



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 Joseph R. Carlucci Deputy Trial Counsel 1149 South Hill Street Los Angeles, CA 90015 (213) 765-1000 Bar # 172309	Case number(s) 04-O-11062-RAP 05-O-01153-RAP <p style="text-align: center; font-size: 1.2em;">PUBLIC MATTER</p>	(for Court's use) <p style="text-align: center; font-size: 1.5em;">FILED</p> <p style="text-align: center;">JAN 25 2006 <i>ABC</i></p> <p style="text-align: center;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<input type="checkbox"/> Counsel for Respondent <input checked="" type="checkbox"/> In Pro Per, Respondent Stephen W. Johnson 5375 Industrial Dr. #201 Huntington Beach, CA 92647 Bar # 97281	Submitted to <input type="checkbox"/> assigned judge <input checked="" type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of Stephen W. Johnson Bar # 97281 A Member of the State Bar of California (Respondent)		

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 May 8, 1981
(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 16 pages.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.

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

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

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

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

(a) State Bar Court case # of prior case 03-0-05106-JMR

(b) Date prior discipline effective February 23, 2005

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

Rules of Professional Conduct, Rule 4-100(A)

Business & Professions Code, Section 6068(i)

(d) Degree of prior discipline Public Reprimand

(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.

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

Additional aggravating circumstances:

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

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

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

Additional mitigating circumstances:

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of 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: _____
- (b) The above-referenced suspension is stayed.
- (2) **Probation:**
- Respondent must be placed on probation for a period of One (1) year, which will commence upon the effective date of the Supreme Court order in this matter.
(See rule 953, Calif. Rules of Ct.)

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(3) **Actual Suspension:**

- (a) Respondent must be actually suspended from the practice of law in the State of California for a period of Thirty (30) 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:

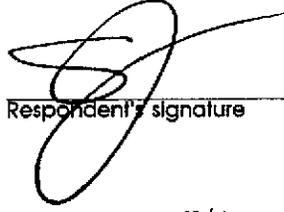
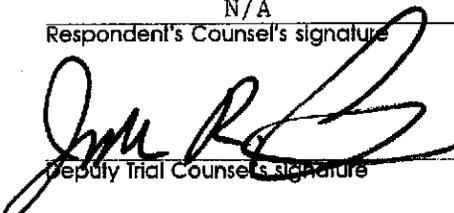
- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within 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:**

(Do not write above this line.)

In the Matter of STEVEN W. JOHNSON No. 97281	Case number(s): 04-0-11062; 05-0-01153-RAP
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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.

Date	<u>1/19/06</u>		Respondent's signature	<u>STEPHEN W. JOHNSON</u>	Print name
Date	_____	N/A	Respondent's Counsel's signature	_____	Print name
Date	<u>1/24/06</u>		Deputy Trial Counsel's signature	<u>JOSEPH R. CARLUCCI</u>	Print name

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: STEPHEN W. JOHNSON (No. 97281)

CASE NUMBER(S): 04-O-11062-RAP, 05-O-01153-RAP

FACTS AND CONCLUSIONS OF LAW.

Respondent Stephen W. Johnson (hereinafter "Respondent") admits that the following facts are true and that he is culpable of two violations of Business and Professions Code, section 6068(a), and two violations of Business and Professions Code, section 6106, as follows:

Facts Applicable to All Cases

Respondent was admitted to the practice of law in the State of California on May 8, 1981, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

Case No. 04-O-11062-RAP

Facts

Respondent failed to pay his State Bar membership fees as required by February 2001. Accordingly, in May 2001, the Office of Membership Billing Services of the State Bar of California ("Membership Billing") properly mailed to Respondent at Respondent's membership records address a Final Delinquent Notice that his continued failure to pay his State Bar membership fees would result in his suspension from the practice of law. The Notice stated that the effective date of this suspension was expected to be September 2, 2001.

In August 2001, the Supreme Court of California ordered that Respondent be suspended from the practice of law due to nonpayment of fees under the State Bar Act, which Order was properly served on Respondent at his State Bar membership records address.

Also, August 2001, Membership Billing properly mailed to Respondent at his State Bar membership records address Notice of Entry of Order of Suspension for Nonpayment of Fees. The Notice stated that Respondent's suspension would take effect on September 2, 2001. None of the notices mailed to Respondent were returned as undeliverable or for any other reason. Respondent received the notices.

On September 28, 2001, Respondent forwarded his State Bar membership fees for the year of 2001 to Membership Billing. Respondent was returned to active status on September 28, 2001.

From September 2, 2001 through September 28, 2001, Respondent was suspended by the State Bar for failure to pay his State Bar membership fees and was not entitled to practice law in the State of California.

From September 2, 2001 through September 28, 2001, Respondent knew that he was suspended from the State Bar of California for failure to pay his State Bar membership fees.

