



ORIGINAL

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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 KATHERINE D. KINSEY DEPUTY TRIAL COUNSEL THE STATE BAR OF CALIFORNIA 1149 S. HILL STREET LOS ANGELES, CA 90015 213-765-1000 Bar #183740	Case number(s) 05-0-00982 05-0-03433 <p style="text-align: center; font-size: 1.2em;">PUBLIC MATTER</p>	(for Court's use) <p style="text-align: center; font-size: 1.5em;">FILED</p> <p style="text-align: center;">MAY 24 2006 <i>AC</i></p> <p style="text-align: center;">STATE BAR COURT CLERKS OFFICE LOS ANGELES</p>
<input type="checkbox"/> Counsel for Respondent <input checked="" type="checkbox"/> In Pro Per, Respondent DANIEL S. GLASER 2754 WOODHAVEN DR. LOS ANGELES, CA 90068 Bar #172056	Submitted to <input checked="" type="checkbox"/> assigned judge <input type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING <p style="text-align: center;">ACTUAL SUSPENSION</p> <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of DANIEL SCOTT GLASER Bar #172056 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 December 1, 1994
(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):

- ☐ until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 284, Rules of Procedure.
- ☒ costs to be paid in equal amounts prior to February 1 for the following membership years:
two (2) billing cycles following the effective date of the
Supreme Court order
(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
- ☐ costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
- ☐ 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.

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- (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.
- (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.

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- (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: See page 13 attached

D. Discipline:

(1) ☒ **Stayed Suspension:**

- (a) ☒ Respondent must be suspended from the practice of law for a period of one (1) year
- 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: _____

(b) ☒ The above-referenced suspension is stayed.

(2) ☒ **Probation:**

Respondent must be placed on probation for a period of two (2) years,
which will commence upon the effective date of the Supreme Court order in this matter.
(See rule 953, Calif. Rules of Ct.)

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(3) ☒ **Actual Suspension:**

(a) ☒ Respondent must be actually suspended from the practice of law in the State of California for a period of thirty (30) days

- 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: _____

E. Additional Conditions of Probation:

- (1) ☐ If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) ☒ During the probation period, 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 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.
- (4) ☒ Within thirty (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 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 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.

- (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 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.
- (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 probation conditions.

(Do not write above this line.)

- (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 at a session of the Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. 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 to be filed with the Office of Probation.
- (10) ☒ The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input checked="" type="checkbox"/> 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 during the period of actual suspension or within one year, whichever period is longer. 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) ☐ **Rule 955, California Rules of Court:** Respondent must comply with the requirements of rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) ☐ **Conditional Rule 955, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 955, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) ☐ **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension: _____
- (5) ☐ **Other Conditions:** _____

(Do not write above this line.)

In the Matter of Daniel S. Glaser	Case Number(s): 05-O-00982; 05-O-03433
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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
Client Security Fund	\$1,000	January 6, 2005
David R. Lucchese	\$2,890	April 8, 2005

- ☐ Respondent must pay the above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than _____.

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 reprobation), 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
CSF	\$100	monthly
David R. Lucchese	\$160.55	monthly

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: Daniel Scott Glaser

Case Numbers: 05-O-00982; 05-O-03433

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, Daniel Scott Glaser, was admitted to the practice of law in the State of California on December 1, 1994, was a member at all times pertinent to these charges and is currently a member of the State Bar of California.

