas Law School. Ms. Hunter
27 noted that the family was extremely upset with Petitioner's decision to move to California, where
28 his problems began. However, after passing the California Bar Exam, Petitioner, once again, made

1 Ms. Hunter and the rest of his family proud. She notes that each time Petitioner succeeded, her
2 mother, father, aunts and uncles "all felt that somehow they were given back a little piece of what
3 fate had taken from them during the years of the great depression." Petitioner was thought of as "the
4 Golden Boy" of the entire family. She recalls that after his troubles in California and his eventual
5 return to Texas, he continued to show his exemplary character in many ways. In one instance, she
6 recalled him helping a young attorney from India get a driver's license and coached him about
7 purchasing a new car. He has helped several young people, including his niece, in preparing and
8 sending out resumes to help them find work. He continues to assist the family by helping their
9 elderly mother, taking her to doctor appointments, balancing her checkbook, and taking her grocery
10 shopping. Petitioner has also helped when his oldest sister had surgery to remove a brain tumor.
11 He assisted her with transportation and with the Social Security office to help her obtain assistance.
12 Since Ms. Hunter lost her husband and their father, she now turns to Petitioner for advice.

13 A third sister, **Constance Karen Hunter Juvan-Savoy**, also testified on behalf of Petitioner.
14 Ms. Juvan-Savoy is the oldest sister of Petitioner. She also reflected on his past and his
15 accomplishments as a person, as a student, and as a lawyer. Ms. Juvan-Savoy was also a high
16 achieving individual. She was her high school valedictorian and received a scholarship to Our Lady
17 of the Lake University in San Antonio, Texas. She began studying as an English major; however,
18 a serious illness required her to change paths and move to San Francisco for treatment.

19 In addition to commenting on some of the other accomplishments referred to by other sisters,
20 she pointed out that Petitioner had a reputation for always standing up for what he believed was
21 right. When Ms. Juvan-Savoy returned from San Francisco wearing a peace sign, Petitioner stood
22 up for her in face of a father that was a career military man. She testified that frequently Petitioner
23 was put in a position of standing up to his father's beliefs and holding firm to his own. She
24 commented on the many ways that Petitioner has helped the family since his return, including
25 helping his brother, Everett, get his life back together again after a divorce, financial problems, and
26 a severe back injury. Their sister, Isla, was run over by a car and Petitioner helped her understand
27 the insurance claims and litigation processes. He also helped her again, when her husband was
28 killed by a drunk driver. She notes other examples of the way by which Petitioner has reintegrated

1 himself into the family by assisting other family members in their everyday lives. The anecdotes
2 mentioned by Ms. Juvan-Savoy reinforce the notion that Petitioner has established a large safety net
3 of family members who appear willing to assist him in any way possible.

4 Petitioner's mother, **Marguerite Savoy-Hunter**, also testified on his behalf. Petitioner's
5 mother documented a lifelong history of Petitioner accepting responsibility and leadership. These
6 character traits applied to Petitioner in his relationships with all of his family members. From an
7 early age, Petitioner actively assisted his siblings and parents in many ways. When his siblings were
8 sick, Petitioner would assist in their care. He continues to assist his family to the present day. After
9 returning from California, Petitioner began directly assisting his mother in all of her everyday needs:
10 shopping, doctor's appointments, errands, and entertainment. It is clear from Petitioner's mother's
11 declaration that she truly delights in Petitioner's company.

12 Although not technically family, **Irene Garcia** also testified on behalf of Petitioner. Ms.
13 Garcia's brother, Robert, is a close friend of Petitioner. As a result of that friendship, Petitioner has
14 become very close to the family of Robert and Irene. They frequently are together at large family
15 gatherings, celebrating birthdays or other events and, in her words, Petitioner has become "an
16 integral part of our family." One of the most important contributions Petitioner has made to Ms.
17 Garcia's family is the care that Petitioner has provided to Robert over the past ten years. While
18 Robert suffered from an episode of depression, Petitioner was the first to realize that Robert was sick
19 and needed medical help. Despite Robert's illness causing Robert to distrust his family, including
20 Petitioner, Petitioner fought back and succeeded in getting Robert treated for his illness. Even
21 though Robert refused to see Petitioner for several weeks at a time, Petitioner continued to go to visit
22 him everyday. Finally, after Robert stabilized, Petitioner began to provide Robert with home cooked
23 meals made by Petitioner's mother. Through Robert's period of recovery, Petitioner has helped him
24 fight the depression, lethargy, and resulting weight gain. Now, Robert is coaching and playing
25 softball in the same league as Petitioner and Robert has regained his former vitality.

26 Petitioner not only helped Robert in Ms. Garcia's family but helped Irene Garcia herself. In
27 her words: "Charlie has touched my life personally. He encouraged me to continue my law
28 enforcement program at a local junior college. He came to my graduation and later helped me apply

1 for my current job as a federal corrections officer.”