On September 5, 2001, while suspended from the practice of law, Respondent appeared in the United States Bankruptcy Court, Central District of California, at a hearing on a motion to compel on behalf of his clients, Richard R. Norquist and Sharon D. Norquist (the "Norquists"), in their bankruptcy case (U.S.B.C., case no. SA 99-15276JR, and in the adversary case, *Michael J. Smith v. Richard R. Norquist and Sharon D. Norquist*, U.S.B.C., case no. SA 99-1657JR).

Conclusions of Law

By appearing at the hearing on the motion to compel on behalf of the Norquists in the Bankruptcy Court on September 5, 2001, while he was suspended from the practice of law, Respondent held himself out as practicing or entitled to practice law and practiced law when he was not an active member of the State Bar in wilful violation of Business and Professions Code, sections 6125 and 6126,

and thereby failed to support the laws of the State of California in violation of Business and Professions Code, section 6068(a).

By knowingly appearing at the hearing on the motion to compel on behalf of the Norquists in the Bankruptcy Court on or about September 5, 2001, when he knew he was suspended from the practice of law, Respondent committed an act involving moral turpitude, dishonesty or corruption.

Case nos. 04-O-1062-RAP and 05-O-01153-RAP

Facts

Respondent failed to pay his State Bar membership fees as required by February 2003. Accordingly, on May 23, 2003, the Office of Membership Billing Services of the State Bar of California ("Membership Billing") properly mailed to Respondent at his State Bar membership records address a Final Delinquent Notice that his continued failure to pay his State Bar membership fees would result in his suspension from the practice of law. The Notice stated that the effective date of this suspension was expected to be September 16, 2003.

On August 28, 2003, the Supreme Court of California ordered that Respondent be suspended from the practice of law due to nonpayment of fees under the State Bar Act, Order Number S118232, which Order was properly served on Respondent at his State Bar membership records address.

Also, on August 28, 2003, Membership Billing properly mailed to Respondent at his State Bar membership records address Notice of Entry of Order of Suspension for Nonpayment of Fees. The Notice stated that Respondent's suspension would take effect on September 16, 2001. None of the notices mailed to Respondent were returned as undeliverable or for any other reason. Respondent received the notices.

On October 16, 2003, Respondent forwarded his State Bar membership fees for the year of 2003

to Membership Billing. Respondent was returned to active status on October 16, 2003.

From September 16, 2003, through October 16, 2003, Respondent was suspended by the State Bar for failure to pay his State Bar membership fees and was not entitled to practice law in the State of California.

From September 16, 2003, through October 16, 2003, Respondent knew that he was suspended from the State Bar of California for failure to pay his State Bar membership fees.

On September 25, 2003, while suspended from the practice of law, Respondent appeared before the Bankruptcy Court, Central District of California, at a Debtor's Motion as the attorney of record for Susan Hasso in an adversary bankruptcy proceeding against debtor D. Robert Johnson in the United States Bankruptcy Court, Central District of California, (Riverside case no. RS02-01332).

On September 30, 2003, also while on suspension, Respondent again appeared in the United States Bankruptcy Court, Central District of California, at a hearing on a motion to compel on behalf of his clients, Richard R. Norquist and Sharon D. Norquist (the "Norquists"), in their bankruptcy (U.S.B.C., case no. SA 99-15276JR, and in the adversary case, *Michael J. Smith v. Richard R. Norquist and Sharon D. Norquist*, U.S.B.C. case no. SA 99-1657JR).

On October 6, 2003, Respondent, while suspended from the practice of law, also appeared before in the San Bernardino County Superior Court at a status conference on behalf of his client, Alan Hasso, in a matter entitled, *Alan Hasso v. George Kaymaz, et al.*, case no. SCVSS69897.

Conclusions of Law

By appearing at the hearings in the Bankruptcy Court on September 25 and 30, 2003, and the San Bernardino County Superior Court on October 6, 2003, while he was suspended from the practice of law, Respondent held himself out as practicing or entitled to practice law and practiced law when he

was not an active member of the State Bar in wilful violation of Business and Professions Code, sections 6125 and 6126, and thereby failed to support the laws of the State of California in violation of Business and Professions Code, section 6068(a).

By knowingly appearing at the hearings in the Bankruptcy Court on September 25 and 30, 2003, and the San Bernardino County Superior Court on October 6, 2003 when he knew he was suspended from the practice of law, Respondent committed acts involving moral turpitude, dishonesty or corruption.

DISMISSALS.

The parties respectfully request the Court to dismiss the following alleged violations in the interest of justice:

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
04-O-11062	Three	Business and Professions Code, section 6106
04-O-11062	Six	Business and Professions Code, section 6106
04-O-11062	Seven	Rules of Professional Conduct, rule 4-100(B)(3)
04-O-11062	Eight	Rules of Professional Conduct, rule 4-100(A)
05-O-01153	Eleven	Business and Professions Code, section 6106

FACTS SUPPORTING MITIGATING CIRCUMSTANCES.

