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kwiktag® 022 606 850 		<b>State Bar Court of California</b> Hearing Department Los Angeles		<b>PUBLIC MATTER</b>
Counsel For The State Bar  <b>Miho Murai</b> State Bar of California 1149 South Hill Street Los Angeles, CA 90015-2299 213-765-1219  Bar # 235178		Case Number (s) <b>06-H-12298</b>		(for Court's use)  <div style="font-size: 2em; font-weight: bold;">FILED</div>   MAR 05 2007  STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
Counsel For Respondent  <b>Michael Gerner</b> 10100 Santa Monica Blvd., Ste. 300 Los Angeles, CA 90067 310-772-2207  Bar # 65906		Submitted to: <b>Settlement Judge</b>		
In the Matter Of: <b>SASSOON SALES</b>  Bar # 59958  A Member of the State Bar of California (Respondent)		STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>STAYED SUSPENSION; NO ACTUAL SUSPENSION</b>  <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 **6/18/74**.
- (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 consists of **12** pages, not including the order.
- (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."

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- (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.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- costs added to membership fee for calendar year following effective date of discipline.
  - costs to be paid in equal amounts prior to February 1 for the following membership years: (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 **04-O-11771**
  - (b)  Date prior discipline effective **4/20/05**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **RPC 4-100(A)**
  - (d)  Degree of prior discipline **Private Reproval**
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline. **N/A**
- (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.
- (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**

N/A

**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. **See page 10**
- (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.
- (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 10

**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:

The above-referenced suspension is stayed.

(2)  **Probation:**

Respondent is placed on probation for a period of **one (1) year**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court)

**E. Additional Conditions of Probation:**

- (1)  During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2)  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.
- (3)  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.
- (4)  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.

- (5)  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.
- (6)  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.

- (7)  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 State Bar Ethics School, and passage of the test given at the end of that session.

No Ethics School recommended. Reason: **Recently completed Ethics School on July 20, 2006.**

- (8)  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.

- (9)  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 within one year. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**

No MPRE recommended. Reason: **Recently passed the November 2006 MPRE.**

- (2)  **Other Conditions:**

N/A

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Attachment language (if any):

**See Attachment Pages 7-11**

**ATTACHMENT TO**

**STIPULATION RE FACTS, CONCLUSIONS OF LAW, AND DISPOSITION**

IN THE MATTER OF:        SASSOON SALES

CASE NUMBER:            O6-H-12298

**FACTS AND CONCLUSIONS OF LAW**

Sassoon Sales ("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.

**FACTS**

1. Respondent was admitted to the practice of law in the State of California on June 18, 1974, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.
2. On February 25, 2005, Respondent entered into a Stipulation Re Facts, Conclusions of Law and Disposition ("February 25, 2005 Stipulation") with the State Bar of California in Case No. 04-O-11771.
3. On March 30, 2005, the Hearing Department of the State Bar Court filed an Order approving the February 25, 2005 Stipulation and imposing upon Respondent a private reproof with conditions (the "Order").
4. On March 30, 2005, the Order was properly served by mail to Respondent.
5. The Order and the private reproof became effective on or around April 20, 2005.
6. Pursuant to the March 30, 2005 Order, Respondent was required to comply with certain terms and conditions attached to the private reproof, including the following conditions:
  - a. To comply with the State Bar Act, the Rules of Professional Conduct, and the conditions of the private reproof during the condition period attached to the reproof;
  - b. To submit to the Office of Probation written quarterly reports each January 10, April 10, July 10, and October 10 of each year or part thereof during the condition period attached to the reproof, certifying under penalty of perjury that he has complied with all provisions of the State Bar Act and the Rules of Professional Conduct during the preceding calendar quarter or part thereof covered by the report and to file a final report no earlier than twenty (20) days prior to the expiration of the condition period attached to the reproof and no later than the last week of said period;
  - c. To attend and complete State Bar Ethics School within one (1) year of the effective date of the disciplinary order; and

d. To take and pass the Multistate Professional Responsibility Examination (“MPRE”) administered by the National Conference of Bar Examiners and provide satisfactory evidence of same to the Office of Probation within one (1) year of the effective date of the disciplinary order.