2 **b. Friends.**

3 **Donald R. Coulter** was a friend of Petitioner. Petitioner has assisted Mr.
4 Coulter in the operation of his company, primarily in the area of computer applications and
5 programming. He holds Petitioner in the highest esteem and considers him a reliable “best friend.”
6 He considers him “an exceptionally great lawyer and a valuable addition to the Houston legal
7 community.”

8 Another friend, **Douglas McAninch**, has known Petitioner since they both attended the
9 University of Texas. He met Petitioner in 1978 as a freshman while Petitioner was a second year
10 law student. When Mr. McAninch learned of Petitioner’s disbarment, he was shocked. According
11 to Mr. McAninch, Petitioner admitted that he let many people down and harmed others with his
12 negligence. After this low point in Petitioner’s life, Mr. McAninch saw Petitioner become
13 revitalized with his teaching career. To Mr. McAninch, this represented an amazing personal and
14 professional recovery. In his view, this recovery evidenced Petitioner’s “strength of character, his
15 drive, determination, confidence, and ability.” Mr. McAninch also verified the dedication that
16 Petitioner has shown in his care for his friend, Robert.

17 Now a lawyer, Mr. McAninch has had an opportunity to work with Petitioner on a
18 professional level. He has frequently relied upon Petitioner for assistance in forming his arguments
19 in cases referred to him by Yuen & Associates. In other cases, Petitioner has assisted Mr. McAninch
20 in discovery, researched law, investigated the facts, and developed testimony for witnesses, prepared
21 exhibits, drafted motions in limine, drafted jury instructions, and prepared witness examination
22 questions. Mr. McAninch’s view is that this was all done in a “first rate manner” and was helpful
23 in his eventual winning of a jury verdict in his client’s favor. Not only is Mr. McAninch satisfied
24 with Petitioner’s legal abilities, he considers him a “mature, conscientious adult” that would be a
25 “credit to his profession if given another chance to serve the public as a lawyer.”

26 **c. Employers and Coworkers.**

27 Several former and current employers and coworkers testified on behalf of
28 Petitioner. **Joanne L. Bradley** was the director of education at the Texas School of Business where

1 Petitioner taught for several years. As such, she was his supervisor during the period of her
2 employment in that position. She noted that Petitioner was always willing to assist the students of
3 the school. This willingness extended beyond his normal duties of teaching and included counseling
4 students in their career interests, contacting potential employers, and attempting to place his students
5 in those jobs that he located. She recalled an incident where a student who had been through the
6 criminal justice system and had been instructed to go to school as part of his rehabilitation, had been
7 transformed by Petitioner's efforts. This student received his diploma, his first ever, and openly
8 thanked Petitioner. She recalled that this student brought tears to those around him as he
9 acknowledged that he finally felt that he had a place in society. She concludes that "it took a special
10 person like Mr. Hunter to give this young man hope and a taste of success." Even upon his departure
11 from the Texas School of Business to take on other challenges, Ms. Bradley was unrestrained in her
12 praise: "In my opinion, he is the best there is, as a friend, teacher, motivator and great person."

13 **William Sala**, testified on behalf of Petitioner, based upon his position as the executive
14 director for the Texas School of Business. Mr. Sala holds Petitioner to be a person of the "highest
15 moral and ethical character." He notes that there were several occasions where Petitioner went
16 beyond his typical work duties to meet the special needs of a student or a fellow employee. He
17 summarizes by saying that, based on his knowledge of Petitioner, he can say "failure is behind
18 Charles Hunter." He also notes that he is a kind and caring person who takes interest in others not
19 only because he believes that it is the right thing to do, but also because it is his nature to do so.

20 Another attorney for whom Petitioner worked was **Barry A. Fisher**. Mr. Fisher employed
21 Petitioner immediately upon Petitioner's becoming a member of the Bar in California in December
22 1980. Mr. Fisher was aware of Petitioner's problems, having been provided with a copy of the
23 recommendation of the Review Department. He has also reviewed a copy of Petitioner's
24 reinstatement petition. Mr. Fisher notes, that during the time that Petitioner worked for him, he was
25 "honest, well-meaning as an individual and employee." He also notes that he has been diligent and
26 competent in his work. Based upon Mr. Fisher's knowledge of Petitioner, he believes that Petitioner
27 presently possesses sufficient good moral character to practice law. Mr. Fisher supports Petitioner's
28 reinstatement to the State Bar and believes "that he will be a good lawyer and a credit to his

1 profession if given another chance to serve the public as a lawyer.”

