



ORIGINAL

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State Bar Court of California		
Hearing Department <input checked="" type="checkbox"/> Los Angeles <input type="checkbox"/> San Francisco		
Counsel for the State Bar Eli D. Morgenstern Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1334 Bar # 190560	Case number(s) 04-0-10806 04-0-11100 04-0-11339 04-0-11738 04-0-12937 05-0-00938	(for Court's use) <div style="text-align: center; font-size: 24pt; font-weight: bold;">FILED</div> <div style="text-align: center; font-size: 18pt; font-weight: bold;">AUG 31 2005 <i>KAC</i></div> <div style="text-align: center; font-weight: bold;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</div>
<input type="checkbox"/> Counsel for Respondent <input checked="" type="checkbox"/> In Pro Per, Respondent Thomas G. Hrouda P.O. Box 7061 Moreno Valley, CA 92552 (951) 212-5163 Bar # 193984	PUBLIC MATTER	
In the Matter of THOMAS G. HROUDA Bar # 193984 A Member of the State Bar of California (Respondent)	Submitted to <input checked="" type="checkbox"/> assigned judge <input type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

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

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted January 3, 1998
(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.

(Do not write above this line.)

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

- until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 284, Rules of Procedure.
- costs to be paid in equal amounts prior to February 1 for the following membership years:
2006, 2007 and 2008
(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
- costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
- costs entirely waived

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

- (1) **Prior record of discipline** [see standard 1.2(f)]
- (a) State Bar Court case # of prior case _____
 - (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.

(Do not write above this line.)

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

Additional aggravating circumstances:

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

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

(Do not write above this line.)

- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances are involved.**

Additional mitigating circumstances:

During the time of the misconduct, Respondent was both physically and psychologically unable to perform legal services due to exhaustion and depression.

D. Discipline:

(1) **Stayed Suspension:**

(a) Respondent must be suspended from the practice of law for a period of six (6) months

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

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

iii. and until Respondent does the following: _____

(b) The above-referenced suspension is stayed.

(2) **Probation:**

Respondent must be placed on probation for a period of two (2) years which will commence upon the effective date of the Supreme Court order in this matter.
(See rule 953, Calif. Rules of Ct.)

(Do not write above this line.)

(3) **Actual Suspension:**

(a) Respondent must be actually suspended from the practice of law in the State of California for a period of sixty (60) days

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: _____

E. Additional Conditions of Probation:

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

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

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

(4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.

(5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

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

(6) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

(7) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.

(Do not write above this line.)

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

F. Other Conditions Negotiated by the Parties:

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

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: THOMAS G. HROUDA

CASE NUMBER(S): 04-O-10806 ET AL.

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct:

1.) Case No. 04-O-10806

1. On or about February 22, 2002, Mary Eply ("Eply") employed Respondent to represent her in objecting to a foreclosure sale of her house ("foreclosure matter").
2. On or about February 26, 2002, Respondent filed a Complaint on behalf of Eply in the Riverside Superior Court.
3. In or about March 2002, the foreclosure sale of Eply's house was rescinded. Eply asked Respondent to continue to represent her in obtaining damages.
4. Between on or about January 27, 2003 and on or about September 23, 2003, Respondent communicated to Eply that he was going forward on an action to recover damages in the foreclosure matter. Respondent also informed Eply that hearing for a Motion For Summary Judgment (MSJ) brought the opposing party was going to be heard on October 28, 2003.
5. On or about October 8, 2003, Respondent told Eply that after analyzing all of the evidence he had determined she had no legally recoverable damages. Respondent also told Eply he would not oppose the MSJ.
6. On or about October 28, 2003 Respondent failed to appear at the MSJ hearing. The MSJ was granted and the foreclosure matter was ultimately dismissed without prejudice.
7. On or about December 23, 2003, Eply demanded that Respondent return her file to her.
8. Respondent failed to return the file.

LEGAL CONCLUSIONS

By failing to return the file to Eply, Respondent failed, upon termination of employment to promptly release to a client, at the request of a client, all client papers in violation of Rules of Professional Conduct, rule 3-700(D)(1).

By failing to appear at the MSJ hearing, Respondent failed to perform legal services in violation of Rules of Professional Conduct, rule 3-110(A).

2.) Case No. 04-O-11100

1. On or about April 24, 2003, Dona Garrison ("Garrison") employed Respondent to represent her in a real estate matter. Specifically Respondent was to file a "Partition of Property by Sale" on behalf of Garrison.

2. Immediately accepting employment, Respondent ceased performing work on Garrison's behalf, effectively abandoning his client. At no time did Respondent inform Garrison that he was withdrawing from employment.

LEGAL CONCLUSION

By failing to inform Garrison of his intent to withdraw from representing her in the real estate matter, Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to his client in violation of Rules of Professional Conduct, rule 3-700(A)(2).

