



(Do not write above this line.)

State Bar Court of California Hearing Department <input type="checkbox"/> Los Angeles <input checked="" type="checkbox"/> San Francisco		
Counsel for the State Bar Robin B. Brune Deputy Trial Counsel 180 Howard Street, 7th Floor San Francisco, CA 94105 (415) 538-2218 Bar # 149487	Case number(s) 04-0-15379 04-0-15849	(for Court's use) <div style="text-align: center; font-size: 1.2em; font-weight: bold;">PUBLIC MATTER</div> <div style="text-align: center; font-size: 1.5em; font-weight: bold;">FILED </div> <div style="text-align: center;">MAR 08 2006</div> <div style="text-align: center;">STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</div>
<input checked="" type="checkbox"/> Counsel for Respondent <input type="checkbox"/> In Pro Per, Respondent Michael Wine 301 West Lake Avenue #800 Pasadena, CA 91101 (626) 796-6688 Bar # 58657	Submitted to <input checked="" type="checkbox"/> assigned judge <input type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING REPROVAL <input type="checkbox"/> PRIVATE <input checked="" type="checkbox"/> PUBLIC <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of <div style="text-align: center;">EDWARD BAXTER CHATOIAN</div> Bar # 63957 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 June 27, 1975
(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 (public reproof)
(b) ☐ case ineligible for costs (private reproof)
(c) ☐ costs to be paid in equal amounts for the following membership years:

(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)

- (d) ☐ costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
(e) ☐ costs entirely waived

(9) The parties understand that:

- (a) ☐ A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
- (b) ☐ A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
- (c) ☒ A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

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 _____

(Do not write above this line.)

- (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.
- (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.

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- (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.
- (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:

(Do not write above this line.)

D. Discipline:

- (1) ☐ Private reproof (check applicable conditions, if any, below)
- (a) ☐ Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b) ☐ Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

- (2) ☒ Public reproof (check applicable conditions, if any, below)

E. Conditions Attached to Reproof:

- (1) ☒ Respondent must comply with the conditions attached to the reproof for a period of two (2) years
- (2) ☒ During the condition period attached to the reproof, 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 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 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 condition period attached to the reproof. 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 the reproof 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 thirty (30) days, that report must be submitted on the next following 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 condition period and no later than the last day of the condition period.
- (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 such reports as may be requested, in addition to quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the monitor.

(Do not write above this line.)

- (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 conditions attached to the reprobation.
- (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 of the Ethics School and passage of the test given at the end of that session.
- ☐ No Ethics School ordered. 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 required to be filed with the Office of Probation.
- (10) ☒ 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 of the effective date of the reprobation.~~ *no later than 3/31/07. HGW PAB*
- ☐ No MPRE ordered. Reason: _____
- (11) ☐ The following conditions are attached hereto and incorporated:
- | | |
|---|--|
| <input type="checkbox"/> Substance Abuse Conditions | <input checked="" type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Edward B. Chatoian

CASE NUMBER(S): 04-O-15379, 04-O-15849, *et al.*

FACTS AND CONCLUSIONS OF LAW.

On or about October 30, 1997, Linda Grant ("Grant") hired respondent to represent her in a personal injury matter, eventually resulting in the filing of an action, *Grant v. Henry, et al.*, Tulare County Superior Court case no. 97-180286 ("*Grant v. Henry*"). Prior to on or about April 12, 1999, *Grant v. Henry* settled.

On or about April 12, 1999, Clarendon National Insurance Company ("Clarendon") disbursed \$15,000.00 ("the Clarendon settlement proceeds") to respondent on Grant's behalf in partial settlement of *Grant v. Henry*. Shortly after on or about April 12, 1999, the Clarendon settlement proceeds were deposited into respondent's Wells Fargo Bank client trust account no. 019-2080059.

