PUBLIC MATTER

STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT – LOS ANGELES

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In the Matter of

JAMES FRIEND JORDAN

Member No. 74606

A Member of the State Bar.

Case No.: 05-O-00935-RAP

ORDER RE STATE BAR'S MOTION FOR RECONSIDERATION/MODIFICATION

On June 3, 2009, the Office of the Chief Trial Counsel of the State Bar of California (State Bar), by and through Deputy Trial Counsel Christine Souhrada, filed a motion for reconsideration/modification of the court's May 18, 2009 Decision. On June 17, 2009, attorney James R. DiFrank, on behalf of respondent James Friend Jordan, filed an opposition to the State Bar's motion for reconsideration.

In its motion for reconsideration/modification, the State Bar requested that the court's May 18, 2009 Decision be modified to require, among other things, that respondent be actually suspended for 90 days and until he pays the sanctions ordered on September 10, 2004 and October 12, 2005. Having considered the parties' moving papers, the State Bar's motion for reconsideration/modification is **DENIED**. There is an insufficient showing of errors of law or fact based on the evidence already before the court, and there are no new or different facts, circumstances or law. (Rule 224, Rules Proc. of State Bar.)

However, upon further reflection, the decision filed on May 18, 2009, is hereby MODIFIED, sua sponte, to include the following modification:



FILED JUN 30 2009 4 CC

STATE BAR COURT

CLERK'S OFFICE

LOS ANGELES

1. On page 17 of the decision, numbered paragraph two, "Respondent must provide satisfactory proof of such sanctions payments to the State Bar's Office of Probation in Los Angeles within the period of probation" is deleted, and in its place is inserted "Respondent must provide satisfactory proof of such sanctions payments to the State Bar's Office of Probation in Los Angeles within one year after the effective date of the Supreme Court's disciplinary order." The remainder of this paragraph remains the same.

The amendment ordered is not a clerical correction. Accordingly, the time for filing a motion to reopen the record, for a new trial and/or for reconsideration of the court's May 18, 2009 decision, under rules 222, 223 and/or 224, respectively, of the Rules of Procedure of the State Bar of California (Rules of Procedure) and the time for filing a request for review of said decision under rule 301 of the Rules of Procedure will be calculated from the date this order is served on the parties.

IT IS SO ORDERED.

Dated: June 30, 2009

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RICHARD A. PLATEL 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 June 30, 2009, I deposited a true copy of the following document(s):

ORDER RE STATE BAR'S MOTION FOR RECONSIDERATION/MODIFICATION

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:

JAMES F JORDANJAMES R DIFRANKLAW OFC JAMES F JORDAN & ASSOC12227 PHILADELPHIA ST42335 WASHINGTON ST STE F-411WHITTIER CA 90601-3931PALM DESERT CA 92211VHITTIER CA 90601-3931

by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

by overnight mail at , California, addressed as follows:

- by fax transmission, at fax number . No error was reported by the fax machine that I used.
- By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

CHRISTINE SOUHRADA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 30, 2009.

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Angela Øwens-Carpenter Case Administrator State Bar Court