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State Bar Court of California

Hearing Department ☒ Los Angeles ☐ San Francisco

Counsel for the State Bar	Case number(s)	(for Court's use)
KATHERINE KINSEY Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 Bar # 183740	04-O-14938 04-O-15507 05-O-00082 05-O-00604	FILED MAR 13 2006 STATE BAR COURT CLERK'S OFFICE LOS ANGELES PUBLIC MATTER
☒ Counsel for Respondent ☐ In Pro Per, Respondent WILLIAM J. KOPENY 16485 Laguna Canyon Rd. Suite 230 Irvine, CA 92618 Bar #		
In the Matter of BRUCE L. BRIGGS Bar # 196750 A Member of the State Bar of California (Respondent)	Submitted to ☒ assigned judge ☐ settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING *STAYED SUSPENSION; NO ACTUAL SUSPENSION* ☐ 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 November 12, 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):

(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: 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.

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

(Do not write above this line.)

(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) ☐ **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:

D. Discipline

1. ☒ Stayed Suspension.

   (a) ☒ Respondent must be suspended from the practice of law for a period of TWO (2) YEARS

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

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

   iii. ☐ and until Respondent does the following: _____

   The above-referenced suspension is stayed.

2. ☒ Probation.

   Respondent is placed on probation for a period of THREE (3) YEARS, which will commence upon the effective date of the Supreme Court order herein. (See rule 953, California Rules of Court.)

(Do not write above this line.)

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

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:** See pages 12 and 13 attached

(Do not write above this line.)

In the Matter of	Case Number(s):
Bruce Lewis Briggs	04-O-14938; 04-O-15507;05-O-00082;05-O-00604

Law Office Management Conditions

a. ☐ Within ____ days/ ____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 ____ days/ 6 months ____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 ____ 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.

(Do not write above this line.)

In the Matter of	Case Number(s):
Bruce Lewis Briggs	04-O-14938;04-O-15507;05-O-00082;05-O-00604

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
Alba Pena	$6,000	March 2004
Victoria Tearjen	$1,640	October 4, 2004
Mary Lynch	$4,000	September 9, 2003
Gregory Gillman	$3,000	June 2003

☒ Respondent must pay the above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than within one year of the effective date of discipline imposed in this matter.

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 reproval), 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";

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

In the Matter of: Bruce Lewis Briggs

Case Number(s): 04-O-14938; 04-O-15507; 05-O-00082; 05-O-00604

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:

Respondent, Bruce Lewis Briggs was admitted to the practice of law in the State of California on November 12, 1998, and 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-14938

1. In or about February 2004, Alba Pena ("Pena") employed Respondent to negotiate a settlement on her behalf in a bail forfeiture matter (the "bail forfeiture matter"). In or about February 2004, Pena paid Respondent $3,000 in advanced legal fees for the bail forfeiture matter.

2. In or about March 2004, Pena also employed Respondent to pursue an expungement of an earlier criminal conviction (the "expungement matter"). On or about March 2, 2004, Pena paid Respondent an additional $3,000 to pursue the expungement matter. Thereafter, Respondent had no further contact with Pena regarding the bail forfeiture matter or the expungement matter.

3. On or about June 29, 2004, after not hearing anything from Respondent, Pena wrote Respondent requesting her file and requesting a refund of unearned fees. Respondent received the June 29, 2004 letter but failed to respond

4. In 2004, following Respondent's failure to perform and failure to communicate, Pena hired new counsel in the bail forfeiture matter. Subsequent counsel was able to negotiate a reduction of the bail forfeiture amount. Pena also hired new counsel to represent her in the expungement matter.

5. In or about March 2005, Pena wrote Respondent again asking for the return of her file, an accounting and refund of unearned fee. Respondent received the letter but failed to respond.

6. Respondent did not provide any services of value to Pena in the bail forfeiture matter and did not provide any services of value on behalf of Pena in the expungement matter. As a result, Pena did not earn any of the $6,000 in advance legal fees paid by Pena.

Legal Conclusions

By failing to perform any legal services for which he was hired on behalf of Pena, Respondent intentionally, recklessly or repeatedly failed to perform legal services with competence in wilful violation of Rules of Professional Conduct, rule 3-110(A).

By not promptly returning the client file to Pena as requested, Respondent failed to release promptly, upon termination of employment, to his clients, at the request of the clients, all client papers and property, Respondent wilfully violated Rules of Professional Conduct, rule 3-700(D)(1).

By failing to provide Pena with an accounting of the $6,000 in advanced fees, Respondent failed to render an appropriate accounting to a client in wilful violation Rules of Professional Conduct, rule 4-100(B)(3).

By failing to refund the $6,000 in unearned fees to Pena, Respondent failed to refund unearned fees in wilful violation of Rules of Professional Conduct, rule 3-700(D)(2).