2 **Robert C. Moest** was a partner of Barry Fisher when Petitioner worked for that firm. In
3 addition, Mr. Moest represented Petitioner in the 1993 charge of practicing law without a license.
4 Like the other witnesses who testified on behalf of Petitioner, Mr. Moest was aware of Petitioner’s
5 prior disciplinary proceedings. In fact, as noted above, Mr. Moest personally participated in some
6 of the proceedings which were underlying the prior disciplinary matter. Mr. Moest praises the choice
7 that Petitioner made in moving back to Texas to reorganize his life. Since that time he has had some
8 interaction with Petitioner, including long conversations about how each of their lives has changed.
9 In Mr. Moest’s view, Petitioner “has grown up.” He notes that “without rancor or bitterness, he has
10 assumed the responsibility for his own life, holding a series of increasingly significant jobs,
11 supporting himself, and confronting directly the errors he made in the past.” He concludes that no
12 one exemplifies the idea of rehabilitation better than Petitioner, and he recommends his
13 reinstatement.

14 Petitioner’s current employer, **Xenos Yuen**, also testified on his behalf. At the time of his
15 declaration, Mr. Yuen knew Petitioner for over two years and had contact with him on a daily basis.
16 He knows Petitioner’s family, and they have “traveled together, worked together, visited socially,
17 done each other favors, and introduced each other” to each other’s friends. Mr. Yuen speaks highly
18 of Petitioner, both as to his personal characteristics and his professional abilities.

19 **Laurel L. Noell** and **Stephan Honoré** both were coworkers of Petitioner. Both of these
20 individuals speak highly of Petitioner’s personal characteristics and professional capabilities. Mr.
21 Honoré notes that Petitioner is an honest and ethical person. He concludes that he has a “highly
22 favorable opinion” about Petitioner’s personal character and responsibility.

23 **D. Petitioner’s Present Learning and Ability in the Law**

24 As noted above, after returning to Texas from California, Petitioner was hired by a business
25 college. In that capacity, he taught several different courses in law to students seeking to start careers
26 as paralegals in the Houston area. By all accounts, he excelled at this endeavor, with several students
27 and coworkers attesting to his high level of performance and dedication to the law. Through the
28 school, Petitioner became active with the Texas State Bar, arranging for many of his students to act

1 as volunteers. (Exhibit F.) He organized field trips to courts and Bar conventions for his students
2 and continually updated his course offerings with new topics and new materials. (Exhibit G, H, L,
3 and N.) He also taught a continuing legal education course on discovery practices, focused on
4 paralegals. (Exhibit J.)

5 Most significant is Petitioner's work at various law firms in the Houston area. Mr.
6 McAninch, Mr. Honoré, Ms. Noell, and Mr. Yuen all testified that Petitioner's legal work was
7 excellent. Since 2002, Petitioner has worked at the Law Offices of Yuen & Associates and has
8 participated in cases of various types and at various levels in the litigation process. He has
9 performed projects which are considered "first rate" and is described as one with a "focused legal
10 mind and an artful draftsman." He is a "resourceful researcher" and has a breadth of legal
11 knowledge and a depth of experience." Mr. Yuen testified that, as of August 4, 2004, Petitioner had
12 worked in approximately 226 matters for a total of over 4,000 hours. These matters covered a broad
13 range of topics in substantive law, including acquisitions, bankruptcy, collections, Constitutional
14 law, criminal law, employment, family law, insurance, sales/UCC and many other areas.

15 **E. Multistate Professional Responsibility Examination.**

16 Petitioner satisfied the requirement of rule 665(a) of the Rules of Procedure of the State Bar
17 of California by passing the Multistate Professional Responsibility Examination within one year
18 prior to his filing his petition for reinstatement.⁷

19 **III. DISCUSSION**

20 **A. Rehabilitation and Moral Qualifications**

21 In a reinstatement proceeding, a petitioner bears a heavy burden. Our Supreme Court has
22 consistently held that a petitioner seeking reinstatement must produce "stronger proof of his present
23 honesty and integrity than one seeking admission for the first time whose character has never been
24 in question." (*Tardiff v. State Bar* (1980) 27 Cal.3d 395, 403.) In determining whether that burden
25 has been met, evidence of present character must be considered in the light of the moral
26 shortcomings which resulted in the imposition of discipline. It is appropriate, therefore, to examine

27
28 ⁷See Stipulation of the parties filed on August 26, 2004.

1 the extent of the misconduct to begin to determine the length of the road to rehabilitation. (*In the*
2 *Matter of Ainsworth* (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 894; *In re Menna* (1995) 11
3 Cal.4th 975; *Tardiff v. State Bar, supra*, 27 Cal.3d at p. 403; *In the Matter of Miller* (Review Dept.
4 1993) 2 Cal. State Bar Ct. Rptr. 423; *In the Matter of Brown* (Review Dept. 1993) 2 Cal. State Bar
5 Ct. Rptr. 309.) As the Supreme Court stated: "It is not unreasonable...to require a truly compelling
6 demonstration of moral rehabilitation as a condition of [Petitioner's] admission to the bar of this
7 state, i.e., "overwhelming [] proof of reform...which we could with confidence lay before the world
8 in justification of a judgment again installing him in the profession..." [Citation.]" (*In re Menna,*
9 *supra*, 11 Cal.4th at p. 989.)