Case no. 05-O-00982

1. In 2002, Respondent was the attorney of record for Matthew Girardi in a medical malpractice matter entitled Girardi vs. St. John's Health Center et. al., Los Angeles County Superior Court case no. SC068356 (the "medical malpractice matter"). The court scheduled trial in the medical malpractice matter for January 22, 2003. Respondent received proper notice of the trial date.
2. In November 2002, Respondent contacted Dr. James Norman ("Dr. Norman") to discuss retaining Dr. Norman as a medical expert in the medical malpractice matter. However, Respondent did not formally retain Dr. Norman as an expert in the medical malpractice matter.
3. In December 2002, Respondent filed an expert witness list on behalf of Girardi with the court in the medical malpractice matter and served the list on opposing counsel in the medical malpractice matter. In the expert witness list, Respondent listed Dr. Norman as an expert.
4. Dr. Norman contends that by December 2002, he had informed Respondent that he would not be an expert in the medical malpractice matter.
5. On January 10, 2003, Respondent submitted Plaintiff's Witness List to the court in the medical malpractice matter. In the witness list, Respondent listed Dr. Norman as a potential witness.
6. Respondent admits that by mid- January 2003, he was aware that Dr. Norman would not be an expert in the medical malpractice matter. In January 2003, Respondent's client, Matthew Girardi, also became aware Dr. Norman would not be an expert.
7. On January 21, 2003, Respondent filed a motion and declaration requesting a forty-five day continuance of the trial in the medical malpractice matter. In his motion, Respondent contended he needed the continuation because of the "unexpected unavailability of Plaintiff's designated expert [Dr. Norman]."
8. On January 21, 2003, the court granted Respondent's request for a continuance. The trial in the medical malpractice matter was continued to June 16, 2003. The court scheduled the final

status conference for June 6, 2003, which was later rescheduled by the court to June 9, 2003.

9. On June 9, 2003, defense counsel in the medical malpractice matter filed a motion to exclude Dr. Norman as a witness in the medical malpractice matter based on plaintiff's repeated failure to produce Dr. Norman for deposition.

10. On June 9, 2003, the court held the final status conference in the medical malpractice matter. At the June 9, 2003 hearing, the court ordered Respondent to call defense counsel within twenty-four hours to advise defense counsel when in the following four days Dr. Norman would be available for a deposition.

11. By June 16, 2003, Respondent had not produced Dr. Norman for a deposition, and on June 16, 2003, the court granted the defendant's motion to exclude Dr. Norman and continued the trial date in the medical malpractice matter to September 2, 2003.

12. On July 17, 2003, Respondent filed a motion to augment plaintiff's expert witness list. The defendants in the medical malpractice matter opposed the motion.

13. On August 7, 2003, the court in the medical malpractice matter denied Respondent's motion to augment the plaintiff's expert witness list.

14. On August 26, 2003, Respondent filed a motion for reconsideration asking the court to reconsider its denial of plaintiff's motion to augment his witness list.

15. On or about September 2, 2003, the court in the medical malpractice matter denied Respondent's motion for reconsideration.

16. On or about November 14, 2003, the parties in the medical malpractice matter filed a Stipulation for Entry of Consent Judgment (the "stipulation"). Pursuant to the terms of the stipulation, the parties agreed that in the absence of an expert witness on plaintiff's behalf, there was not a reasonable likelihood that plaintiff could prevail in the medical malpractice matter. As a result, the parties stipulated that judgment be entered in favor of the defendants.

Conclusions of Law

By misrepresenting to the court and to opposing counsel that he had retained an expert in the medical malpractice matter when he had not and by misrepresenting to the court and opposing counsel in his January 21, 2003 declaration that a trial continuance was necessary because of the expert's schedule, Respondent committed acts involving moral turpitude or dishonesty in violation of Business and Professions Code section 6106.

