

(Do not write above this line.)

State Bar Court of California

Hearing Department
Los Angeles

PUBLIC MATTER

<p>Counsel For The State Bar</p> <p>Eli D. Morgenstern The State Bar of California 1149 South Hill Street Los Angeles, CA 90015</p> <p>Bar # 190560</p>	<p>Case Number (s)</p> <p>06-O-10992 06-O-12653</p>	<p>(for Court's use)</p> <p>FILED</p> <p>MAY 24 2010</p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Arthur L. Margolis 2000 Riverside Dr Los Angeles, CA 90039</p> <p>Bar # 57703</p>	<p>Submitted to: Assigned Judge</p>	
<p>In the Matter Of: Raymond Paul Katrinak</p> <p>Bar # 164057</p> <p>A Member of the State Bar of California (Respondent)</p>	<p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	

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 April 20, 1993.
- (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 15 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."



- (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):
- ☐ 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~~ three billing cycles following the effective date of the Supreme Court order. See page 12, for an additional discussion re costs.
(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.
- (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. See page 13.
- (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. See page 13.

- (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. See page 13.
- (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

Although the instant matter cannot be deemed "not serious," Respondent has been a member of the State Bar since April 26, 1993, and has no prior record of discipline.

D. Discipline:

(1) ☒ **Stayed Suspension:**

(a) ☒ Respondent must be suspended from the practice of law for a period of one 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 years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(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.
- (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 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**

☐ No MPRE recommended. Reason:

- (2) ☐ **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, 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 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, 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.)

Attachment language begins here (if any):

In the Matter of
Raymond Paul Katrinak

Case number(s):
06-O-10992; 06-O-12653

A Member of the State Bar

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 in the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From
George Hatzis	\$7,512.75	July 13, 2005

- ☐ Respondent must pay 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
George Hatzis	\$500.00	Monthly (by no later than the 15 th of each month)

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";

(Financial Conditions form approved by SBC Executive Committee 10/16/2000. Revised 12/16/2004; 12/13/2006.)

b. Respondent has kept and maintained the following:

- i. A written ledger for each client on whose behalf funds are held that sets forth:
 1. the name of such client;
 2. the date, amount and source of all funds received on behalf of such client;
 3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
 4. the current balance for such client.
- ii. a written journal for each client trust fund account that sets forth:
 1. the name of such account;
 2. the date, amount and client affected by each debit and credit; and,
 3. the current balance in such account.
- iii. all bank statements and cancelled checks for each client trust account; and,
- iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.

c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:

- i. each item of security and property held;
- ii. the person on whose behalf the security or property is held;
- iii. the date of receipt of the security or property;
- iv. the date of distribution of the security or property; and,
- v. the person to whom the security or property was distributed.

2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.

3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

d. **Client Trust Accounting School**

- ☐ Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: RAYMOND PAUL KATRINAK

CASE NUMBER: 06-O-10992, 06-O-12653

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 Rules of Professional Conduct.

Case No. 06-O-10992

Facts

1. On April 15, 2005, Daniel Spencer, M.D., ("Spencer") employed the law firm of Whitwell, Jacoby & Emhoff (the "firm") to represent him in connection with a partnership dissolution with his former medical practice. At this time, Respondent was an associate attorney with the firm.
2. In or about May 2005, Respondent left the firm and opened his own practice. In or about June 2005, Spencer employed Respondent to represent him in connection with the partnership dissolution.
3. In or about December 2005, Spencer terminated Respondent's employment and employed the Siegler Law Group to represent him in connection with the partnership dissolution.
4. On December 6, 2005, Spencer filed a complaint against Respondent with the State Bar.
5. On December 13, 2005, Michael Murphy ("Murphy"), an attorney with the Siegler Law Group, mailed and faxed a letter to Respondent advising Respondent that he wished to send an attorney service over to Respondent's office to pick-up Spencer's client file. Respondent received the letter. Respondent did not respond to the letter, make Spencer's file available for pick-up, or otherwise advise Murphy as to how he could pick-up Spencer's file. 7. On or about December 20, 2005, Murphy mailed another letter to Respondent requesting, among other things, Spencer's client file. Respondent received the letter. Respondent did not respond to the letter, return the file to Murphy or Spencer or otherwise advise Murphy as to how he could pick-up Spencer's file.
6. In or about the last week of May 2006, Spencer obtained his file from Respondent's counsel in the disciplinary matter.