On or about May 18, 1999, from the Clarendon settlement proceeds respondent disbursed \$5,608.33 to himself as fees and reimbursement of costs, and retained the remaining \$9,296.67 in the client trust account pending resolution of a lien claim by Combined Benefits, Grant's insurance carrier.

By letter dated August 8, 2002, Grant asked respondent to inquire into the status of Combined Benefits' lien so that she could receive any additional portion of the Clarendon settlement proceeds due her. Respondent received Grant's August 8, 2002 letter.

By letter dated September 23, 2002, Grant asked respondent a second time to inquire into the status of Combined Benefits' lien so that she could receive any additional portion of the Clarendon settlement proceeds due her. Respondent received Grant's September 23, 2002 letter.

By letter dated June 3, 2003, Grant asked respondent a third time to inquire into the status of the Combined Benefit's lien so that she could receive any portion of the Clarendon settlement proceeds due her. Respondent received Grant's June 3, 2003 letter.

By letter dated September 23, 2003, Grant told respondent Combined Benefits was seeking no money in satisfaction of the lien. In the September 23, 2003 letter, Grant also requested respondent to pay the remaining \$9,296.67 of the Clarendon settlement proceeds to her immediately. Respondent received Grant's September 23, 2003 letter.

By at least on or about September 23, 2003, respondent knew or should have known that Grant was entitled to receive payment from his client trust account of the remaining \$9,296.67 of the Clarendon settlement proceeds.

By letter dated October 4, 2004, Grant demanded that respondent pay the remaining \$9,296.67 of the Clarendon settlement proceeds to her immediately. Respondent received Grant's October 4, 2004 letter.

Respondent did not pay Grant the remaining \$9,296.67 of the Clarendon settlement proceeds until on or about January 5, 2005.

In addition to providing Grant with legal services in relation to *Grant v. Henry*, prior to on or about July 16, 1998, Grant also hired respondent to represent her in an action under the Americans with Disabilities Act ("ADA") against the City of Visalia ("Visalia"). On Grant's behalf, on or about July 16, 1998, respondent filed a lawsuit alleging violations of the ADA, *Grant v. Visalia*, United States District Court – Eastern District of California, case no. CIV F-98-5803 ("*Grant v. Visalia*"). Respondent remained Grant's attorney of record in *Grant v. Visalia* at all relevant times.

During the course of litigation in *Grant v. Visalia*, respondent, acting on Grant's behalf, did not timely respond to the discovery requests of Visalia's attorneys or otherwise appropriately advance Grant's interests in the litigation. Specifically, respondent did not:

- (a) timely respond to interrogatories properly served on or about April 20, 1999;
- (b) notify and produce Grant for a deposition properly noticed for on or about June 25, 1999; or
- (c) respond to a request for production of documents properly served on or about September 13, 1999.

On or about June 15, 1999, Visalia's attorneys filed a motion to compel answers to interrogatories and for sanctions. At hearing on the motion, respondent did not object to the imposition of sanctions. By order filed on or about August 9, 1999, sanctions in the amount of \$1,367.50 were ordered against Grant. Respondent received a copy of the sanctions ruling and order.

On or about January 24, 2003, Visalia's attorneys filed a motion for summary judgement, to which respondent replied in opposition. On or about April 28, 2003, the court granted Visalia's motion for summary judgement and directed entry of judgement against Grant. Respondent received notice of this ruling and entry of judgement. Following the April 28, 2003 ruling on the motion for summary judgement, respondent took no further action on Grant's

behalf in relation to *Grant v. Visalia*. The judgement against Grant in *Grant v. Visalia* is now final. Respondent did not inform Grant of the entry of judgment, nor discuss with her options for appeal or other relief.

On or about June 13, 2003, Grant sent a letter to respondent requesting an update on the status of the *Grant v. Visalia* matter. Respondent received the June 13, 2003 letter. Respondent did not contact Grant in response to the June 13, 2003 letter.