10 The Review Department decision issued as a result of Petitioner's most recent incidents of
11 discipline accurately describes the misconduct which led to Petitioner's disbarment. In concluding
12 that Petitioner's misconduct was serious enough to warrant disbarment, the Review Department
13 stated that:

14 "In his representation of the four criminal clients, [Petitioner] violated approximately
15 six separate court orders, was held in contempt approximately four times, failed to
16 appear at scheduled court hearings approximately nine times, and had body
17 attachments and/or arrest warrants issued against him approximately three times. The
18 wilful violation of court orders alone is egregious misconduct. 'Other than outright
19 deceit, it is difficult to imagine conduct in the course of legal representation more
20 unbecoming an attorney.' [Citation]" (*In the Matter of Hunter* (Review Dept. 1994) 3
21 Cal. State Bar Ct. Rptr. 63, 79.)

22 The Review Department also noted that although Petitioner was admitted to practice in 1980, he
23 committed misconduct in 1985, 1987, 1988, 1991, and 1992. As discussed below, after considering
24 the nature and extent of Petitioner's prior misconduct, the Court finds that Petitioner's evidence of
25 rehabilitation and moral qualifications dispels the cloud of his prior misconduct.

26 Since rehabilitation is a state of mind, Petitioner must show a proper attitude toward his
27 misconduct. (*In the Matter of Brown, supra*, 2 Cal. State Bar Ct. Rptr. 309 at p. 317.) Petitioner
28 admits that he let many people down and harmed others with his negligence. Petitioner feels great
remorse and deep regret over his past mistakes, errors in judgment, and failure to comply with court
orders. The Court finds Petitioner's expression of remorse to be genuine and concludes that it

1 evidences Petitioner's appreciation of the gravity of his misconduct.⁸

2 Petitioner acknowledges that his academically successful career did little to prepare him for
3 the failure of his private law practice. When Petitioner's inexperience in managing his heavy case
4 load was compounded by complications of hepatitis and the emotional devastation of the break up
5 of his long-term, personal relationship, Petitioner had no support network in place to assist him
6 through this time of crisis. Consequently, Petitioner became an "emotional wreck" without the
7 financial means to hire additional help or maintain a permanent residence. Petitioner's eviction and
8 subsequent itinerant lifestyle eroded his self-esteem, further exacerbating Petitioner's downward
9 spiral. Petitioner now realizes that one of his problems as a solo practitioner was that he tried to do
10 everything by himself and that he failed to develop a support network inside or outside of his
11 practice. Petitioner now has rectified this situation and lives in close proximity to his supportive
12 mother and has gained hundreds of friends through a charitable softball league, representing an
13 extensive support group. Petitioner is financially responsible, has purchased a home, and now has
14 a happy, stable home life with his partner of almost ten years.

15 Petitioner has also regained his self-esteem through his teaching at Texas Business College.
16 As an instructor, Petitioner aggressively pursued ways to enhance the employability of his students
17 and emphasized the need to perform community service to his students.

18 Petitioner's reformation is also evidenced by the support he provides his family members.
19 In addition to assisting his mother with her everyday needs, Petitioner helped his brother cope with
20 financial problems stemming from a severe back injury and divorce, assisted his sister when she was
21 hit by a car and again when her husband was killed by a drunk driver, and aided his eldest sister after
22

23 ⁸Petitioner also attempted to reimburse his former client, Pedro C. Tami, who is owed
24 unearned fees. Since 1995 Petitioner repeatedly wrote the State Bar in order to obtain current
25 contact information for Tami. In response, the State Bar informed Petitioner that it would have
26 to locate the appropriate file for the contact information. The State Bar did not provide the
27 Tami's contact information. Petitioner attempted to obtain contact information for the client
28 through internet searches but was unsuccessful. At no time during these proceedings did the
State Bar raise this issue as a basis for opposing Petitioner's reinstatement. The Court is satisfied
with Petitioner's efforts at restitution and concludes that his inability to effect restitution does not
otherwise detract from his showing of rehabilitation and moral qualifications.

1 the removal of a brain tumor.

2 These facts, combined with Petitioner's almost ten-year period of unblemished and
3 exemplary conduct, display overwhelming proof of Petitioner's reformation and demonstrate clearly
4 and convincingly his overall rehabilitation.

5 Petitioner's present moral character is attested to by many character witnesses. Like the
6 attorney in *Menna*, Petitioner has presented laudatory character testimony. "Letters of
7 recommendation and the favorable testimony, especially that of employers and attorneys, are entitled
8 to considerable weight. [Citations.]" (*Feinstein v. State Bar* (1952) 39 Cal.2d 541, 547.) The Court
9 gives great weight to the testimony of attorneys, who have special interest in the requirements for
10 reinstatement. (*Hippard v. State Bar* (1989) 49 Cal.3d 1084, 1095.)

