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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 Erin Joyce, Deputy Trial Counsel Jean Cha, Deputy Trial Counsel 1149 South Hill Street Los Angeles, California 90015 Telephone: (213) 765-1255 Bar # 149946 / 228137	Case number(s) 05-H-03434-JMR	(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> JUL 26 2006 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
<input type="checkbox"/> Counsel for Respondent <input checked="" type="checkbox"/> In Pro Per, Respondent Nicholas G. Demma 118 W. Carlisle Rd. Thousand Oaks, CA 91361-5308 (805) 495-7979 Bar # 47318	Submitted to <input type="checkbox"/> assigned judge <input checked="" type="checkbox"/> settlement judge	
In the Matter of NICHOLAS G. DEMMA Bar # 47318 A Member of the State Bar of California (Respondent)	STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING STAYED SUSPENSION; NO ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

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

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted July 15, 1970
(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:
2008 & 2009
(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 02-0-11130
 - (b) Date prior discipline effective July 8, 2004
 - (c) Rules of Professional Conduct/ State Bar Act violations: Business and Professions
Code section 6068(a) - violation of Unites States Bankruptcy
Code, Title II, U.S.C.
 - (d) Degree of prior discipline Private Reproval
 - (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.

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- (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: N/A

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.

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- (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: N/A

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 two (2) years, which will commence upon the effective date of the Supreme Court order herein. (See rule 953, California Rules of Court.)

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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. Other. See page 12.
 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

(Do not write above this line.)

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 stipulation attachment.

**ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

In the Matter of Nicholas George Demma

Case No. 05-H-03434

FACTS AND CONCLUSIONS OF LAW.

Respondent agrees to be bound by the following statement of facts which support a finding of culpability for violation of rule 1-110 of the Rules of Professional Conduct.

Facts

1. Respondent wilfully violated rule 1-110 of the Rules of Professional Conduct by failing to comply with the conditions attached to a reproof administered by the State Bar, as follows:
2. On June 7, 2004, Respondent entered into a Stipulation Re Facts, Conclusions of Law and Disposition ("Stipulation") with the State Bar of California in case number 02-O-11130.
3. On June 17, 2004, the Hearing Department of the State Bar Court filed an order approving the Stipulation and imposing the reproof with conditions set forth in the Stipulation (the "reproof order").
4. On June 17, 2004, the reproof order was properly served by mail upon Respondent's counsel.
5. Pursuant to the June 17, 2004 reproof order, Respondent was ordered to comply with the following terms and conditions, among others:
 - a. to comply with the conditions attached to the reproof for a period of one year;
 - b. to comply with the State Bar Act and the Rules of Professional Conduct during the condition period attached to the reproof;
 - c. to submit to the Office of Probation written quarterly reports each January 10, April 10, July 10 and October 10 of the condition period attached to the reproof, certifying under penalty of perjury whether he has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of the reproof during the preceding calendar quarter and to file a final report no earlier than twenty

**Attachment to Stipulation re
Facts, Conclusions of Law and Disposition**

days prior to the last day of the condition period and no later than the last day of the condition period;

- d. to complete six (6) hours of live instruction continuing legal education courses in legal ethics above those required for his licence and provide proof of completion within ten months of the effective date of the order approving the stipulation to the Office of Probation of the State Bar; and
 - e. to complete sixty (60) hours of *pro bono* services during the period of his probation.
6. With respect to the *pro bono* services requirement, Respondent stipulated to the following conditions:
- a. Respondent is required to provide at least six hours of *pro bono* services per month during the first ten months of his reprobation period, which commences on the effective date of the disciplinary order upon which this stipulation is based, to organizations dedicated to providing legal services to the poor. Respondent will not provide any legal services for a fee to any of the persons who utilize his *pro bono* services or who come into contact with Respondent as the result of his providing *pro bono* services to any organization under this paragraph;
 - b. Respondent is required to provide the *pro bono* legal services through the Ventura County Bar Association, as a member of the "Emeritus Team of Volunteer Lawyers Services Program;"
 - c. Respondent is required to provide evidence (including time records) reflecting the *pro bono* services Respondent has provided as required in paragraphs 1 and 2 [paragraphs a. and b. above] to the Office of Probation of the State Bar of California with the next quarterly report due during his reprobation period after he has provided such services;
 - d. On each occasion Respondent provides *pro bono* services to the approved *pro bono* provider, Respondent will ensure that the administrator or person in charge legibly signs the sign in/sign out form reflecting the day and time Respondent provided services;
 - e. With each quarterly report Respondent is required to provide to the Office of Probation of the State Bar of California, Respondent will provide the original of the sign in/sign out sheets for the entire period running from the date of his last report to the current report. Failure to provide the sign in/sign out sheets with