On or about September 23, 2003, Grant sent another letter to respondent requesting an update of the status of the *Grant v. Visalia* matter. Respondent received the September 23, 2003 letter. Respondent did not contact Grant in response to the September 23, 2003 letter.

At no time did respondent inform Grant of his failure to respond timely and appropriately to Visalia's discovery requests. At no time did respondent inform Grant of the award of sanctions against her. At no time did respondent inform Grant of the entry of summary judgement against her or the finality of judgement in *Grant v. Visalia*.

Conclusions of Law

1. By delaying from at least on or about September 23, 2003, until on or about January 5, 2005, to pay Grant the remaining \$9,296.67 of the Clarendon settlement proceeds, respondent failed to pay promptly, as requested by a client, funds in respondent's possession which his client was entitled to receive, in wilful violation of rule 4-100(B)(4) of the Rules of Professional Conduct.

2. By failing from at least August 8, 2002 through September 23, 2003, to ascertain the status and amount of the potential Combined Benefits lien in the *Grant v. Henry* matter, as requested by Grant, respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in wilful violation of Rule 3-110(A) of the Rules of Professional Conduct.

3. By failing to represent Grant's interests in the litigation of *Grant v. Visalia*, and specifically by failing to respond in a timely and otherwise appropriate fashion to Visalia's discovery requests and discuss options for relief from summary judgment, respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in wilful violation of Rule 3-110(A) of the Rules of Professional Conduct.

4. By failing to respond to Grant's letters of June 13, 2003 and September 23, 2003 regarding the status of *Grant v. Visalia*, respondent failed to promptly respond to reasonable status inquiries of a client, in a matter in which he agreed to provide legal services, in wilful violation of Business and Professions Code, section 6068(m).

5. By failing to inform Grant of his failure to respond to Visalia's discovery requests, the award of sanctions against her, the entry of summary judgement, and the finality of judgement in *Grant v. Visalia*, respondent failed to keep a client reasonably informed of significant developments in a matter in which respondent had agreed to provide legal services, in wilful violation of Business and Professions Code, section 6068(m).

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(7), was January 12, 2006.

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-15379	One (A)	RPC 3-110(a)
04-O-15379	One (B)	B&P Code § 6068(m)

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of January 12, 2005, the estimated prosecution costs in this matter are approximately \$2,764.57. 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.

AUTHORITIES SUPPORTING DISCIPLINE.

In the Matter of Hanson (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 703

In the Matter of Respondent G (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 181

Hulland v. State Bar (1972) 8 Cal.3d 440

AGGRAVATING CIRCUMSTANCES.

Standard 1.2(b)(iv) – Significant Harm

PRIOR DISCIPLINE.

Respondent has no prior discipline and was admitted in 1975.

FACTS SUPPORTING AGGRAVATING CIRCUMSTANCES.

Ms. Grant lost her cause of action due to respondent's failure to perform on her case.

MITIGATING CIRCUMSTANCES.

Standard 1.2(e)(v) – Cooperation

FACTS SUPPORTING MITIGATING CIRCUMSTANCES.

Respondent has been cooperative with the State Bar in the stipulation of this matter.

STATE BAR ETHICS SCHOOL.

Because respondent has agreed to attend State Bar Ethics School as part of this stipulation, respondent may receive Minimum Continuing Legal Education credit upon the satisfactory completion of State Bar Ethics School.

NOLO CONTENDERE.

Respondent pleads nolo contendere to the facts and understands that he will be found culpable of violations of the specified statutes and/or Rules of Professional Conduct.

(Do not write above this line.)

