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State Bar Court of California Hearing Department <input type="checkbox"/> Los Angeles <input checked="" type="checkbox"/> San Francisco		
Counsel for the State Bar Mark Hartman Deputy Trial Counsel 180 Howard Street San Francisco, CA 94105 Telephone: (415) 538-2000 Bar # 114925	Case number(s) 04-0-10126-JMR 04-0-11291-JMR 04-0-13495 05-0-01114	(for Court's use) <div style="text-align: center;"> FILED <i>LS</i> JUL 27 2005 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO </div>
<input checked="" type="checkbox"/> Counsel for Respondent <input type="checkbox"/> In Pro Per, Respondent Jerome Fishkin 369 Pine Street, Suite 627 San Francisco, CA 94104 Telephone: (415) 403-1300 Bar # 47798	PUBLIC MATTER	
In the Matter of CATHYE E. LEONARD Bar # 177791 A Member of the State Bar of California (Respondent)	Submitted to <input type="checkbox"/> assigned judge <input checked="" type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING STAYED SUSPENSION; NO 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 October 20, 1995 (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 15 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):

- (a) costs added to membership fee for calendar year following effective date of discipline
(b) costs to be paid in equal amounts prior to February 1 for the following membership years:
2006, 2007, and 2008.
(hardship, special circumstances or other good cause per rule 282, Rules of Procedure)
(c) costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
(d) 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 _____

(b) Date prior discipline effective _____

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

(d) Degree of prior discipline _____

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

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

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

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

(5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

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- (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 ^{Acts} Acts 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~~ 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) **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.

(Do not write above this line.)

- (10) **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.
- (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:

Respondent entered into this stipulation.

With regards to case number 04-0-13495, respondent refunded the entire prepaid fee of \$2,500 to her client Ronald Brooks, even though she earned \$2,086.50.

D. Discipline

1. Stayed Suspension.

(a) Respondent must be suspended from the practice of law for a period of one (1) year

- 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: _____

The above-referenced suspension is stayed.

2. Probation.

Respondent is placed on probation for a period of two (2) years, which will commence upon the effective date of the Supreme Court order herein. (See rule 953, California Rules of Court.)

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E. Additional Conditions of Probation:

- (1) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2) 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.
- (3) Within 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.
- (4) 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 in each report 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.

- (5) 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.
- (6) 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.
- (7) 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 State Bar Ethics School, and passage of the test given at the end of that session.
 - No Ethics School recommended. Reason: _____
- (8) 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.
- (9) The following conditions are attached hereto and incorporated:
 - Substance Abuse Conditions
 - Law Office Management Conditions
 - Medical Conditions
 - Financial Conditions

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Law Office Management Conditions

- a. Within ~~days~~ 3 months/ ~~years~~ of the effective date of the discipline herein, Respondent must develop a law office management/ organization plan, which must be approved by the Office of Probation. This plan must include procedures to (1) send periodic reports to clients; (2) document telephone messages received and sent; (3) maintain files; (4) meet deadlines; (5) withdraw as attorney, whether of record or not, when clients cannot be contacted or located; (6) train and supervise support personnel; and (7) address any subject area or deficiency that caused or contributed to Respondent's misconduct in the current proceeding.
- b. Within ~~30 days~~ months 1 years of the effective date of the discipline herein, Respondent must submit to the Office of Probation satisfactory evidence of completion of no less than 6 hours of Minimum Continuing Legal Education (MCLE) approved courses in law office management, attorney client relations and/or general legal ethics. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for attending these courses (Rule 3201, Rules of Procedure of the State Bar.)
- c. Within 30 days of the effective date of the discipline, Respondent must join the Law Practice Management and Technology Section of the State Bar of California and pay the dues and costs of enrollment for 2 year(s). Respondent must furnish satisfactory evidence of membership in the section to the Office of Probation of the State Bar of California in the first report required.

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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
Dwight Ross	\$ 3,032.00	June 15, 2001

- Respondent must pay the above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than November 30, 2005.

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:

- a. 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.)

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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.

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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 within one year. 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) **Other Conditions:**

<p>In the Matter of</p> <p>CATHYE E. LEONARD, No. 177791,</p> <p>A Member of the State Bar.</p>	<p>Case Nos. 04-O-10126, 04-O-11291, 04-O-13495, 05-O-01114</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW, AND DISPOSITION</p>
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CONSOLIDATION

Pursuant to rule 108(a) of the Rules of Procedure of the State Bar of California, the parties stipulate that case number 04-O-10126, case number 04-O-11291, case number 04-O-13495, and case number 05-O-01114 (“the current cases”) shall be consolidated.