7. On June 13, 2005, Probation Deputy Eddie Esqueda (“Mr. Esqueda”) from the Office of Probation wrote a letter to Respondent reminding him of the terms and conditions of the private reproof imposed upon Respondent pursuant to the March 30, 2005 Order.
8. In the June 13, 2005 letter, Mr. Esqueda specifically advised Respondent that his first quarterly report was due beginning July 10, 2005, that he was required to take and pass the MPRE by April 20, 2006, and that he was required to complete State Bar Ethics School and provide proof of compliance to the Office of Probation by April 20, 2006. Enclosed with the June 13, 2005 letter to Respondent were a copy of the portion of the February 25, 2005 Stipulation setting forth the conditions of the reproof, a schedule of the MPRE, a quarterly report instructions sheet, a Quarterly Report form specifically tailored for Respondent to submit his quarterly reports, and an information sheet and schedule of the State Bar Ethics and Client Trust Accounting Schools.
9. Mr. Esqueda’s letter was mailed on June 13, 2005, via the United States Postal Service, first-class postage prepaid, in a sealed envelope addressed to Respondent at his State Bar membership records address. The June 13, 2005 letter was not returned to the State Bar by the United States Postal Service as undeliverable or for any other reason.
10. Respondent received the June 13, 2005 letter from Probation Deputy Eddie Esqueda.
11. Respondent filed three of the quarterly reports with the Office of Probation, but failed to timely file the final quarterly report, which was due on April 20, 2006. Respondent belatedly filed the final report on or around September 18, 2006, only after the initiation of this disciplinary proceeding. According to Respondent, the final report was not timely filed because he was contacted by a Deputy Trial Counsel who advised him that she would be filing the Notice of Disciplinary Charges.
12. Respondent belatedly completed State Bar Ethics School on July 20, 2006, only after the initiation of this disciplinary proceeding. According to Respondent, he attempted to attend the Ethics School scheduled in December 2005, but mis-calendared the date. He also attempted to attend the Ethics School scheduled in June 2006, but arrived late due to a court appearance, and consequently was denied admission.
13. Respondent belatedly took and successfully passed the MPRE on November 4, 2006, only after the initiation of this disciplinary proceeding. According to Respondent, he was prepared to take the MPRE in March 2006, but a conflict developed when one of his cases was trailing for trial. The matter commenced trial in the first week of April and lasted into mid May 2006.
14. Respondent’s counsel faxed Respondent’s MPRE scores to the State Bar on or around December 20, 2006. This should have been completed by April 20, 2006.

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## CONCLUSIONS OF LAW

By failing to comply with the conditions of the private reproof, Respondent willfully violated rule 1-110 of the Rules of Professional Conduct.

## PENDING PROCEEDINGS

The disclosure date referred to on page two, paragraph A(7), was February 9, 2007.

## AUTHORITIES SUPPORTING DISCIPLINE

Pursuant to Standard 1.3 of the Standards, the primary purposes of disciplinary proceedings and imposing sanctions for professional misconduct are, “the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys; and the preservation of public confidence in the legal profession.”

Here, the requested discipline complies with Standard 1.3.

Standard 1.6(a) provides that the appropriate sanction for an act of professional misconduct shall be the sanction set forth in the Standards for the particular misconduct found or acknowledged.

Standard 2.9 provides that, “[c]ulpability of a member of a wilful violation of rule 1-110, Rules of Professional Conduct, *shall* result in suspension” (emphasis added).

Finally, Standard 1.7(a) provides that if a member is found culpable of misconduct and has a prior record of one imposition of discipline, the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding unless the prior was remote in time and the offense for which it was imposed was so minimal that it would be manifestly unjust to impose greater discipline in the current proceeding.

The Supreme Court gives the Standards “great weight,” and will reject a recommendation consistent with the Standards only where the Court entertains “grave doubts” as to its propriety. *In re Naney* (1990) 51 Cal. 3d 186, 190; *see also In re Silvertown* (2005) 36 Cal. 4th 81, 91, 92. Further, although the Standards are not mandatory, it is well established that the Standards may be deviated from only when there is compelling, well-defined reason to do so. *See Aronin v. State Bar* (1990) 52 Cal. 3d 276, 291; *see also Bates v. State Bar* (1990) 52 Cal. 3d 1056, 1060, fn. 2.

In the case at bar, the stipulated discipline is within the range of discipline prescribed by the Standards as set forth above. It is also supported by case law. The case most analogous to the matter before us is *Conroy v. State Bar* (1990) 51 Cal. 3d 799. In *Conroy*, the underlying discipline was a private reproof with conditions, one of which was that respondent was required to take and pass the Professional Responsibility Examination (“PRE”) within one year of the effective date of the reproof, on or before December 30, 1987. The respondent failed to timely take and pass the PRE. However, he did tardily take and pass the PRE in March 1988, before the State Bar filed the reproof violation proceeding. In *Conroy*, the respondent defaulted at the Hearing Department level and was found culpable of willful violation of rule 9-101 of the former Rules of Professional Conduct, the precursor to rule 1-110 of the Rules of the Professional Conduct.

The Supreme Court in *Conroy* deemed the belated passage of the PRE to be an “extenuating factor,” but not “significant mitigation.” In aggravation, the Court found that the respondent had the one prior private reproof, that by defaulting, the respondent failed to appreciate the seriousness of the charges and the importance of participating in the State Bar proceedings, and that by suggesting on review that his misconduct was a mere technical lapse, he had failed to show remorse for his misconduct. On balance, the Supreme Court concluded that the aggravating circumstances significantly outweighed the mitigating circumstances, and imposed a one (1) year suspension from practice, stayed, with a one (1) year period of probation on terms and conditions, including a sixty-day (60) actual suspension.