3.) Case No. 04-O-11339

1. On or about June 17, 2003, Kevin Miller ("Miller") employed Respondent to represent him as a defendant in a civil matter.

2. On or about July 18, 2003 Respondent attended a Status Conference in the civil matter.

3. On or about November 17, 2003 Respondent and Miller met with each other to discuss Millers's responses to discovery that were due November 23, 2003.

4. Immediately after meeting with Miller on or about November 17, 2003, Respondent ceased performing work on Miller's behalf, effectively abandoning his client. At no time did Respondent inform Miller that he was withdrawing from employment.

5. On or about February 19, 2004, Miller mailed a letter to Respondent which Respondent received. In the letter, Miller terminated Respondent's services.

6. On or about March 8, 2004, Miller's new attorney, Franklin Adams ("Adams") mailed a letter to Respondent which Respondent received. In the letter Adams identified himself as Miller's new attorney in the civil matter and requested that the file be made available to him.

7. Respondent failed to either return the file or make the file available to Adams.

LEGAL CONCLUSIONS

By failing to inform Miller of his intent to withdraw from representing him in the civil matter, Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to his client in violation of Professional Conduct, rule 3-700(A)(2).

By failing to return the file to either Miller or Adams, Respondent failed, upon termination of employment to promptly release to a client, at the request of a client, all client papers in violation of Rules of Professional Conduct, rule 3-700(D)(1).

4.) Case No. 04-O-11738

1. On or about December 19, 2003, Keith Murray ("Murray") employed Respondent to represent him as a defendant in a civil matter.

2. On or about April 19, 2004, Murray sent Respondent a letter via facsimile transmittal to Respondent, which Respondent received. In his letter, Murray terminated Respondent's services and demanded that Respondent return the file to his new counsel. In the letter, Murray also provided the name and address of his new attorney.

3. Respondent failed to return any portion of the file to either Murray or his new counsel.

LEGAL CONCLUSION

By failing to return the file to Murray or Murray's new counsel, Respondent failed, upon termination of employment to promptly release to a client, at the request of a client, all client papers in violation of Rules of Professional Conduct, rule 3-700(D)(1).

5.) Case No. 04-O-12937

1. On or about May 29, 2003, Richard Maier ("Maier") employed Respondent to represent the Maier's company, the Maier Group, in a breach of contract action. On that date Maier paid Respondent \$3,100 for his legal fees.

2. On or about June 9, 2003, Respondent filed a Complaint on behalf of the Maier Group in the Riverside Superior Court.

3. Between on or about July 21, 2003 and on or about November 22, 2003, Maier sent four messages by email to Respondent which Respondent received. In each of the email messages, Maier requested a status of the breach of contract action. Respondent failed to respond to the email messages.

4. On or about May 5, 2004, Maier mailed a letter to Respondent which Respondent received. In the letter, Maier terminated Respondent's services and demanded a refund of the unearned portion of the \$3,100 in fees.

5. On or about August 18, 2004, Respondent mailed an accounting of the fees to Maier. The accounting stated that Respondent's fees and costs had amounted to \$2,076.16.

6. Respondent failed to refund the difference between the \$2,076.16 he had earned and the \$3,100 he had been paid.

7. Respondent did not earn \$1,023.84 in advance fees paid by Maier.

LEGAL CONCLUSIONS

By failing to respond to Maier's requests for the status of his breach of contract action, Respondent failed to respond to his client's reasonable status inquiries in a matter in which he agreed to provide legal services in violation of Business and Professions Code, section 6068(m)

By failing to refund \$1,023.84 to Maier, Respondent failed to refund unearned fees in violation of Rules of Professional Conduct, rule 3-700(D)(2).

6.) Case No. 05-O-00938

1. On or about April 25, 2003, Margie Hernandez ("Hernandez") and Enrique Cruz ("Cruz") employed Respondent to represent them as defendants in a civil matter. On that date, Hernandez and Cruz each paid Respondent \$1,550 for advanced fees.

2. Subsequent to accepting employment, Respondent ceased performing work on Hernandez's and Cruz's behalf, effectively abandoning his clients. At no time did Respondent inform Hernandez or Cruz that he was withdrawing from employment.

3. Respondent did not earn the \$1,550 in advance fees paid by Hernandez or the \$1,550 in advanced fees paid by Cruz. Respondent failed to refund any fees paid by Hernandez or Cruz.

LEGAL CONCLUSION

By failing to inform Hernandez or Cruz of his intent to withdraw from representing them in the civil matter, Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to his client in violation of Rules of Professional Conduct, rule 3-700(A)(2).

By failing to refund \$1,550 to Hernandez and \$1,550 to Cruz, Respondent failed to refund unearned fees in violation of Rules of Professional Conduct, rule 3-700(D)(2).