**Attachment to Stipulation re
Facts, Conclusions of Law and Disposition**

each quarterly report will constitute a violation of the conditions of Respondent's reproof.

7. The June 17, 2004 reproof order became effective fifteen days later, on July 8, 2004.
8. On June 23, 2004, Probation Deputy Shuntinee Brinson of the Office of Probation of the State Bar of California wrote a letter to Respondent in which she reminded Respondent of the terms and conditions of his reproof imposed pursuant to the June 17, 2004 reproof order. In the June 23, 2004 letter, Ms. Brinson specifically informed Respondent regarding his obligations to file quarterly reports, with the first due on October 10, 2004, to attend 6 hours of live MCLE Ethics courses, and to provide 6 hours of *pro bono* services for the first ten months following the imposition of the private reproof. Enclosed with the June 23, 2004 letter to Respondent were, among other things, copies of the relevant portion of the Stipulation setting forth the conditions of Respondent's reproof; a Quarterly Report Instructions sheet; and a Quarterly Report form specially tailored for Respondent to use in submitting his quarterly reports.
9. Ms. Brinson's letter to Respondent was mailed on June 23, 2004 via the United States Postal Service, first class postage prepaid, in a sealed envelope addressed to Respondent at his official State Bar membership records address. The June 23, 2004 letter was not returned as undeliverable or for any other reason by the United States Postal Service.
10. Respondent received the June 23, 2004 letter from Ms. Brinson.
11. On July 6, 2004, Respondent mailed a letter to Ms. Brinson stating that the *pro bono* services that he decided to perform had no sign in/sign out procedure and requesting that the probation deputy modify the terms of his reproof to allow his own declaration to substitute for the independently verifiable proof of completion of the *pro bono* services requirement.
12. On October 18, 2004, Respondent failed to provide any proof of his completion of the required *pro bono* services. Instead, he sent another letter in which he requested that the terms of his reproof be modified.
13. Respondent filed his quarterly report due January 10, 2005. He still failed to provide any proof of completion of the required *pro bono* services or completion of the required live instruction continuing legal education courses.
14. Respondent filed his quarterly report due April 10, 2005. Respondent failed to provide proof of his completion of six hours of live instruction continuing legal education courses in legal ethics, with this report, which was a separate requirement from attending the State Bar's Ethics School. Both requirements were separately listed on the quarterly

**Attachment to Stipulation re
Facts, Conclusions of Law and Disposition**

report form tailored specifically to Respondent's case. Respondent left the provision concerning his completion of continuing legal education courses blank on the quarterly reports he filed.