The LeMaile-Williams matter

1. On January 23, 2004, Respondent filed a complaint on behalf of Robert L. LeMaile-Williams and Machara LeMaile-Williams entitled Robert L. LeMaile-Williams, et. al. v. Robert Sanford M.D. et. al., Los Angeles County Superior Court case no. SC309482 (the "medical malpractice action").
2. On or about October 21, 2004, Dr. Robert Sanford ("Dr. Sanford") filed a motion for summary judgment in the medical malpractice action. The hearing on the summary judgment motion was scheduled for January 6, 2005. Respondent received proper notice of the summary judgment motion and hearing.
3. On January 6, 2005, Respondent had not filed opposition to the summary judgment motion and filed a motion asking the court to extend the time to respond to Dr. Sanford's motion on the grounds he had miscalendared the due date for opposition.
4. On January 6, 2005, the court found that there was inexcusable neglect on the part of Respondent for not filing opposition to the summary judgment motion and sanctioned Respondent \$1,000. The court ordered Respondent to pay the sanctions to the County of Los Angeles by January 12, 2005. The court also ordered Respondent to pay \$1,000 to the Client Security Fund of the State Bar of California by January 12, 2005. Finally, the court ordered Respondent to pay \$850 in sanctions to defendant, Dr. Sanford by January 12, 2005. Respondent was present in court and received proper notice of the sanction orders.
5. On or about January 6, 2005, the court in the medical malpractice action also ordered Respondent to file and serve the opposition to the motion for summary judgment by 3:00 p.m. that day. The court continued the hearing regarding the motion for summary judgment to January 11, 2005.
6. On January 6, 2005, Respondent made an oral request for a stay of enforcement of the court's sanction orders, which was denied by the court.
7. On January 6, 2005, Respondent filed and served opposition to Dr. Sanford's motion for summary judgment.
8. Respondent failed to report the \$2,850 in sanctions to the State Bar of California and failed to pay the sanction by January 12, 2005 as ordered.
9. On January 11, 2005, the court held a hearing in the medical malpractice action. At the January 11, 2005 hearing, the court granted Dr. Sanford's motion for summary judgment.
10. On June 1, 2005, based on Respondent's failure to pay the sanctions ordered on January 6, 2005, the court issued an Order to Show Cause ("OSC") and set the OSC hearing for June 15, 2005 regarding Respondent's failure to pay sanctions. The court's June 1, 2005 order was properly served on Respondent. Respondent received the court's June 1, 2005 order.
11. On June 15, 2005, Respondent appeared at the OSC hearing regarding his failure to pay

sanctions. On or about June 15, 2005, the court ordered Respondent to pay the sanctions by June 27, 2005. Respondent was present in court and received proper notice of the new sanction due date. Nevertheless, Respondent failed to pay the sanctions by June 27, 2005.

12. On or about August 22, 2005, Respondent paid \$1,000 in sanctions to Los Angeles Superior Court.

13. On or about October 28, 2005, counsel for Dr. Sanford wrote Respondent advising him that they were waiving the \$850 in sanctions that had been ordered paid to them in the medical malpractice action.

14. To date, Respondent has not paid the \$1,000 to the Client Security Fund of the State Bar of California.

Conclusions of Law

By failing to comply with the January 6, 2005 court order requiring Respondent to pay \$2,850 in sanctions by January 12, 2005, Respondent wilfully disobeyed or violated a court order in violation of Business and Professions Code section 6103.

By failing to report to the State Bar of California within 30 days of the court's order that a court had imposed sanctions against him in the amount of \$2,850, Respondent wilfully violated Business and Professions Code section 6068(o)(3).

The Cueto matter

1. On or about August 18, 2003, Peter J. McNulty ("McNulty") of the McNulty Law Group filed a complaint on behalf of Allison Cueto in a matter entitled Allison Cueto, a minor v. Cheryl Hamilton M.D., et. al., Solano County Superior Court case no. FCS022709 (the "civil action"). Respondent, an associate with the McNulty Law Group, was the attorney assigned to the civil action.

2. On March 30, 2004, the defendants in the civil action filed a mandatory settlement conference statement.

3. On April 1, 2004, the defendants in the civil action filed a trial management conference report.

4. As of April 4, 2004, Respondent had not filed a Mandatory Settlement Conference Statement and had not filed a Trial Management Conference Report on Cueto's behalf.

5. On April 4, 2004, the court held a trial management conference in the civil action. Respondent did not appear but rather sent another attorney to appear on Cueto's behalf.

6. On April 4, 2004, the court found that there was no good reason why plaintiff's counsel failed to appear at the mandatory settlement conference. As a result, on April 4, 2004, the court ordered McNulty to appear on April 8, 2004 and show cause why the court should not terminate the civil action.

due to counsel's failure to appear at the mandatory settlement conference, failure to file a trial management conference report and failure to file a settlement conference statement.