Unlike the attorney in *Conroy*, who only violated a single condition of his reproof, Respondent violated three separate reproof conditions. However, unlike the attorney in *Conroy*, who was found to have several aggravating factors against him, the only aggravation against Respondent is his prior record of discipline. Even more significantly, unlike the attorney in *Conroy* who defaulted, Respondent has participated fully in this disciplinary proceeding and has acknowledged and accepted responsibility for his misconduct. By imposing a one (1) year period of stayed suspension, the purposes of the disciplinary proceedings will be achieved, while at the same time, Respondent will be held accountable for his misconduct.

### **MITIGATING CIRCUMSTANCES**

Respondent has displayed spontaneous candor and cooperation with the State Bar throughout the disciplinary investigation and proceedings.

Respondent has provided evidence of his good character as attested by a wide range of references in the legal and general communities, including letters from his secretary, his former clients, and colleagues. Although these letters do not attest to their understanding of all of Respondent’s misconduct at issue in this particular disciplinary proceeding, the letters do acknowledge their awareness of Respondent’s failure to take the MPRE in a timely manner.

According to Respondent, he was never disengaged from, or ignored his obligations regarding the terms and conditions of the private reproof. He simply failed to comply with the terms and conditions in a timely manner. He has expressed embarrassment and remorse for this.

Finally, Respondent now realizes the seriousness of his misconduct and his ethical responsibility to timely comply with the terms and conditions of any disciplinary order imposed against him.

### **RECOMMENDED LEVEL OF DISCIPLINE**

The Office of the Chief Trial Counsel (“OCTC”) and Respondent have stipulated that the appropriate level of discipline for this particular case is a one (1) year period of stayed suspension, with a one (1) year period of probation and the stipulated conditions.

In light of the facts that Respondent has been candid and cooperative with the State Bar and has provided evidence of his good character, the OCTC believes that the stipulated discipline is appropriate, and that the public, the courts, and the legal profession would be adequately protected by the imposition of the stipulated discipline herein.

## **COSTS OF DISCIPLINARY PROCEEDINGS**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of February 6, 2007, the estimated prosecution costs in this matter are approximately \$2,296.00. Respondent acknowledges that this figure is an estimate only. Respondent further acknowledges that should this stipulation be rejected or should relief from this stipulation be granted, the costs in this matter may increase due to the costs of further proceedings.

(Do not write above this line.)

In the Matter of <b>SASSOON SALES</b>	Case number(s): <b>06-H-12298</b>
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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 Fact, Conclusions of Law and Disposition.

2/14/07

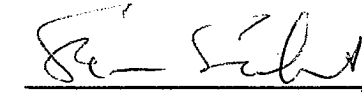
Date

2-14-07

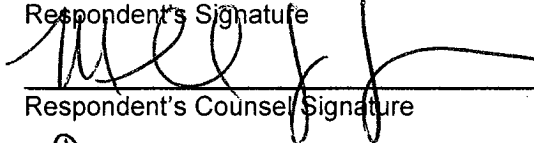
Date

2/16/07

Date



Respondent's Signature



Respondent's Counsel Signature



Deputy Trial Counsel's Signature

Sassoon Sales

Print Name

Michael Gerner

Print Name

Miho Murai

Print Name

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**DECLARATION OF SERVICE BY REGULAR MAIL**

**CASE NUMBER: 06-H-12298**

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California 90015, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING STAYED SUSPENSION; NO ACTUAL SUSPENSION**

in a sealed envelope placed for collection and mailing at Los Angeles, on the date shown below, addressed to:

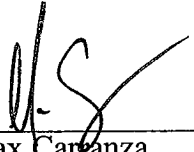
**Michael Gerner  
obo Sassoon Sales  
10100 Santa Monica Blvd., Ste. 300  
Los Angeles, CA 90067**

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: February 16, 2007

SIGNED:   
Max Carranza  
Declarant

(Do not write above this line.)

In the Matter Of <b>SASSOON SALES</b>	Case Number(s): <b>06-H-12298</b>
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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 9.18(a), California Rules of Court.)**

2/26/07  
Date

  
\_\_\_\_\_  
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 March 5, 2007, 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:

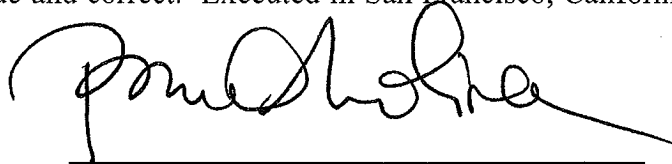
by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

**MICHAEL GALEN GERNER  
MICHAEL G GERNER, A PROF LAW CORP  
10100 SANTA MONICA BLVD #300  
LOS ANGELES, CA 90067**

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

**MIHO MURAI, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on **March 5, 2007**.



**Bernadette C. O. Molina**  
Case Administrator  
State Bar Court