Conclusions of Law

By delaying six months to provide Spencer with his client file, Respondent failed to release promptly, upon termination of employment, at the request of the client, the client file in willful violation of rule 3-700(D)(1) of the Rules of Professional Conduct.

Case No. 06-O-12653

Facts

1. On February 5, 2005, George Hatzis, Sr. ("George") and Dolores Hatzis, his wife (collectively the "Hatzises"), employed the law firm of Whitwell, Jacoby & Emhoff (the "firm") to represent them in a civil dispute involving residential property in Los Angeles, California. At that time, Respondent was an associate with the firm. Pursuant to the retainer agreement, Respondent was to handle the Hatzis matter. On February 5, 2005, the Hatzises paid the firm \$10,000 in advanced attorney's fees.
2. In or about May 2005, Respondent left the firm and opened his own office. In or about June 2005, the Hatzises employed Respondent to continue to work on their case.
3. On July 11, 2005, the firm issued a check from their client trust account made payable to Respondent in the sum of \$7,512.75 (the "check"). The sum represented the balance of the advanced attorney's fees that the Hatzises had paid to the firm.
4. On July 13, 2005, Respondent deposited the check into his client trust account at First Republic Bank.
5. Between in or about July 2005 and November 2005, George telephoned Respondent several times and left messages with Respondent's receptionist requesting an update on the status of the Hatzis matter. Respondent did not respond to them.
6. On September 22, 2005, and September 30, 2005, George sent e-mails to Respondent requesting an update on the status of the Hatzis matter. Respondent did not respond to them or otherwise communicate with the Hatzises.
7. On November 18, 2005, George sent Respondent an e-mail requesting that Respondent return his file to the firm for review since Respondent was not communicating with him. Respondent neither responded to the e-mail nor returned the Hatzises' file to George or the firm. Thereafter, the Hatzises did not terminate Respondent and employ the firm or any other counsel.
8. On July 24, 2006, Respondent filed a complaint on behalf of the Hatzises in Los Angeles Superior Court titled, *George and Delores (sic) Hatzis v. Coldwell Banker, et. al.*, case no. BC 355874 (the "Hatzis matter"). Thereafter, Respondent did not serve the defendants in the Hatzis matter with the complaint and did not take any action to prosecute the complaint.
9. Prior to filing the complaint in the Hatzis matter, Respondent had not communicated with the Hatzises since in or about June 2005. Respondent did not inform the Hatzises that he had filed a complaint on their behalf.
10. On January 24, 2007, the court dismissed the Hatzis matter pursuant to its own motion, because Respondent never caused the defendants to be served with the complaint. Respondent did not inform the Hatzises that the Hatzis matter was dismissed.

11. Respondent did not perform any services of value for the Hatzises. At no time did Respondent provide the Hatzises with any portion of the \$7,512.75 in advanced attorney's fees that he had received on their behalf.

Conclusions of Law

By delaying over one year to file the complaint in the Hatzis matter and thereafter failing to take any action to prosecute the matter, Respondent failed to perform legal services with competence in willful violation of rule 3-110(A) of the Rules of Professional Conduct.

By failing to respond to George's telephone messages and e-mails, Respondent failed to respond promptly to reasonable status inquiries of a client in willful violation of Business and Professions Code section 6068(m).

By failing to inform the Hatzises that he had filed a complaint on their behalf, and by failing to advise them that the court had dismissed the complaint for lack of service, Respondent failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services in willful violation of Business and Professions Code section 6068(m).

By failing to refund the \$7,512.75 advanced fee, Respondent failed to promptly refund any part of a fee paid in advance that has not been earned, in willful violation of rule 3-700(D)(2).

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(6), was April 9, 2010.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed him that as of April 9, 2010, the prosecution costs in this matter are \$2,639.93. The costs are to be paid in equal amounts prior to February 1 for the following three billing cycles following the effective date of the Supreme Court Order.

If Respondent fails to pay any installment 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 and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment unless relief has been granted under the Rules of Procedure of the State Bar of California. (Rules Proc. of State Bar, rule 286.)

Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

AGGRAVATING CIRCUMSTANCES.

1. Multiple Acts of Misconduct

Multiple acts of wrongdoing are an aggravating circumstance. (Std. 1.2(b)(ii). In the instant matter, Respondent committed multiple statutory and rule violations.