DISMISSALS

Counts two and six of the Amended Notice of Disciplinary Charges, filed November 19, 2004, in State Bar case number 04-O-10126-JMR are dismissed. Counts two through seven of the Notice of Disciplinary Charges, filed February 2, 2005, in State Bar case number 04-O-11291-JMR are dismissed.

FACTS AND CONCLUSIONS OF LAW

State Bar Case Number 04-O-10126

Violation of Rule 3-110(A) of the Rules of Professional Conduct

On June 15, 2001, Dwight Ross (“Ross”), a resident of Texas, hired respondent Cathye Leonard (“respondent”) to address the issue of his child support arrearages in *In re Marriage of Ross*, Sacramento County Superior Court case number 0605019, (“Ross case”) and to seek the reissuance of his US passport, which had been cancelled due to the arrearages. Ross, a merchant marine, told respondent that in order to qualify for jobs, he needed a passport. Ross signed a fee agreement drafted by respondent and paid her \$3,000.00 in advance fees and \$32.00 in advance costs.

On June 28, 2002, the Sacramento County Bureau of Family Support, represented by the Office of the District Attorney, filed a Notice of Motion for Modification of Support and Health Care in the Ross case and obtained a hearing date of August 5, 2002. Ross did not receive the Notice of

Motion. Because respondent had not informed the Sacramento County District Attorney or the Sacramento County Superior Court of her representation of Ross, the Notice of Motion was not served on respondent. Neither Ross nor respondent appeared at the hearing on August 5, 2002.

On August 7, 2003, the Sacramento County Superior Court ordered a wage assignment of Ross's wages in the amount of \$1,800 per month. On August 7, 2003, the California Department of Child Support Services issued a Notice to Withhold Income for Child Support and served it on Ross's employer.

By not advising the Sacramento County District Attorney's Office or the Sacramento County Superior Court that she was representing Ross, respondent recklessly failed to perform legal services with competence in wilful violation of rule 3-110(A) of the Rules of Professional Conduct.

Violation of Business and Professions Code Section 6068, Subdivision (m)

Between June 2002 and October 2003, Ross telephoned respondent's office several times to inquire about the status of his case. Ross did not reach respondent, but did leave telephone messages asking her for information about his case. Although respondent received these messages, she did not return his calls. By failing to respond to Ross's status inquiries between June 2002 and October 2003, respondent willfully violated section 6068, subdivision (m) of the Business and Professions Code.

Violation of Rule 3-700(D)(2) of the Rules of Professional Conduct

In October 2003, Ross sent respondent a letter terminating her employment and demanding the return of the \$3,000.00 in advance fees and \$32.00 in advance costs. In July 2004, Ross sent respondent another letter demanding the return of the advance fees and costs. Respondent was not entitled to the advance fees or costs. Although respondent received Ross's letters, she did not return any funds him. By failing, upon termination of her employment, to refund the unearned advanced fees to Ross, respondent willfully violated rule 3-700(D)(2) of the Rules of Professional Conduct.

Violation of Rule 4-100(B)(4) of the Rules of Professional Conduct

Respondent did not use the \$32.00 to pay costs. Although she received Ross's letters demanding the repayment of the unexpended advance costs, she did not return the \$32.00 to him. By failing to pay promptly, as requested by a client, funds in her possession which the client was entitled to receive, respondent willfully violated rule 4-100(B)(4) of the Rules of Professional Conduct.

State Bar Case Number 04-O-11291

Violation of Rule 3-310(F) of the Rules of Professional Conduct

In January 2004, Melanie Goldsmith ("Goldsmith") retained respondent for assistance in a marital dissolution matter. Respondent and Goldsmith met, and respondent indicated that her fee would be \$2,500.00. Goldsmith paid respondent with a check from Bobbie Tolden ("Tolden").

Respondent did not obtain Goldsmith's written consent to accept fees from Tolden. She did not disclose to Goldsmith in writing (1) that although she was accepting fees from Tolden, there would be no interference with her independence of professional judgment or with the client-lawyer relationship or (2) that although she was accepting fees from Tolden, any and all information relating to representation of the client was protected as required by Business and Professions Code section 6068, subdivision (e).

By accepting fees from Tolden for the representation of Goldsmith without obtaining Goldsmith's informed written consent after written disclosures, respondent wilfully violated rule 3-310(F) of the Rules of Professional Conduct.