15. With his April 10, 2005 quarterly report, Respondent also failed to provide any documentary proof of completion of the 60 hours of *pro bono* services, which was required as a condition of the reproof. Instead, Respondent sent in his own unverified letter (dated April 11, 2005) attached to his April 10, 2005 quarterly report, in which Respondent stated that he completed the *pro bono* requirement. At no time did Respondent provide independently verifiable proof of completion of the *pro bono* services requirement.
16. On May 12, 2005, Ms. Brinson sent a letter to Respondent reminding Respondent of his obligation to provide actual proof of completion of the *pro bono* services, which includes the original sign in/sign out sheets specified in the Stipulation, and six hours of live instruction continuing legal education courses in legal ethics. Enclosed with the letter was an additional copy of the relevant portion of the Stipulation which contained the conditions with which Respondent had failed to comply. The letter also explained that the Office of Probation does not have the authority to extend compliance dates or modify the terms of Respondent's reproof. It also notified Respondent that requests for extension of time or modification of terms and conditions should be directed to the State Bar Court.
17. Ms. Brinson's letter to Respondent was mailed on May 12, 2005 via the United States Postal Service, first class postage prepaid, in a sealed envelope addressed to Respondent at his official State Bar membership records address. The May 12, 2005 letter was not returned as undeliverable or for any other reason by the United States Postal Service.
18. Respondent received the May 12, 2005 letter from Ms. Brinson.
19. Respondent failed to file the final report which was due no later than July 8, 2005.
20. Instead of complying with the terms of his reproof before the July 8, 2005 expiration of his reproof period, on July 9, 2005, Respondent mailed a petition for extension of time and/or modification to the Office of Probation and the State Bar Court. The petition was untimely and not properly filed with the State Bar Court.
21. Upon receipt of Respondent's petition on July 12, 2005, Jayne Kim, Supervising Attorney of the Office of Probation, called Respondent and left a message for him to return her call. That day, Ms. Kim also sent a letter to Respondent notifying him that the petition was not properly filed with State Bar Court. In her letter, Ms. Kim also notified

**Attachment to Stipulation re
Facts, Conclusions of Law and Disposition**

Respondent that he remained out of compliance with the terms of his reproof. Specifically, she informed Respondent:

To date, this office has not received satisfactory proof of your MCLE conditions or your pro bono activity conditions. I understand that you are not able to obtain sign-in/sign-out sheets for your past pro bono activity. This office will accept a written letter from Steve Henderson, Executive Director of the Ventura County Bar Association, regarding your completion of 60 hours of pro bono work **since June 7, 2004**, which is the date you entered into the stipulation that required 60 hours of pro bono work (6 hours per month for the first ten months of your reproof period). (Emphasis in original.)

22. Ms. Kim's letter to Respondent was mailed on July 12, 2005 via the United States Postal Service, first class postage prepaid, in a sealed envelope addressed to Respondent at his official State Bar membership records address. The July 12, 2005 letter was not returned as undeliverable or for any other reason by the United States Postal Service.
23. Respondent received the July 12, 2005 letter from Ms. Kim. Respondent never responded to Ms. Kim's letter.
24. To date, Respondent has failed to file his final report due July 8, 2005.
25. To date, Respondent has failed to provide the Office of Probation with proof of completion of six (6) hours of live instruction MCLE courses in legal ethics.
26. To date, Respondent has failed to provide satisfactory proof of his completion of 60 hours of *pro bono* services, which includes the sign in/sign out sheets.

Law

By failing to timely file the final report due July 8, 2005, failing to provide proof of completion of the required MCLE courses, and failing to provide satisfactory proof of completion of 60 hours of *pro bono* services, Respondent failed to comply with the terms and conditions of the June 17, 2004 reproof order.

By failing to comply with the terms and conditions of the reproof order, Respondent wilfully violated Rule 1-110 of the Rules of Professional Conduct.

ADDITIONAL CONDITIONS OF PROBATION

1. Respondent shall successfully complete twelve (12) hours of live instruction continuing legal education courses in legal ethics, four (4) of which shall be in attorney-client

**Attachment to Stipulation re
Facts, Conclusions of Law and Disposition**

relations, and provide proof of completion within twenty-four (24) months of the effective date of his probation;

2. These twelve (12) hours of continuing legal education courses shall not count toward completion of California's Minimum Continuing Legal Education (MCLE) requirements, but shall be over and above those required by the MCLE rules.
3. Respondent shall successfully complete State Bar Ethics School in the last year of his probation and provide to the Office of Probation satisfactory proof of attendance and passage of the test given at the end of that session.