11 The Court finds that Petitioner's extended period of exemplary conduct, his recognition of
12 the seriousness of his misconduct and genuine expression of remorse, his dedication to assisting his
13 family, the dedication he showed to enhancing the quality of instruction and employment prospects
14 for his students, and the testimony of his character witnesses are all strong indicators of Petitioner's
15 present honesty and integrity. Reviewing Petitioner's facts in their totality, the Court is convinced
16 that Petitioner has demonstrated his rehabilitation and moral reformation from the acts which led to
17 his disbarment.

18 **B. The State Bar's Case in Opposition to Reinstatement**

19 **1. The Texas DMV Matter.**

20 The misconduct that prompted the disbarment in this matter primarily occurred in
21 1991 and 1992.⁹ Since that time, the record does not reflect any substantial misconduct. It is true
22 that Petitioner appears to have misstated the facts on his driver's license application in Texas.
23 Petitioner was not aware of the suspension at the time he completed the Texas application, even
24 though he was present in the criminal court when the additional probation conditions (including the
25 driver's license suspension) were imposed. It should be noted that Petitioner did not originally have
26

27
28 ⁹As noted above, Petitioner also had repeated suspensions prior to that time, but these
mainly resulted from his failure to timely pay membership fees.

1 his license suspended, but only "restricted." (Page 74 of Exhibit 6.) Later, at a hearing where
2 Petitioner was represented by counsel, the court reinstated the previously revoked probation, added
3 the 180-day suspension, and imposed a jail sentence. (Page 65 of Exhibit 6.) Petitioner's attorney
4 only related to Petitioner that he had a jail sentence with credit for time served and did not advise
5 Petitioner of the suspension of his driver's license.

6 When Petitioner went to the Texas Department of Motor Vehicles, his sister was waiting for
7 him out in the car and there was a long line to prepare and submit the application. He felt rushed and
8 perhaps did not spend enough time carefully reading and thinking about whether it was likely that
9 he had previously had his license suspended in California.¹⁰

10 Nevertheless, despite the misstatement on his Texas DMV license application, the Court
11 finds that this misstatement was negligent and not intentional. Further, the incident involving the
12 misstatement was so long ago that the Court is willing to evaluate Petitioner's conduct since that
13 time to determine if he has maintained sustained exemplary conduct over the eleven years since that
14 application was filed.

15 **2. The request for a waiver from the Texas Bar.**

16 The State Bar appears to claim that Petitioner's conduct in asserting before the Texas
17 Bar a violation of due process in the California disciplinary proceeding indicated a failure to
18 recognize the seriousness of his California misconduct. Exhibit 5, and in particular, page 43 of that
19 exhibit, represents an attempt by Petitioner to challenge the constitutionality of the California
20 procedures used in disbaring Petitioner.¹¹ Apparently, one of the grounds in the Texas law for the
21 waiver sought was that the California disciplinary proceeding lacked such safeguards.¹² The State
22 Bar provided no evidence that the grounds for waiver as asserted by Petitioner were completely

23
24 ¹⁰Petitioner testified that he had represented clients in DUI cases and was aware that
25 suspension of a driver's license was not an uncommon occurrence.

26 ¹¹One of the specific procedures questioned in the Texas Bar waiver application involved
27 this Court's ability to serve respondents by mail instead of by personal service.

28 ¹²California has a similar protection contained in Business and Professions Code section
6049.1(b)(3).

1 lacking in merit under Texas law. Thus, this Court cannot say that Petitioner's constitutional
2 challenge was made in bad faith or with an improper motive. The Court declines to automatically
3 impute improper motive where one seeks to assert fundamental constitutional rights. As such, the
4 Court finds that Petitioner's application for a waiver in Texas does not reflect poorly on his request
5 for reinstatement.

6 **C. Present Learning and Ability in the General Law**

7 The un rebutted evidence supports a finding that the Petitioner has made a sufficient showing
8 of present learning and ability in the general law required for reinstatement. (Rules Proc. of State
9 Bar, rules 665(d).)

10 Petitioner successfully took the MPRE. Additionally, Petitioner excelled in teaching several
11 different law courses to students and has also taught continuing legal education courses on discovery
12 practices. Most significantly, Petitioner has worked at various law firms in the Houston area, most
13 recently as a law clerk for the Law Offices of Yuen & Associates, P.C. As a law clerk, Petitioner
14 has worked on approximately 226 matters totaling over 4,000 hours of work in a broad area of
15 substantive legal topics such as bankruptcy, insurance, sales, employment and criminal law.

16 For these reasons the Court finds by clear and convincing evidence that Petitioner possesses
17 present learning and ability in the general law.

18 **IV. RECOMMENDATION**

19 Accordingly, the Court finds that Petitioner has sustained his burden of establishing by clear
20 and convincing evidence that he is rehabilitated and thus possesses the present moral qualifications
21 for reinstatement to the practice of law in California, that he possesses present ability and learning
22 in the general law and that he has passed the Multistate Professional Responsibility Examination.

23
24 The petition for reinstatement is **GRANTED**.

