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STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCOSTATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES

In the Matter of)	Case No.: 05-O-03774-LMA (S174534)
)	
HERBERT PAPENFUSS)	ORDER GRANTING MOTION FOR
)	REDUCTION OF AMOUNT OF COSTS
Member No. 51299)	AND FOR PAYMENT OF COSTS IN
)	INSTALLMENTS
<u>A Member of the State Bar.</u>)	

On December 10, 2009, respondent Herbert Papenfuss filed a motion for relief from costs imposed by Supreme Court order no. S174534, filed October 14, 2009. The motion was made on the grounds of hardship and actions by the State Bar. (Rules Proc. of State Bar, rule 282(a) and (b)(2).) The Office of the Chief Trial Counsel (State Bar), by Kimberly G. Anderson, filed opposition thereto on December 23, 2009.

Having considered the parties' contentions and good cause appearing, the court GRANTS the motion and orders that:

(1) The amount of disciplinary costs payable by respondent be reduced from \$13,463 (level 6) to \$4,920 (level 4) plus \$104 for copying costs for a total of \$5,024.00;

(2) Respondent pay one-fifth of the costs awarded in Supreme Court order no. S174534, as modified, with his membership fees for each of the years 2011, 2012, 2013, 2014 and 2015. It is further ordered that if respondent fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately



unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

IT IS SO ORDERED.

Dated: January 12, 2010



LUCY ARMENDARIZ
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 San Francisco, on January 12, 2010, I deposited a true copy of the following document(s):

ORDER GRANTING MOTION FOR REDUCTION OF AMOUNT OF COSTS AND FOR PAYMENT OF COSTS IN INSTALLMENTS

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 San Francisco, California, addressed as follows:

**HERBERT PAPENFUSS
4575 COVE DR
CARLSBAD, CA 92008-4282**

- ☐ 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:

KIMBERLY ANDERSON, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on January 12, 2010.



Bernadette C.O. Molina
Case Administrator
State Bar Court