State Bar Case Number 04-O-13495

Violation of Rule 3-700(A)(2) of the Rules of Professional Conduct

On September 9, 2003, Ronald Brooks ("Brooks") hired respondent to represent him in a child custody case. He paid her \$2,500 as an advance fee. On September 17, 2003, she substituted in as his attorney of record. She worked on his case until March 2004, but did not substitute out of it. By failing to substitute out as Brooks's attorney of record, respondent wilfully violated rule 3-700(A)(2) of the Rules of Professional Conduct.

Violation of Rule 3-700(D)(1) of the Rules of Professional Conduct

On August 23, 2004, Brooks sent respondent a certified letter asking her to send him all his documents. She did not return his documents until May 2005. By failing to release Brooks's documents to him promptly upon request, respondent wilfully violated rule 3-700(D)(1) of the Rules of Professional Conduct.

Violation of Rule 3-700(D)(2) of the Rules of Professional Conduct

In his certified letter of August 23, 2004, Brooks also asked respondent to return his \$2,500 advance fee. Because she had done \$2,086.50 worth of work on his case, she owed him \$413.50 as the unearned portion of the advance fee. She did not return any funds to Brooks until May

2005, when she refunded the entire \$2,500 advance fee to him. By failing to return the unearned portion of the advance fee to Brooks promptly upon her termination of employment in march 2004, she wilfully violated rule 3-700(D)(2) of the Rules of Professional Conduct.

State Bar Case Number 05-O-01114

Violation of Rule 4-100(B)(4) of the Rules of Professional Conduct

Respondent and three other trial attorneys represented plaintiffs in a wrongful death action. The four trial attorneys hired appellate attorney R. Stevens Condie ("Condie") to prepare a petition for writ of mandate. The action was settled in February 2004, and settlement funds were released in May 2004. In 2004, one of the trial attorneys, Alfred Buchta ("Buchta"), paid Condie for his services and asked the other trial attorneys to reimburse him for their shares of Condie's fee. Of the funds received by respondent and held in trust, \$2,000 was earmarked for Condie. Respondent did not reimburse Buchta for her share of Condie's fee until May 2005. By failing to pay Buchta the \$2,000 promptly upon request from the funds which she held in trust, respondent wilfully violated rule 4-100(B)(4) of the Rules of Professional Conduct.

DATE OF DISCLOSURE OF ANY PENDING INVESTIGATION OR PROCEEDING

On June 9, 2005, deputy trial counsel Mark Hartman ("Hartman") faxed a disclosure letter to respondent's counsel. In this letter, Hartman advised respondent's counsel of any pending investigation or proceeding not resolved by this stipulation.

ESTIMATED PROSECUTION COST OF THE CURRENT CASES

The estimated prosecution costs of the current cases are \$4,363.85. This sum is only an estimate. If this stipulation is rejected or if relief from this stipulation is granted, the prosecution costs of the current cases may increase because of the costs of further proceedings.

SUPPORTING AUTHORITY


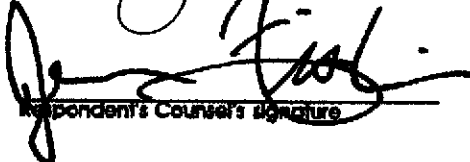

The Rules of Procedure of the State Bar, Title IV, Standards for Attorney Sanctions for Professional Misconduct, standards 1.3, 1.6, 2.2(b), 2.4(b), 2.6, and 2.10 support the discipline in this stipulation.

(Do not write above this line.)

In the Matter of CATHY E. LEONARD, No. 177791	Case number(s): 04-0-10126; 04-0-11291; 04-0-13495; 05-0-01114
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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.

06/20/2005 Date	 Respondent's signature	CATHY E. LEONARD Print name
6/21/05 Date	 Respondent's Counsel's signature	JEROME FISHKIN Print name
6/21/05 Date	 Deputy Trial Counsel's signature	MARK HARTMAN Print name

(Do not write above this line.)

In the Matter of CATHYE E. LEONARD, No. 177791	Case number(s): 04-0-10126; 04-0-11291; 04-0-13495; 05-0-01114
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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

July 27, 2005

Pat McElroy

Judge of the State Bar Court

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

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on July 27, 2005, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION
AND ORDER APPROVING, filed July 27, 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 San Francisco, California, addressed as follows:

**JEROME FISHKIN
369 PINE ST #627
SAN FRANCISCO CA 94104**

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

MARK HARTMAN, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on **July 27, 2005**.



Laine Silber
Case Administrator
State Bar Court