25
26
27 Dated: November 24, 2004

28


RICHARD A. HONN
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. 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 November 24, 2004, I deposited a true copy of the following document(s):

DECISION, filed November 24, 2004

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

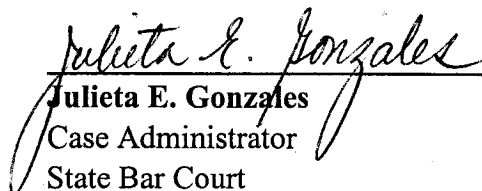
by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**CHARLES C HUNTER
6100 CORPORATE DRIVE SUITE 400
HOUSTON TX 77036**

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

Paul T. O'Brien, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **November 24, 2004**.



Julieta E. Gonzales
Case Administrator
State Bar Court

CORRECTED 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 November 30, 2004, I deposited a true copy of the following document(s):

DECISION, filed November 24, 2004

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

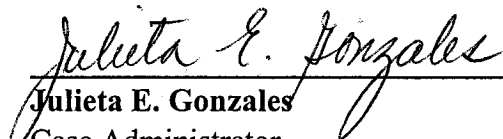
by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**ARTHUR L MARGOLIS ESQ
MARGOLIS & MARGOLIS LLP
2000 RIVERSIDE DRIVE
LOS ANGELES CA 90039-3758**

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

Paul T. O'Brien, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **November 30, 2004**.



Julieta E. Gonzales
Case Administrator
State Bar Court



Charles Clinton Hunter
6100 Corporate Drive, Suite 400
Houston, Tx 77036
713-541-2691

Form Adopted By Executive Committee,
State Bar Court, October 16, 1987

PUBLIC MATTER

For Court Use Only

FILED

MAR 07 2003

STATE BAR COURT
CLERKS OFFICE
LOS ANGELES

**Attorney or Party Without Attorney
(Name, Address, Telephone Number):**

ORIGINAL

**STATE BAR COURT
OF THE STATE BAR OF CALIFORNIA**

In the Matter of the Petition of

Charles Clinton Hunter

(Name of Petitioner)

For Reinstatement As A Member Of
The State Bar of California

Case Number: 03-R-00982-RA

**PETITION FOR REINSTATEMENT AFTER DISBARMENT OR RESIGNATION
(rule 951(f), California Rules of Court; rules 660-666, Rules of Procedure for State Bar Court Proceedings)**

I, the above-named, having read rule 951(f), California Rules of Court and rules 660-666, Rules of Procedure for State Bar Court Proceedings, do hereby petition for reinstatement as a member of the State Bar Court based upon the following grounds:

1. ELIGIBILITY TO APPLY FOR REINSTATEMENT

Petitioner:

a. was disbarred, effective date:

12-28-94

resigned with no disciplinary charges pending, effective date:

resigned with disciplinary charges pending, effective date:

b. was intermly suspended preceding Disbarment or resignation, effective date:
August 30, 1993

c. filed prior petition(s) for reinstatement pursuant to Rule 662, Rules of Procedure.

(i) Filing date(s) of any prior petition for reinstatement and case number(s): N/A

(ii) Date(s) of any finding, decision, or order made or entered in connection with prior petitions for reinstatement: _____

(iii) Attached to the petition, as Attachment 1, any decision of the committee of the Board of Governors that the petitioner relied on in submitting petition for reinstatement earlier than permitted by Rule 662, Rules of Procedure.

2. BASIS FOR PREVIOUS DISBARMENT OR RESIGNATION

Petitioner was disbarred, (complete "a" and "c" below)

resigned (complete "b" and "c" below)

a. Was the disbarment based on a conviction for criminal offense?

yes no

(i) If yes, complete the following:

1. Was the criminal conviction the subject of a State Bar of California disciplinary proceeding?

yes no

2. If so, list the numbers of all State Bar proceedings. (i.e., Bar Misc. Number and State Bar Court Numbers)

(ii) If no, complete the following:

1. Was the petitioner the subject of a State Bar California disciplinary proceeding?

yes no

2. If so, list the numbers of all State Bar proceedings (i.e., Supreme Court Number and State Bar Court Numbers): please see attachment

b. Was the resignation based on a conviction for a criminal offense?

yes no

(i) If yes, complete the following:

1. Was the criminal conviction the subject of a State Bar Court disciplinary proceeding?

yes no

2. If so, list the numbers of all State Bar Court proceedings (i.e., Supreme Court Numbers and State Bar Court Numbers)

(ii) If no, complete the following:

1. Was petitioner the subject of a State Bar Court disciplinary proceeding?

yes no

2. If so, list the numbers of all State Bar proceedings (i.e., Supreme Court Numbers and State Bar Court Numbers).

c. Were criminal charges pending at the time of disbarment or resignation that were not the subject of the State Bar Court disciplinary proceeding?

yes no

If so, please complete the following: please see attachment

(i) Cite the statute(s) under which petitioner was convicted and attach as Attachment 2, copies of the following: the pertinent information or complaint; judgment of conviction; sentencing transcript; any probation report; and any opinions and orders of appellate or reviewing courts. If petitioner has more than one conviction, use additional page(s).