Case no. 04-O-15507

1. On or about April 28, 2004, Victoria Tearjen ("Tearjen") employed Respondent to defend her in an employment matter (the "employment matter"). In or about April 2004, Tearjen paid Respondent $5,000 in advanced legal fees for the employment matter. Pursuant to their agreement, Respondent agreed to represent Tearjen on an hourly fee basis.

2. On or about May 4, 2004, Respondent appeared on behalf of Tearjen at a hearing in the employment matter. The employment matter was subsequently decided in Tearjen's favor.

3. On or about October 4, 2004, Tearjen asked Respondent to refund all unearned fees in the employment matter. On or about October 4, 2004, Respondent agreed to refund all unearned fees but subsequently failed to do so.

4. On or about October 19, 2004, Tearjen's husband, on Tearjen's behalf, requested an accounting and refund of unearned fees from Respondent. Although he received the request, Respondent failed to provide the accounting and a refund of unearned fees.

5. On or about May 23, 2005, Respondent provided an accounting to the State Bar of his services in the employment matter. In the May 23, 2005 accounting, Respondent stated that he earned $3,360 of the $5,000 in advanced legal fees. To date, Respondent has failed to return the $1,640 to Tearjen.

Legal Conclusions

By failing to refund a portion of the $5,000 in fees paid by Tearjen, Respondent failed to refund unearned fees in wilful violation of Rules of Professional Conduct, rule 3-700(D)(2).

By failing to provide Tearjen with an accounting of the $5,000 in advanced fees, Respondent failed to render an appropriate accounting to a client in wilful violation Rules of Professional Conduct, rule 4-100(B)(3).

Case no. 05-O-00082

1. On or about September 9, 2003, Mary Ann Lynch ("Lynch") employed Respondent to file a petition to withdraw a plea of guilty in a previous criminal matter and request a new trial on her behalf (the "criminal matter"). On or about September 9, 2003, Lynch paid Respondent $4,000 in advanced legal fees for the criminal matter.

2. In or about February 2004, Lynch contacted the courts and discovered Respondent had not filed any documents on her behalf.

3. In or about May 2004, Lynch met with Respondent to sign documents for the criminal matter.

4. On or about May 21, 2004, Lynch wrote Respondent regarding Respondent's failure to forward additional documents for her signature in the criminal matter. Respondent received Lynch's letter but failed to provide the paperwork to Lynch.

5. During the first week of November 2004, Lynch telephoned Respondent on three occasions leaving messages each time inquiring about the status of her matter. Although he received the messages, Respondent failed to respond to the telephone calls.

6. In or about February 2005, Lynch wrote Respondent asking him to provide proof that he had filed documents on her behalf in the criminal matter. Respondent received Lynch's letter but failed to respond.

7. On or about March 4, 2005, Lynch called Respondent's office again asking Respondent to call her regarding the status of her matter. Respondent failed to respond to Lynch's telephone call.

8. To date, Respondent has not filed any documents on behalf of Lynch in the criminal matter.

9. To date, Respondent has not provided any services of value on behalf of Lynch.

10. Respondent did not provide any services of value for Lynch and therefore did not earn any of the $4,000 in advanced fees paid in the criminal matter.

Legal Conclusions

By failing to perform the legal services for which he was hired on behalf of Lynch, Respondent intentionally, recklessly or repeatedly failed to perform legal services with competence in wilful violation of Rules of Professional Conduct, rule 3-110(A).

By failing to respond to Lynch's telephone calls and letters, Respondent failed to respond to reasonable status inquiries of a client in which Respondent had agreed to provide legal services in wilful violation of Business and Professions Code section 6068(m).

Case no. 05-O-00604

1. On or about June 4, 2003, Gregory E. Gillman ("Gillman") employed Respondent to seek a pardon of a criminal conviction or to have the conviction expunged (the "conviction matter").

2. In or about June 2003, Gillman paid Respondent $3,000 in advanced legal fees for the conviction matter.

3. In or about July 2003, after not hearing from Respondent, Gillman called Respondent and left a message regarding the criminal matter. Respondent returned Gillman's call and told Gillman he would be forwarding paperwork in the conviction matter in a week. However, Respondent failed to forward the documents.

4. During the Summer 2003, Gillman called Respondent on numerous occasions, leaving messages each time inquiring about the conviction matter. Respondent failed to respond to Gillman's telephone calls.

5. On or about May 13,2004, Gillman wrote Respondent asking Respondent to contact him regarding the status of the conviction matter. In his letter, Gilman requested copies of any paperwork filed on behalf of Gilman. Respondent received the letter on May 14, 2004, but failed to respond.

6. Respondent did not provide any services of value for Gillman and therefore did not earn any of the $3,000 in advanced fees paid by Gillman in the conviction matter.

Legal Conclusions

By failing to perform any legal services for which he was hired on behalf of Gillman, Respondent intentionally, recklessly or repeatedly failed to perform legal services with competence in wilful violation of Rules of Professional Conduct, rule 3-110(A).