In the Matter of EDWARD BAXTER CHATOIAN	Case Number(s): 04-0-15379 04-0-15849
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Law Office Management Conditions

- a. ☒ Within 90 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/ 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 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 EDWARD BAXTER CHATOIAN	Case Number(s): 04-0-15379 04-0-15849
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NOLO CONTENDERE PLEA TO STIPULATION AS TO FACTS, CONCLUSIONS OF LAW AND DISPOSITION

Bus. & Prof. Code § 6085.5 Disciplinary Charges; Pleas to Allegations

There are three kinds of pleas to the allegations of a notice of disciplinary charges or other pleading which initiates a disciplinary proceeding against a member:

- (a) Admission of culpability.
- (b) Denial of culpability.
- (c) Nolo contendere, subject to the approval of the State Bar Court. The court shall ascertain whether the member completely understands that a plea of nolo contendere shall be considered the same as an admission of culpability and that, upon a plea of nolo contendere, the court shall find the member culpable. The legal effect of such a plea shall be the same as that of an admission of culpability for all purposes, except that the plea and any admissions required by the court during any inquiry it makes as to the voluntariness of, or the factual basis for, the pleas, may not be used against the member as an admission in any civil suit based upon or growing out of the act upon which the disciplinary proceeding is based. (Added by Stats. 1996, ch. 1104.) (emphasis supplied)

RULE 133, Rules of Procedure of the State Bar of California STIPULATIONS AS TO FACTS, CONCLUSIONS OF LAW AND DISPOSITION

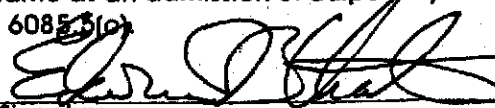
(a) A proposed stipulation as to facts, conclusions of law, and disposition must set forth each of the following:

...

(5) a statement that Respondent either

- (i) admits the facts set forth in the stipulation are true and that he or she is culpable of violations of the specified statutes and/or Rules of Professional Conduct or
- (ii) pleads nolo contendere to those facts and violations. If the Respondent pleads nolo contendere, the stipulation shall include each of the following:
 - (a) an acknowledgment that the Respondent completely understands that the plea of nolo contendere shall be considered the same as an admission of the stipulated facts and of his or her culpability of the statutes and/or Rules of Professional Conduct specified in the stipulation; and
 - (b) if requested by the Court, a statement by the Deputy Trial Counsel that the factual stipulations are supported by evidence obtained in the State Bar investigation of the matter. (emphasis supplied)

I, the Respondent in this matter, have read the applicable provisions of Bus. & Prof. Code § 6085.5 and rule 133(a)(5) of the Rules of Procedure of the State Bar of California. I plead nolo contendere to the charges set forth in this stipulation and I completely understand that my plea must be considered the same as an admission of culpability except as stated in Business and Professions Code section 6085.5(a).




1/27/06  Edward B. CHATOIAN
Date Signature Print name

(Do not write above this line.)

In the Matter of EDWARD BAXTER CHATOIAN	Case number(s): 04-0-15379 04-0-15849
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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.

<u>1/27/06</u> Date	 Respondent's signature	<u>EDWARD BAXTER CHATOIAN</u> Print name
<u>1/30/06</u> Date	 Respondent's Counsel's signature	<u>MICHAEL WINE</u> Print name
<u>2/2/06</u> Date	 Deputy Trial Counsel's signature	<u>ROBIN B. BRUNE</u> Print name

(Do not write above this line.)

In the Matter of EDWARD BAXTER CHATOIAN	Case number(s): 04-O-15379 04-O-15849
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ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, 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 REPROVAL IMPOSED.
- ☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- ☒ All Hearing dates are vacated.

Pursuant to the terms of the stipulation between the parties, case no. 04-O-15379 is dismissed without prejudice.

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.) Otherwise the stipulation shall be effective 15 days after service of this order.

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

3/8/06
Date


JOANN M. REMKE
Judge of the State Bar Court

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

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on March 8, 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:

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

**MICHAEL E. WINE
301 N LAKE AVE STE 800
PASADENA CA 91101 5113**

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

ROBIN BRUNE, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on March 8, 2006.



Bernadette C. O. Molina
Case Administrator
State Bar Court