



ORIGINAL

(Do not write above this line.)

State Bar Court of California		
Hearing Department <input checked="" type="checkbox"/> Los Angeles		<input type="checkbox"/> San Francisco
Counsel for the State Bar Melanie J. Lawrence Deputy Trial Counsel 1149 S. Hill Street Los Angeles, California 90015-2299 Tel: (213) 765-1380 Bar # 230102	Case number(s) 05-O-02012	(for Court's use) <div style="text-align: center; font-size: 24pt; font-weight: bold;">FILED</div> <div style="text-align: center; font-size: 18pt; font-weight: bold;">JUL 26 2006</div> <div style="text-align: center; font-weight: bold;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</div>
<input checked="" type="checkbox"/> Counsel for Respondent <input type="checkbox"/> In Pro Per, Respondent MICHAEL E. WINE 301 N. Lake Ave., Ste. 800 Pasadena, CA 91101-5113 (626)796-6688 Bar # 58657	<div style="font-size: 36pt; font-weight: bold; opacity: 0.5;">PUBLIC MATTER</div>	
In the Matter of MAURICIO E. HERNANDEZ Bar # 123368 A Member of the State Bar of California (Respondent)	Submitted to <input type="checkbox"/> assigned judge <input checked="" type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING 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 June 10, 1986
(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 13 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: for the 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.

(Do not write above this line.)

- (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.

(Do not write above this line.)

- (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:

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.)

(Do not write above this line.)

(3) **Actual Suspension:**

(a) Respondent must be actually suspended from the practice of law in the State of California for a period of 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 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:**

ATTACHMENT TO STIPULATION

RE: FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: MAURICIO ERNESTO HERNANDEZ

CASE NUMBER(S): 05-O-02012

A.) 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.

WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CULPABILITY:

The parties waive any variance between the Notice of Disciplinary Charges filed on March 9, 2006, and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

Facts:

1. On August 13, 2002, Rose Gutierrez employed Respondent, an associate at the law firm of Eric D. Paris ("Paris"), to represent her on a contingency fee basis for a personal injury claim arising from a false arrest incident at Wal-Mart Stores, Inc. ("Wal-Mart") on July 8, 2002.
2. On July 7, 2003, Respondent filed an action in the Riverside County Superior Court on behalf of Gutierrez, entitled *Gutierrez v. Wal-Mart Stores, Inc.*, case no. RIC396147 ("Gutierrez matter").
3. On May 12, 2004, Respondent agreed with Claims Management, Inc., ("Claims Management"), Wal-Mart's claims negotiator, to settle Gutierrez's case for \$5,000. Respondent received the settlement check from Claims Management. Respondent did not inform Gutierrez that he had received her settlement check.
4. Wal-Mart's, settlement check made out to payees Eric D. Paris and Gutierrez was received by Respondent on or about June 15, 2004. The check was deposited into Paris' client trust account on or about June 18, 2004.
5. On September 23, 2004, Gutierrez placed a telephone call to Respondent's office and left a message for Respondent to return her call inquiring about the status of the Gutierrez matter. Respondent did not reply to this inquiry.

6. On October 29, 2004, Gutierrez placed two telephone calls to Respondent's office and left a message for Respondent to return her call inquiring about the status of her matter. Respondent did not respond to the inquiries.

7. On November 30, 2004, Gutierrez placed two telephone calls to Respondents' office for Respondent to return her call inquiring about the status of her matter. Respondent did not reply to the inquiries.

8. On February 24, 2005, Gutierrez wrote a letter to Respondent, which she sent registered mail, return receipt requested, inquiring as to the status of her case. Respondent did not reply to the Gutierrez letter.

9. As a result of not receiving a reply to her February 24, 2005, letter, Gutierrez filed a State Bar complaint against Respondent on March 30, 2005.

10. On May 5, 2005, Respondent mailed a "Case Settlement Breakdown Sheet" and an "acknowledgment and approval of all disbursements" for the Gutierrez matter, to Gutierrez for her approval.

11. On August 10, 2005, Gutierrez signed the "acknowledgment and approval of all disbursements" form. On August 17, 2005, Gutierrez returned the approval form to Respondent.

12. On August 18, 2005, Respondent sent Gutierrez her share of the Wal-Mart settlement in the Gutierrez matter, \$1089.74.