(ii) Set forth fully and accurately a description of any misconduct on which the conviction is based.

please see attachment

(iii) Date of Conviction: _____ please see attachment

(iv) State the name and address of the prosecuting attorney:

please see attachment

(v) State the name and address of any trial court:

please see attachment

(vi) State the case number used in the trial court:

please see attachment

(vii) State the dates of any hearings regarding alleged violations of probation:

N/A

(viii) If an appeal was taken, state the name and address of the appellate court, the date such appeal was decided, and the case number in the appellate court:

N/A

3. PETITIONER'S CURRENT GENERAL INFORMATION:

a. Date of Birth Feb. 13, 1955 Marital Status Single

b. petitioner has no dependents nor minor children

c. petitioner has the following dependents or minor children:

| <u>NAME</u> | <u>BIRTHDATE</u> | <u>CURRENT ADDRESS</u> | <u>RELATION TO PETITIONER</u> |
|-------------|------------------|------------------------|-------------------------------|
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- e. Residence History: Provide the requested information regarding each residence subsequent to disbarment or resignation, commencing with petitioner's current place of residence:

| <u>NUMBER/STREET</u> | <u>CITY & STATE</u> | <u>FROM</u> <u>(Mo./Yr.)</u> | <u>To</u> <u>(Mo./Yr.)</u> | <u>LESSOR, (if rental property)</u> <u>(Name and address)</u> |
|-----------------------|-------------------------|---------------------------------|-------------------------------|--|
| please see attachment | | | | |
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4. FINANCIAL OBLIGATIONS PROFILE

- a) Restitution - List all restitution ordered or recommended by any court, including the State Bar Court, to any person whether arising from any disciplinary proceeding, including that which may have led to disbarment or resignation or not. Where restitution has been made, in whole or in part, attach proof as Attachment 3.

| <u>RESTITUTION ORDERED</u> <u>OR RECOMMENDED</u> | <u>DATE ORDERED</u> <u>OR RECOMMENDED</u> | <u>TO WHOM</u> | <u>DATE</u> <u>PAID</u> | <u>AMOUNT</u> <u>OWING</u> |
|---|--|----------------|----------------------------|-------------------------------|
| please see attachment | | | | |
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- b) Financial Obligations - List all debts and financial obligations petitioner owes as of the date of this petition (including, but not limited to loans, child and spousal support obligations.) Use additional page(s) if necessary.

| <u>AMOUNT OF</u> <u>OBLIGATION</u> | <u>DATE OBLIGATION</u> <u>INCURRED</u> | <u>NAME OF</u> <u>CREDITOR</u> | <u>CREDITOR ACCT.</u> <u># IF ANY</u> | <u>ADDRESS & PHONE</u> <u>OF CREDITOR</u> |
|---------------------------------------|---|-----------------------------------|--|--|
| please see attachment | | | | |
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5. ACTIVITIES SINCE DISBARMENT OR RESIGNATION

a. Employment History: Provide the requested information for every position held during the relevant time period. All time should be accounted for. If petitioner was unemployed for any period, state the nature of petitioner's activities during that time. List most recent experience first, and use additional page(s) if necessary. Additional employers are listed in the attachment

1. Employer's Name Comiskey Kaufman, Inc.

Current Address: Three Riverway #1350, Houston, TX 77056

Position: Executive Benefits Case Administrator

Beginning Salary: \$60,000 Ending Salary: \$62,500

Employment Dates From: June 1, 2000 To: _____

Supervisor's or Partner's Name and Phone Number (Address if different from above:

Christine Church 713-623-8700

Responsibilities:

I administer non-qualified benefit plans including deferred compensation plans, executive life insurance plans, supplemental executive retirement plans, and disability income insurance plans.

Reason(s) for Leaving: Company sold; jobs moved to Dallas. Terminated.

2. Employer's Name: Texas School of Business, Inc.

Current Address: 711 East Airtex Road, Houston, TX 77073

Position: Faculty Memeber, Paralegal Program Coordinator

Beginning Salary: \$12 / hour Ending Salary: \$12.99/hr plus benefit

Employment Dates From: approx 12/94 To: May 26, 2000

Supervisor's or Partner's Name and Phone Number (Address if different from above:

Started at one branch for approx one year, brief lapse in service, then rehired at another branch.

Responsibilities: William Sala, Campus Director 281-443-8900

Initially, hired to teach a few hours in the evening to paralegal students. Hours increased gradually to nearly full-time and to include business and writing courses. Work terminated at first campus. Re-hired at another campus full-time and became paralegal program coordinator. Program ended.

Reason(s) for Leaving: _____

Kept on to teach computer, business and English courses. Left for better job.