By failing to respond to Gillman's telephone calls and letters, Respondent failed to respond to reasonable status inquiries of a client in which Respondent had agreed to provide legal services in wilful violation of Business and Professions Code section 6068(m).

OTHER FACTORS IN CONSIDERATION

Respondent has admitted that during the period of misconduct, he suffered from alcoholism and its related difficulties, including the loss of his law office. On or about May 9, 2005, Respondent voluntarily completed a seven day detoxification program. On or about May 12, 2005, Respondent enrolled in a thirty (30) day residential program at The Recovery Center. Respondent completed his stay at The Recovery Center on June 12, 2005. On or about June 16, 2005, following the thirty days in the residential program, Respondent voluntarily moved into a sober living facility, where he was required to attend twelve step meetings and was subject to random drug and alcohol screenings.

RESTITUTION CONDITIONS

Respondent shall include in each quarterly report required herein satisfactory evidence of all restitution payments made during that reporting period.

Respondent waives any objection to payment by the State Bar Client Security Fund to the above listed former clients upon a claim for the principal amount of restitution set forth herein.

Acknowledgment by Respondent

Respondent acknowledges that he must make good faith efforts to acquire the resources to pay the restitution set forth above. Respondent further acknowledges that in the event that his financial circumstances are such that he is unable to pay the restitution as required, he should file a timely motion in the State Bar Court seeking modification of the restitution condition to allow more time to make the required restitution.

SUBSTANCE ABUSE CONDITION

Substance Abuse Evaluation and Treatment; Waiver of Confidentiality

(A) Respondent shall, within thirty (30) days of the effective date of this stipulation, if he has not done so already, submit to a medical examination by a doctor certified by the American Society of Addiction Medicine("ASAM"), said doctor to be mutually agreed upon by Respondent and the Office of Probation. Respondent has been informed and understands that a treatment plan, if any, arising out of his substance abuse evaluation may involve costs to be borne by him.

The doctor's evaluation shall be conducted in accordance with normally accepted ASAM procedures in the practice of addiction medicine, and shall be to determine the nature and extent of Respondent's substance abuse, if any, and what treatment is recommended to address it. The doctor shall conduct an evaluation of Respondent and issue a report to the Office of Probation, the undersigned Deputy Trial Counsel and to Respondent outlining his or her findings and proposed treatment conditions. Treatment conditions may be modified but only as the treating medical provider(s) deems it necessary and appropriate. If treatment conditions are modified Respondent must notify the Office of Probation in writing with his next quarterly report and Respondent must include a letter from the treating medical provider explaining the reasons for the modification and specifying the modified treatment conditions.

For the duration of his probationary period, Respondent shall comply with all treatment conditions recommended by the doctor, either as originally set forth or as may be modified thereafter. Respondent shall report his compliance with these conditions with a statement under penalty of perjury in each written quarterly report submitted to the Office of Probation and he shall provide such satisfactory proof of his compliance as the Office of Probation may request.

(B) Respondent shall provide a copy of this stipulation to all treatment providers who provide the services described in these Substance Abuse Conditions within thirty (30) days of the effective date of this stipulation. Respondent shall deliver a copy of this stipulation to the doctor who performs the initial evaluation described in part (A) above in advance of the initial evaluation. Respondent shall provide proof to the Office of Probation that he has provided a copy of this stipulation to all treatment providers when Respondent provides his first quarterly report to the Office of Probation.

(C) Respondent will provide waivers of confidentiality as necessary to monitor compliance with this condition. Said waivers shall allow the Office of Probation, State Bar Court, and the Office of Chief Trial Counsel access to relevant medical information concerning treatment conditions, progress and compliance. Respondent understands that said waivers will include, without limitation, the ability of his medical or treatment providers to provide status updates (oral or written) as to his progress and compliance.

(D) Respondent has had opportunity to consult with counsel and knowingly, voluntarily and intelligently agrees to this substance abuse condition, as well as to all matters contained in this stipulation.

Pending Proceedings

The disclosure date referred to on Page 1, paragraph A. (6), was made on February 27, 2006.

(Do not write above this line.)

In the Matter of	Case number(s):
BRUCE LEWIS BRIGGS	04-O-14938 04-O-15507 05-O-00082 05-O-00604

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	Respondent's signature	Print name
2-27-06		BRUCE L. BRIGGS
2/27/06	Respondent's Counsel's signature	William J. Kopeny
2/27/06	Deputy Trial Counsel's signature	KATHERINE KINSEY

(Do not write above this line.)

In the Matter of	Case number(s):
BRUCE LEWIS BRIGGS	04-O-14938 04-O-15507 05-O-00082 05-O-00604

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 3/9/06

ROBERT M. TALCOTT
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 March 13, 2006, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING STAYED SUSPENSION; NO ACTUAL SUSPENSION

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

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

William James Kopeny
16485 Laguna Cyn Rd #230
Irvine, CA 92618

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

KATHERINE KINSEY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **March 13, 2006.**

Tammy R. Cleaver
Case Administrator
State Bar Court