13. The State Bar of California sent Respondent a correspondence dated September 22, 2003, notifying Respondent he was not in compliance with the MCLE Rules and Regulations ("the Rules"), and that pursuant to section 13.1 of the Rules, Respondent was enrolled on "not entitled" status effective Sept. 16, 2003. As of September 16, 2003, Respondent was not entitled to practice law in California. Respondent received the correspondence.

14. Respondent's not entitled status was in effect from September 16, 2003, until January 26, 2004. Respondent was not entitled to practice law in California during that time period.

15. From August 6, 2002, until on or about August 18, 2005, Respondent was the attorney of record for Rosa Gutierrez in the case of *Gutierrez v. Wal-Mart Stores, Inc.*, case no. RIC396147, Superior Court of the State of California, County of Riverside.

16. On October 24, 2003, Respondent sent Gutierrez legal correspondence relating to a deposition in the Gutierrez matter. Said correspondence was in the form of a facsimile on Respondents' legal letterhead. Said correspondence instructed Gutierrez to "Please arrive 15 to 30 minutes earlier to the deposition site."

17. On November 3, 2003, Respondent sent Gutierrez legal correspondence regarding the Gutierrez matter. Said correspondence was in the form of a letter on Respondent's legal letterhead signed by Respondent. Said correspondence included three verification forms. Said correspondence instructed Gutierrez to: "Please sign each form where indicated, and return to our office no later than November 10, 2003. Also, please forward a copy of your California Driver's License/Identification Card with the signed Verifications."

18. On November 17, 2003, Respondent sent Gutierrez legal correspondence regarding the Gutierrez matter. Said correspondence was in the form of a letter on Respondent's legal letterhead signed by Respondent. Said correspondence advised Gutierrez: "Please be informed that the defense counsel has set your deposition as follows." In said correspondence Respondent also instructed Gutierrez to: "Please make arrangements to arrive at the above location by 12:00 p.m. in order to meet with me prior to the deposition. Your attendance is imperative also please bring photo identification."

19. Respondent remained attorney of record in the Gutierrez matter throughout his period of not entitled status from September 16, 2003, until January 26, 2004.

20. At no time from September 16, 2003 to January 26, 2004, did Respondent inform Gutierrez of Respondent's not entitled status.

Legal Conclusion:

By failing to inform his client of the receipt of her settlement funds from June 2004 to May 2005, Respondent failed to promptly notify his client of the receipt of her settlement funds, in violation of Rules of Professional Conduct, rule 4-100(B)(1). By not sending Gutierrez an "acknowledgment and approval of all disbursements" form after her telephone and written inquiries until May 5, 2005, so that she could receive her funds, Respondent failed to deliver promptly funds in his possession which his client was entitled to receive, in violation of Rules of Professional Conduct, rule 4-100(B)(4). By failing to respond to Gutierrez's telephonic and written requests for information regarding the status of her case between September 2004 and May 2005, Respondent failed to respond promptly to reasonable status inquiries of a client, in violation of Business and Professions Code, section 6068(m). By sending legal correspondence to Gutierrez on October 24, 2003, November 3, 2003 and November 17, 2003, and by remaining as attorney of record in the Gutierrez matter during his period of not entitled status, Respondent willfully violated Business and Professions Code, section 6068(a), by holding himself out as practicing or entitled to practice law or otherwise practicing law when he was not an active member of the State Bar in violation of Business and Professions Code, sections 6125 and 6126.

B. SUPPORTING AUTHORITIES

Standard 2.2(b) provides that discipline for a violation of rule 4-100, Rules of Professional Conduct, where there is no willful misappropriation of entrusted funds or property, shall result in at least a three month actual suspension, irrespective of mitigating circumstances.

Standard 2.4(b) provides that the discipline for willfully failing to perform services in an individual matter or matters not demonstrating a pattern of misconduct or culpability of a member of willfully failing to communicate with a client shall result in reproof or suspension depending upon the extent of the misconduct and the degree of harm to the client.

Standard 2.6 applies to violations of Business and Professions Code, section 6068. It provides for disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.

Standard 1.6(a) states that where two or more acts of professional misconduct are charged and different sanctions are prescribed by the standards for the acts, the sanction imposed shall be the more or most severe of the different applicable sanctions.