PENDING PROCEEDINGS.

The disclosure date referred to on page one, paragraph A.(7), was by letter dated **August 12, 2005**.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of **August 12, 2005**, the estimated prosecution costs in this matter are approximately **\$5,509.21**. Respondent acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

AUTHORITIES SUPPORTING DISCIPLINE.

Harris v. State Bar (1990) 51 Cal. 3d 1082:

An attorney who had been admitted to practice ten years before the misconduct occurred neglected a personal injury matter for over four years, doing virtually nothing on the case beyond filing it and serving the defendant shortly before the running of the statute of limitations and disobeying a court order in violation of Business and Professions Code 6103. The court also found there was little, if any, recognition of wrongdoing on the part of the attorney of her wrongdoing and no remorse. The court suspended attorney Harris for 3 years, stayed, and placed her on probation for 3 years with 90 days actual suspension. Harris no had record of prior discipline.

Less discipline is warranted in this matter because there were mitigating circumstances at the time of the misconduct.

Matthew v. State Bar (1989) 49 Cal.3d 784:

An attorney failed to perform competently and failed to return unearned fees in two (2) separate client matters. In a third client matter, the attorney was employed by a client to prepare a living trust, which he failed to complete until four years after retention. The Supreme Court ordered that the attorney be actually suspended for sixty (60) days as a condition of probation.

Lester v. State Bar (1976) 17 Cal.3d 547:

An attorney was found to have wilfully failed to perform legal services in four (4) matters in which he was retained, failed to communicate and failed to refund fees until forced to do so. He showed no mitigation. The attorney received six months actual suspension.

FINANCIAL CONDITIONS, RESTITUTION.

Within **sixty (60) days** from the effective date of discipline in this matter, respondent must make restitution to **Richard Maier**, or the Client Security Fund if it has paid, in the principal amount of **\$1,023** plus interest at the rate of 10% per annum from October 1, 2004 and furnish satisfactory evidence of restitution to the Probation Unit. Respondent shall include in each quarterly report required herein satisfactory evidence of all restitution payments made by him or her during that reporting period.

FINANCIAL CONDITIONS, RESTITUTION.

Within **sixty (60) days** from the effective date of discipline in this matter, respondent must make restitution to **Margie Hernandez**, or the Client Security Fund if it has paid, in the principal amount of **\$1,550** plus interest at the rate of 10% per annum from April 25, 2003 and furnish satisfactory evidence of restitution to the Probation Unit. Respondent shall include in each quarterly report required herein satisfactory evidence of all restitution payments made by him or her during that reporting period.

FINANCIAL CONDITIONS, RESTITUTION.

Within **sixty (60) days** from the effective date of discipline in this matter, respondent must make restitution to **Enrique Cruz**, or the Client Security Fund if it has paid, in the principal amount of **\$1,550** plus interest at the rate of 10% per annum from April 25, 2003 and furnish satisfactory evidence of restitution to the Probation Unit. Respondent shall include in each quarterly report required herein satisfactory evidence of all restitution payments made by him or her during that reporting period.

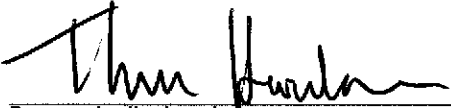
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In the Matter of Thomas G. Hrouda	Case number(s): 04-0-10806, et al.
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SIGNATURE OF THE PARTIES

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.

Aug 18, 2005
Date


Respondent's signature

Thomas G. Hrouda
Print name

Date

Respondent's Counsel's signature

Print name

August 22, 2005
Date


Deputy Trial Counsel's signature

Eli D. Morgenstern
Print name

(Do not write above this line.)

In the Matter of Thomas G. Hrouda	Case number(s): 04-O-10806, et al.
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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.

Page 2, (8) Amended to read "2007, 2008 and 2009."
Page 6, (10) Check box - Financial Conditions

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.)**

08/30/05
Date


RICHARD A. PLATEL
Judge of the State Bar Court

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

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on August 31, 2005, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION
AND ORDER APPROVING**

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:

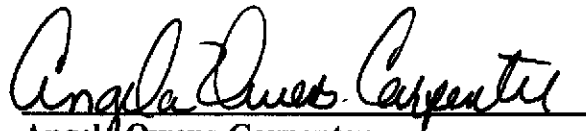
THOMAS G HROUDA ESQ
4505 ALLSTATE DR #221
RIVERSIDE CA 92501

THOMAS G HROUDA ESQ
P O BOX 7061
MORENO VALLEY CA 92552

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

ELI MORGENSTERN ESQ, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **August 31, 2005**.



Angela Owens-Carpenter
Case Administrator
State Bar Court