3. Employer's Name: Justin Osteen & Associates, Inc.

Current Address: Houston, Texas

Position: Executive Compensation Analyst/Consultant

Beginning Salary: \$17.50 / hr Ending Salary: \$30 / hr

Employment Dates From: Sept 1996 To: Nov 1999

Supervisor's or Partner's Name and Phone Number (Address if different from above):

Justin Osteen 212-560-9064; 760- 713-621-8989

Responsibilities:

I was paid as an employee and as an independent contractor at various times during this period to compile compensation data, analyze it, and report on my findings.

Reason(s) for Leaving: Full-time employment at Comiskey Kaufman, Inc.

4. Employer's Name: Self-Employed

Current Address: 3932 West Alabama Street #5, Houston, TX 77027

Position: Computer and Executive Benefits Consultant

Beginning Salary: \$17.50 / hr Ending Salary: \$30 / hr

Employment Dates From: 1996 To: present

Supervisor's or Partner's Name and Phone Number (Address if different from above):

Responsibilities:

As mentioned above in Job 3, I worked as a consultant to Justin Osteen and Associates, Inc. and held myself out as a computer consultant.

Reason(s) for Leaving: _____

5. Employer's Name: _____

Current Address: _____

Position: _____

Beginning Salary: _____ Ending Salary: _____

Employment Dates From: _____ To: _____

Supervisor's or Partner's Name and Phone Number (Address if different from above):

Responsibilities:

Reason(s) for Leaving: _____

- b. Other income. List the date received, amount, and source of any non-employment income received subsequent to disbarment or resignation.

| <u>DATE RECEIVED</u> | <u>AMOUNT</u> | <u>SOURCE</u> |
|----------------------|---------------|---------------|
| N/A | | |
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- c. Civil Cases or Bankruptcy. Provide the requested information concerning every civil case or bankruptcy proceeding in which petitioner has been a party or claimed an interest (including but not limited to small claims, dissolution, divorce, nullity of marriage, and motions for spousal or child support.) Use additional page(s) if necessary.

1. [A] TITLE OF CASE: N/A

[B] NAME OF COURT OR ADMINISTRATIVE AGENCY: _____

[C] CASE NUMBER: _____

[D] DATE FILED: _____

[E] NATURE OF CASE: _____

[F] PETITIONER'S POSITION IN CASE: _____
(e.g. cross-complaint)

[G] CURRENT STATUS OR DISPOSITION: _____

[H] OPPOSING COUNSEL: _____

[I] PARTIES (Names & Addresses): _____

d. Criminal Charges Subsequent to Disbarment or Resignation:

Petitioner:

- Has not been arrested, charged or convicted of any criminal charges subsequent to disbarment or resignation.
- Has been arrested, charged and/or convicted on criminal charges subsequent to disbarment or resignation. If so, complete the following. Use additional page(s) if necessary:

1. Original Charge: Public Intoxicat
Arresting Agency: Houston Police Department
Date of Arrest: 1994 or 1995
Trial Court: Houston Municipal Court

Case Number: This informatin is not available to me at this time
and the conviction, if any, does not appear in any database to
which I have access. I will attempt to obtain the information from
Prosecuting Attorney: ~~the Hosuton Police Department and provide it~~
under separate cover. Prosecuting attorney: Houston City Atty
Disposition: Not sure. Either time served or release without charge

Date of Disposition: Several hours after arrest.

2. Original Charge: _____

Arresting Agency: _____

Date of Arrest: _____

Trial Court: _____

Case Number: _____

Prosecuting Attorney: _____

Disposition: _____

Date of Disposition: _____

3. Original Charge: _____

Arresting Agency: _____

Date of Arrest: _____

Trial Court: _____

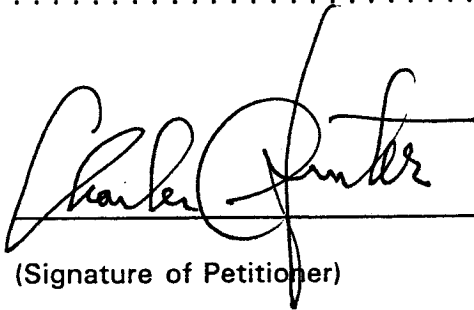
Case Number: _____

6. STATEMENT ESTABLISHING REHABILITATION, MORAL QUALIFICATIONS, AND DEMONSTRATING PRESENT ABILITY AND LEARNING IN THE GENERAL LAW

Attach, as Attachment 5, a statement claimed to establish that petitioner is rehabilitated, possesses moral qualifications sufficient for readmission and demonstrates present ability and learning in the general law to justify readmission. With respect to learning, please enumerate all activities undertaken, specifying the name, the sponsoring organization, the date of the activity and furnish proof thereof.

VERIFICATION

I, Charles Hunter, Petitioner, declare under penalty of perjury that the foregoing, including all attachments and/or addenda, is true and correct and that this declaration is executed at Houston, Texas ~~California~~, on March 1, 2003


(Signature of Petitioner)

Pro Se

(Signature of attorney for Petitioner)

Charles C. Hunter
(Type or print name of petitioner)

(Type or print name of attorney for Petitioner)

