

**FILED**

FEB 28 2011

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**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – SAN FRANCISCO**

In the Matter of)	Case No.: 05-O-04079
)	07-O-12385
SCOTT M. KENDALL,)	[CONSOLIDATED]
)	
Member No. 166156,)	
)	NOTICE OF ENTRY OF DEFAULT;
A Member of the State Bar.)	ORDER ENROLLING INACTIVE AND
		FURTHER ORDERS

NOTICE OF ENTRY OF DEFAULT:

TO ALL PARTIES AND COUNSEL IN THE ABOVE-ENTITLED MATTERS:

On January 18, 2011, the court issued an Order to Show Cause why Respondent Scott M. Kendall's response in the above-entitled proceeding should not be stricken and his default entered, and ordered Respondent to file a response to the Order to Show Cause on or before February 11, 2011, and to appear in person at a status conference on February 28, 2011. Respondent failed to file a response, and failed to appear at the status conference either in person or by telephone. Thus, the court hereby orders that Respondent's response is stricken and his default is entered. Respondent is hereby notified that:

Your default has been entered because of your failure to timely file a response to the Order to Show Cause filed in this proceeding. You may not participate further in these proceedings unless and until your default is set aside on motion

timely made under the prescribed grounds. See rules 200 et seq., Rules of Procedure for State Bar Court Proceedings.

In light of the entry of your default, if the discipline imposed by the Supreme Court in this proceeding includes a period of actual suspension, you will remain suspended from the practice of law for at least the period of time specified by the Supreme Court. In addition, the actual suspension will continue until you have requested, and the State Bar Court has granted, a motion for termination of the actual suspension. As a condition for terminating the actual suspension, the State Bar Court may place you on probation and require you to comply with such conditions of probation as the State Bar Court deems appropriate. See rules 205, Rules of Procedure for State Bar Court Proceedings.

The parties are hereby notified that all previously scheduled court dates are vacated. No further notices or pleadings will be served upon Respondent except for a copy of the decision of the State Bar Court and any request for review filed by the Office of the Chief Trial Counsel.

ORDER ENROLLING INACTIVE:

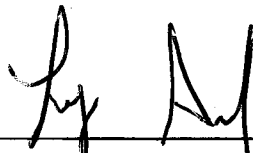
IT IS ORDERED that Respondent Scott M. Kendall be involuntary enrolled as an inactive member of the State Bar of California pursuant to section 6007(e) of the Business and Professions Code. The inactive enrollment is effective seven (7) days after service of this order by mail pursuant to rule 500 of the Rules of Procedure of the State Bar of California.

FURTHER PROCEEDINGS:

No Default Hearing will be held unless one is requested by the Office of the Chief Trial Counsel. The Office of the Chief Trial Counsel shall file any further declarations, exhibits, or legal argument re level of discipline no later than March 25, 2011. If Respondent has a prior

record of discipline which Office of the Chief Trial Counsel wishes the court to consider as a matter in aggravation, it must establish that record by clear and convincing evidence. If no further evidence is received, the matter will stand submitted on all issues on **March 28, 2011**.

Dated: February 28, 2011



LUCY ARMENDARIZ
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 February 28, 2011, I deposited a true copy of the following document(s):

NOTICE OF ENTRY OF DEFAULT; ORDER ENROLLING INACTIVE AND FURTHER ORDERS

in a sealed envelope for collection and mailing on that date as follows:

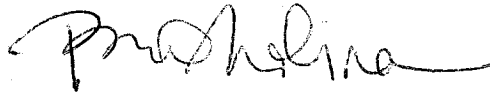
- ☒ by certified mail, No. 7160 3901 9845 7818 8340, with return receipt requested, through the United States Postal Service at San Francisco, California, addressed as follows:

SCOTT M. KENDALL
PO BOX 582883
ELK GROVE, CA 95758

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

MANUEL JIMENEZ, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on February 28, 2011.



Bernadette C.O. Molina
Case Administrator
State Bar Court