AUTHORITIES SUPPORTING DISCIPLINE

STANDARDS FOR ATTORNEY SANCTIONS

Pursuant to Standard 1.3 of the Standards for Attorney Sanctions for Professional Misconduct:

The primary purposes of disciplinary proceedings conducted by the State Bar of California and of sanctions imposed upon a finding or acknowledgment of a member's professional misconduct are the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the protection of public confidence in the legal profession.

Here, the requested discipline complies with Standard 1.3.

Pursuant to Standard 1.7(a) of the Standards for Attorney Sanctions for Professional Misconduct:

The degree of discipline shall be greater than that imposed in the prior proceeding unless the prior discipline imposed was so remote in time to the current proceeding and the offense for which it was imposed was so minimal in severity that imposing greater discipline in the current proceeding would be manifestly unjust.

Pursuant to Standard 2.9 of the Standards for Attorney Sanctions for Professional Misconduct:

A wilful violation of rule 1-110 of the Rules of Professional Conduct, shall result in suspension.

The Supreme Court gives the Standards "great weight," and will reject a recommendation consistent with the Standards only where the Court entertains "grave doubts" as to its propriety. (*In re Naney* (1990) 51Cal.3d 186, 190; *In re Silvertown* (2005) 36 Cal.4th 81, 91, 92.) Further,

**Attachment to Stipulation re
Facts, Conclusions of Law and Disposition**

although the Standards are not mandatory, it is well established that the Standards may be deviated from only when there is a compelling, well-defined reason to do so. (See *Aronin v. State Bar* (1990) 52 Cal.3d 276, 291; *Bates v. State Bar* (1990) 52 Cal.3d 1056, 1060, fn. 2.) The recommended discipline, along with the required *pro bono* services, will adequately serve to protect the public and the profession.

The stipulated discipline imposing a stayed suspension is warranted. The “quarterly probation reporting is an important step towards an attorney probationer’s rehabilitation because it requires the attorney, four times a year, to review and reflect upon his professional conduct in light of the minimum professional standards that are set forth...[and] it requires the attorney to review his conduct to ensure that he complies with all of the conditions of [his] disciplinary probation.” (*In the Matter of Wiener* (Review Dept. 1997) 3 Cal. State Bar Rptr. 759, 763.)

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(7), was June 30, 2006.

COSTS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of June 30, 2006, the estimated prosecution costs in this matter are approximately \$2,296.00¹. Respondent acknowledges that this figure is an estimate only and that it does not include incidental expenses (see Bus. & Prof. Code section 6068.10(c)) or taxable costs (see C.C.P. section 1033.5(a)) 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.

59432.1

¹This amount reflects the Discipline Costs associated with disciplinary actions for disciplinary matters that settle during the first 120 days of proceeding. According to the cost schedule, effective January 1, 2003, the amount had a settlement been reached prior to the expiration of 120 days after the filing of the Notice of Disciplinary Charges is \$2,296.00. The parties agree and the Court finds that a meaningful effort was made to settle the case within the 120 days, expiring January 6, 2006. Although the actual document is being filed thereafter, in the interest of justice, the cost level is assessed at the 120-day period.

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In the Matter of NICHOLAS G. DEMMA	Case number(s): 05-H-03434-JMR
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SIGNATURE OF THE PARTIES

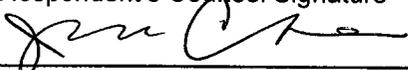
By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Fact, Conclusions of Law and Disposition.

7-17-06
Date


Respondent's Signature

NICHOLAS G. DEMMA
Print Name

Date
7-20-06
Date

Respondent's Counsel Signature

Deputy Trial Counsel's Signature

Print Name
JEAN CHA
Print Name

(Stipulation form approved by SBC Executive Committee 10/16/00. Revised 12/16/2004.)

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In the Matter of NICHOLAS G. DEMMA	Case number(s): 05-H-03434-JMR
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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

7/24/06


Honorable Richard A. Honn
Judge of the State Bar Court