STANDARD 1.2(e)(iii) - Respondent's misconduct in this matter did not cause any harm to his clients in these matters and did not jeopardize their respective causes.

STANDARD 1.2(e)(v) - Respondent was candid with his clients regarding his misconduct. Moreover, throughout this proceeding Respondent was candid and cooperative with the State Bar. Respondent admitted and acknowledged his misconduct, and meaningfully participated in settlement

negotiations that resulted in this stipulation.

STANDARD 1.2(e)(iv) - Respondent produced evidence from one of his physicians, N. Eric Johnson, M.D. that during the time of his misconduct in 2003 Respondent was suffering from physical disabilities that contributed to his misconduct, and Respondent no longer suffers from those disabilities.

Specifically, Dr. Johnson provided documentation that on or about December 13, 2003, Respondent fell in the shower, struck his head, and suffered an acute intra cerebral hemorrhage. Respondent was taken to and admitted to Western Medical Center in Tustin. In addition to his head injury, Respondent complained of difficulty breathing, fatigue, inability to concentrate and periods of overt confusion for several months prior to his injury. After a full evaluation, it was determined that Respondent, in addition to his head injury, was suffering from atrial fibrillation and congestive heart failure. Further examination revealed a 98 per cent obstruction of Respondent's left anterior descending artery.

On or about January 28, 2004, Respondent underwent angioplasty and had a stent implanted in his artery. According to Dr. Johnson, since his coronary surgery, Respondent's condition has improved and he has passed his exercise stress tests. Respondent has reported very little fatigue, no problems breathing, no episodes of confusion or problems with his concentration.

According to Dr. Johnson, it is more probable than not that the fatigue, problems with concentration and bouts of confusion that Respondent experienced in the months leading up to his head injury, contributed to his misconduct in 2003, namely his failure to pay his membership dues and submit proof of compliance with continuing legal education requirements, which lead to his suspension from the practice of law.

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FACTS SUPPORTING AGGRAVATING CIRCUMSTANCES

STANDARD 1.2(c)(i) - On or about February 23, 2005, Respondent was publicly reprovved for violating rule 4-100(A), Rules of Professional Conduct and Business and Professions Code, section 6068(i) in State Bar case no. 03-O-05106. The misconduct in that case occurred in August and November 2003, the same time period as Respondent's 2003 misconduct in case nos. 04-O-011062 and 05-O-01153 herein.

Despite the fact that Respondent's misconduct herein occurred before or during the same time period as the misconduct for which he was previously disciplined, it is still proper pursuant to consider Respondent's prior discipline as an aggravating factor in this matter, pursuant to Standard 1.2(b)(i) and 1.2(f). (See, *Lewis v. State Bar* (1973) 9 Cal.3d 704, 714; *In the Matter of Sklar* (Review Dept. 1993) 2 Cal. State Bar. Ct. Rptr. 602, 618-619. However, because the prior misconduct occurred during the same time period as herein, the aggravating force of the prior discipline is diminished. (See, *In the Matter of Hagan* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 153, 171; *In the Matter of Miller* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 131, 136).

WAIVER OF VARIANCE

The parties hereby waive any variance between the misconduct alleged in the Notice of Disciplinary Charges herein and the misconduct stipulated to by the Respondent in the within Stipulation re Facts, Conclusions of Law and Disposition.

AUTHORITIES SUPPORTING DISCIPLINE

Standards for Attorney Sanctions for Professional Misconduct:

Standard 1.2(b)(i)

Standard 1.2(e) (iii), (iv), (v)

Standard 1.7(a)

Standard 2.3

Standard 2.6(a)

In the Matter of Trousil (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 229

Taylor v. State Bar (1974) 11 Cal.3d 424

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(7), was January 6, 2006.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of January 6, 2006, the estimated prosecution costs in this matter are approximately \$3,654.00.

Respondent acknowledges that this figure is an estimate only and that it does not include State Bar Court costs which will be included in any final cost assessment. Respondent further 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.

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In the Matter of STEVEN W. JOHNSON No. 97281	Case number(s): 04-0-11062; 05-0-01153-RAP
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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

1/25/06

Judge of the State Bar Court


RICHARD A. HONN

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 January 25, 2006, 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:

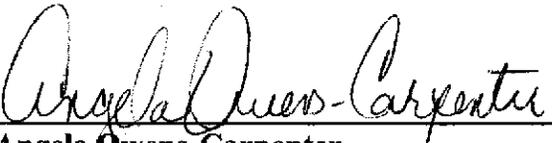
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**STEPHEN W JOHNSON ESQ
5375 INDUSTRIAL DR #201
HUNTINGTON BEACH CA 92649**

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

JOSEPH CARLUCCI ESQ, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **January 25, 2006**.



Angela Owens-Carpenter
Case Administrator
State Bar Court