7. On April 5, 2004, Respondent filed a declaration in response to the order to show cause in the civil action. In his April 5, 2004 declaration, Respondent informed the court that he was the attorney assigned to handle the civil action and explained that he had hired an attorney in Solano to appear on his behalf so the client would not incur the extra expense. Respondent also requested that if sanctions are imposed, that they be imposed against him and not the client.

8. On April 8, 2005, Respondent appeared at the order to show cause in the civil action. On April 8, 2005, the court imposed \$1,000 in sanctions against Respondent for failing to appear at the mandatory settlement conference. The court also imposed \$500 in sanctions against Respondent for failing to file and serve a trial management conference statement. Further, the court imposed attorney costs in the amount of \$2,890 payable to opposing counsel in the civil action. The court ordered that all sanctions and costs be paid no later than June 13, 2005. Respondent was present in court and received proper notice of the sanctions order.

9. Respondent failed to report the imposition of sanctions to the State Bar of California and failed to pay the sanctions by June 13, 2005 as ordered.

10. On or about January 4, 2006, the court in the civil action granted Respondent's request for an extension to June 30, 2006 to pay the \$1,500 sanctions to the court in the civil action.

11. To date, Respondent has not paid the \$2,890 owed to opposing counsel in the civil action.

Conclusions of Law

By failing to comply with the April 8, 2004 court order requiring Respondent to pay sanctions and costs by June 13, 2005, Respondent wilfully disobeyed or violated a court order in violation of Business and Professions Code section 6103.

By failing to report to the State Bar of California within 30 days of the court's order that a court had imposed sanctions against him in an amount over \$1,000, Respondent wilfully violated Business and Professions Code section 6068(o)(3).

Supporting Authority

Standard 2.3 provides that an act of moral turpitude, fraud, or intentional dishonesty toward a court or client shall result in actual suspension or disbarment depending upon the extent of the harm to the victim, the magnitude of the act of misconduct and the degree to which it relates to the practice of law.

Mitigation – Family Problems

Respondent was hired by the McNulty Law Firm in March 2000. At the time he was hired, Respondent was the only associate and the firm had approximately 50 to 75 active matters. However, in the last few years, the firm has moved toward handling national class action matters while also handling individual matters. Respondent contends he was put under a tremendous amount of stress by the number of cases the firm was handling. While one other young associate was hired by the firm, Respondent contends that he was handling a majority of the active matters and was overwhelmed by the workload during the period of misconduct. As a result, Respondent resigned from the McNulty Law Firm in March 2006.

Also, on July 25, 2003, Respondent's wife initiated divorce proceedings against Respondent. The parties were married in November 1994 and have two minor children. Respondent contends the divorce proceedings caused a great deal of strain. The judgment in the divorce proceedings was filed on December 15, 2005.

In addition, Respondent also contends that the unexpected death of his brother in law, Steven Fuld, on October 10, 2003 contributed to Respondent's anxiety and stress. Respondent had been close to Fuld for over twenty years.

In December 2003, Respondent suffered a spike in his blood pressure and sought the treatment of a physician. The doctor temporarily put Respondent on Zoloft citing "the severe stress and anxiety he has undergone."

Other Mitigating Factors

Respondent has no prior record of discipline in over eleven (11) years of practice.

Pending Proceedings

The disclosure date referred to on Page 1, paragraph A. (6), was made on May 15, 2006.

(Do not write above this line.)

In the Matter of DANIEL SCOTT GLASER	Case number(s): 05-0-00982 05-0-03433
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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.

5/15/2006
Date


Respondent's signature


DANIEL S. GLASER
Print name

Date

Respondent's Counsel's signature

Print name

5/15/06
Date


Deputy Trial Counsel's signature

KATHERINE D. KINSEY
Print name

(Do not write above this line.)

In the Matter of DANIEL SCOTT GLASER	Case number(s): 05-O-00982 05-O-03433
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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.)**

MAY 23, 2006
Date


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 May 24, 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 Los Angeles, California, addressed as follows:

**DANIEL S GLASER
2754 WOODHAVEN DR
LOS ANGELES CA 90068**

- [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 May 24, 2006.



Angela Owens-Carpenter
Case Administrator
State Bar Court