2. Harm

By permitting the Hatzis matter to be dismissed, and failing to return to the Hatzises the unearned portion of the advanced fee, Respondent harmed his clients. (Standard 1.2(b)(iv).)

MITIGATING CIRCUMSTANCES.

1. Candor and Cooperation.

Respondent's agreement to enter into this stipulation is a mitigating circumstance. (Standard 1.2(e)(v).)

OTHER FACTORS IN CONSIDERATION.

During the period between in or about July 2005 and November 2005, when the Hatzises made efforts to communicate with Respondent, Respondent was attempting to practice without sufficient office staff and adequate resources. Further, his situation, which included severe financial difficulties, was so chaotic that he did not become aware of the Hatzsies' attempts to communicate with him. He acknowledges that he failed in his responsibility to practice with sufficient resources and adequate office management.

AUTHORITIES SUPPORTING DISCIPLINE.

1. Standards

Standards 2.4(b) and 2.6(a) of the Standards for Attorney Sanctions for Professional Misconduct ("Standards") apply to this proceeding.

Standard 2.4(b) provides, in pertinent part, that: "Culpability of a member of willfully failing to perform services in an individual matter . . . shall result in reproof or suspension depending upon the extent of the misconduct and the degree of harm to the client.

Standard 2.6(a) provides, in pertinent part, that culpability of a member of a violation of Business and Professions Code section 6068(m) shall result in disbarment or suspension depending upon the gravity of the offense or the harm, if any, to the victim.

There is no standard specifically applicable to violations of rules 3-700(D)(1) and 3-700(D)(2) of the Rules of Professional Conduct. Accordingly, Standard 2.10 also applies to these proceedings. Standard 2.10 provides, in pertinent part, that: "Culpability of a member . . . of a wilful violation of any

Rule of Professional Conduct not specified in these standards shall result in reproof or suspension according to the gravity of offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.”

2. Case Law

In *Bach v. State Bar* (1991) 52 Cal.3d 1201, the attorney, who had practiced 27 years without a prior record of discipline, failed to perform legal services in an uncontested marital dissolution proceeding, failed to communicate, improperly withdrew, failed to refund the \$3,000 unearned, advanced fee and failed to cooperate in the State Bar’s investigation. The Supreme Court ordered that the attorney be actually suspended for 30 days.

In *In the Matter of Kennon* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 267, the attorney failed to perform and communicate in two client matters, and refund unearned fees in one of the matters. The Review Department recommended a 30 day actual suspension.

STATE BAR ETHICS SCHOOL.

Because Respondent has agreed to attend State Bar Ethics School as part of this stipulation, he may receive Minimum Continuing Legal Education credit upon the satisfactory completion of State Bar Ethics School.

(Do not write above this line.)

In the Matter of Raymond Paul Katrinak	Case number(s): 06-O-10992, 06-O-12653
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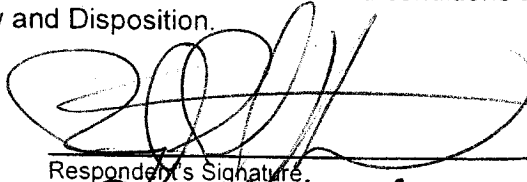
SIGNATURE OF THE PARTIES

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.

4/19/10
Date

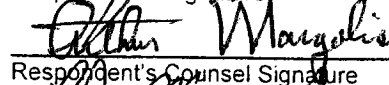
4/26/10
Date

4/27/10
Date



Respondent's Signature

Raymond Paul Katrinak
Print Name



Respondent's Counsel Signature

Arthur L. Margolis
Print Name



Deputy Trial Counsel's Signature

Eli D. Morgenstern
Print Name

(Do not write above this line.)

In the Matter Of
Raymond Paul Katrinak

Case Number(s):
06-O-10992, 06-O-12653

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.)**

Date

5/21/10

Judge of the State Bar Court

RICHARD A. HONN

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, 2010, 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:

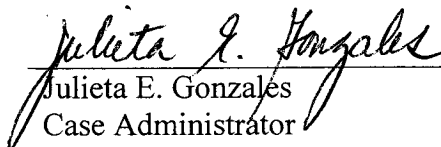
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ARTHUR L MARGOLIS ESQ
MARGOLIS & MARGOLIS LLP
2000 RIVERSIDE DR
LOS ANGELES, CA 90039

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

Eli D. Morgenstern, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 24, 2010.



Julieta E. Gonzales
Case Administrator
State Bar Court