

FILED
OCT 12 2007
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

**REVIEW DEPARTMENT OF THE STATE BAR COURT
IN BANK**

In the Matter of

BERNARD MOROKO LAUFER

A Member of the State Bar.

05-C-04979

**RECOMMENDATION OF
SUMMARY DISBARMENT**

The State Bar's request for recommendation of summary disbarment, filed on August 8, 2007, is granted. On August 15, 2007, we filed an order to show cause directing respondent, Bernard Moroko Laufer, to show why summary disbarment should not be recommended to the Supreme Court. Laufer did not file a response.

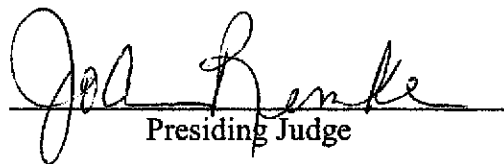
On November 1, 2006, Laufer pled guilty to one count of conspiracy to commit insurance fraud under Penal Code sections 182, subdivision (a)(1), and 550, subdivision (a)(1). The plea was accepted and Laufer was sentenced on March 6, 2007. As a result of his conviction, we placed Laufer on interim suspension effective August 10, 2007, and he has remained on interim suspension since that time. Laufer did not appeal his conviction and it is now final.

Laufer's conviction provides conclusive evidence that he is guilty, and he is conclusively presumed to have committed all of the acts necessary to constitute the offense. (*In re Duggan* (1976) 17 Cal.3d 416, 423.) Respondent committed this offense at a time

when summary disbarment was a consequence of his criminal conviction, and his conviction meets the requirements under Business and Professions Code, section 6102, subdivision (c).

First, respondent was convicted of a felony. (Bus. & Prof. Code, § 6102, subd. (b).) Second, knowingly presenting a false or fraudulent insurance claim is a crime that necessarily involves moral turpitude. (*Sampson v. State Bar* (1974) 12 Cal.3d 70, 83.) When an attorney's conviction meets the above requirements, "the attorney is not entitled to a State Bar Court hearing to determine whether lesser discipline is called for." (*In re Paguirigan* (2001) 25 Cal.4th 1, 4-7.) Disbarment is mandatory. (*Id.* at p. 9; see also *In re Lesansky* (2001) 25 Cal.4th 11.)

We therefore recommend that Benard Moroko Laufer, State Bar member number 103741, be summarily disbarred from the practice of law in this state. We also recommend that respondent be ordered to comply with rule 9.20 of the California Rules of Court and to perform the acts specified in paragraphs (a) and (c) of that rule within 30 and 45 days, respectively, after the effective date of the Supreme Court's order. Finally, we recommend that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, such costs being enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.


Presiding Judge

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

I am a Case Administrator of the State Bar Court. 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 October 12, 2007, I deposited a true copy of the following document(s):

RECOMMENDATION OF SUMMARY DISBARMENT FILED OCTOBER 12, 2007

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

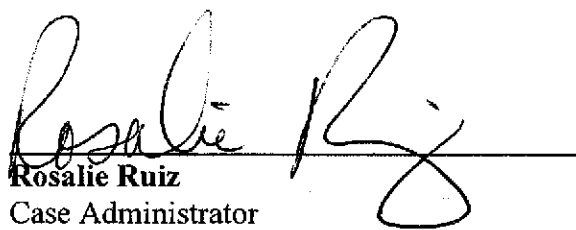
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

BERNARD M LAUFER
1849 S BENTLEY AVE APT 106
LOS ANGELES, CA 90025

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

DANE C. DAUPHINE, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **October 12, 2007.**


Rosalie Ruiz
Case Administrator
State Bar Court