In *Guzetta v. State Bar* (1987) 43 Cal.3d 962, an attorney with no prior record of discipline received six months actual suspension for multiple violations related to two client matters, including violations of rule 8-101(A) and (B)¹ in one matter and rule 6-101(2)² in another matter. The facts were compounded by the attorney's misrepresentation to the client regarding the status of the client's case.

In the *Matter of Lazarus* (1991) 1 Cal. State Bar Ct. Rptr. 387, an attorney who failed to notify his client in a timely manner of receipt of a medical payment draft and failed to render appropriate accounts, in violation of former rules 8-101(B)(1) and 8-101(B)(3), was suspended for two months, execution stayed with one year probation and various conditions. In aggravation, the attorney had a contractual lien for fees but had withdrawn before completion of the case, rendering the actual amount he was entitled to, uncertain at the time he unilaterally determined his fee and withdrew trust funds to satisfy the amount. In mitigation, the attorney had been a member of the bar for over ten years with no record of discipline and no monetary harm occurred as a result of the attorney's conduct.

C. AGGRAVATION / MITIGATION

Respondent's misconduct, including failing to notify Gutierrez of the Wal-Mart settlement funds, failing to deliver to Gutierrez the balance of settlement funds she received on her behalf, failing to deliver promptly funds in his possession which his client was entitled to receive, failing to respond to telephonic and written requests for

¹ Rule 8-101 is now rule 4-100.

² Rule 6-101(2) is now rule 3-110.

status information in the Gutierrez matter, and holding himself out as practicing law when he was not an active member of the State Bar, evidences multiple acts of wrongdoing.

In mitigation, Respondent's son suffered a serious medical condition requiring surgery and his hospitalization from October to November 2004. Respondent's failure to respond to Gutierrez's inquiries during this time was attributable to respondent's serious family stress. Additionally, Respondent has been a licensed attorney for twenty years with no prior history of disciplinary action.

D. DISMISSALS

The parties move the Court to dismiss Count One [Violation of Rule 3-110(A), Failure to Perform with Competence] and Count Five [Violation of Business and Professions Code §6106, Moral Turpitude: Misrepresentation to Client.]

E. COST ESTIMATE

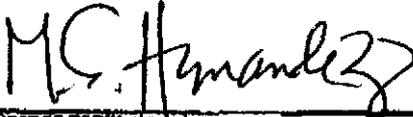
The cost assessment for the use of State Bar resources in the instant case is estimated at \$3,654.00.

(Do not write above this line.)

In the Matter of MAURICIO E. HERNANDEZ Member #: 123368	Case number(s): 05-O-02012
--	-----------------------------------

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>7/24/06</u> Date	 Respondent's signature	<u>MAURICIO E. HERNDANDEZ</u> Print name
_____ Date	_____ Respondent's Counsel's signature	<u>MICHAEL E. WINE</u> Print name
_____ Date	_____ Deputy Trial Counsel's signature	<u>MELANIE J. LAWRENCE</u> Print name

(Do not write above this line.)

In the Matter of MAURICIO E. HERNANDEZ Member #: 123368	Case number(s): 05-O-02012
--	-----------------------------------

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.

Date	Respondent's signature	MAURICIO E. HERNDANDEZ Print name
7/24/06 Date	 Respondent's Counsel's signature	MICHAEL E. WINE Print name
7/25/06 Date	 Deputy Trial Counsel's signature	MELANIE J. LAWRENCE Print name

(Do not write above this line.)

In the Matter of MAURICIO E. HERNANDEZ Member #: 123368	Case number(s): 05-O-02012
---	-----------------------------------

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.)

7/26/06
Date


Judge of the State Bar Court

ROBERT M. TALCOTT

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 July 26, 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:

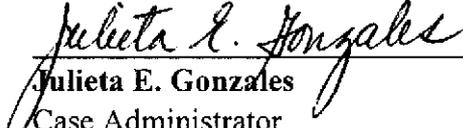
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**MICHAEL E WINE ESQ
301 N LAKE AVE STE 800
PASADENA, CA 91101-5113**

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

Melanie J. Lawrence, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **July 26, 2006**.



Julieta E. Gonzales
Case Administrator
State Bar Court