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**State Bar Court of California
Hearing Department
San Francisco**

Counsel For The State Bar Robert A. Henderson Deputy Trial Counsel 180 Howard St. San Francisco, CA 94105 (415) 538-2385 Bar # 173205	Case Number (s) 06-O-11115; 06-O-12726; 07-O-11462	(for Court's use) <div style="text-align: center; font-size: 1.2em; font-weight: bold;">PUBLIC MATTER</div> <div style="text-align: center; font-size: 1.5em; font-weight: bold;">FILED</div> <div style="text-align: center;">OCT 03 2007 </div> <div style="text-align: center; font-weight: bold;">STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</div>
In Pro Per Respondent Stephen P. Trover 6905 S. 1300. E #144 Midvale, UT 84047-1817 (801) 656-7457 Bar # 142919	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter Of: Stephen Trover Bar # 142919 A Member of the State Bar of California (Respondent)		

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 **December 11, 1989**.
- (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."



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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):
- 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: (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 attachment.**
- (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 attachment.**
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

(Stipulation form approved by SBC Executive Committee 10/16/00. Revised 12/16/2004; 12/13/2006.)

Actual Suspension

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. **See attachment.**
- (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 attachment.

D. Discipline:

(1) **Stayed Suspension:**

- (a) Respondent must be suspended from the practice of law for a period of **two-years**.
- 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 **three-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 **six-months**.
- 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.

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- (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

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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: Respondent must pay the court ordered sanctions of \$2,072.60 to opposing counsel, Robert Persons, in the Dawn Horwitz-Person matter by December 31, 2009.**

Attachment language begins here (if any):

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Stephen P. Trover

CASE NUMBERS: 06-O-11115; 06-O-12726; 07-O-11462

FACTS AND CONCLUSIONS OF LAW.

06-O-1115 (Dawn Horwitz-Person)

On October 29, 2004, Dawn Horwitz-Person ("Horwitz-Person") hired respondent to represent her in a breach of contract suit against Denny Bruce. On October 29, 2004, Horwitz-Person and respondent signed a Legal Services Fee Agreement. On May 25, 2005, respondent filed in Butte County Superior Court, on behalf of Horwitz-Person, *Horwitz-Persons vs. Bruce, Denny* case no. 134968.

On August 22, 2005 opposing counsel filed a Motion for Order Compelling Answer to Interrogatories and asked for sanctions of \$500. Respondent received the motion, but did not file an opposition.

On September 16, 2005, respondent was suspended from the practice of law for non-compliance with his continuing legal education requirement. Respondent received notice of his suspension from the practice of law. Respondent did not inform Horwitz-Person of his suspension.

On September 19, 2005, opposing counsel filed a Motion For Order Compelling Dawn Horwitz-Person to Serve Further Answers to Interrogatories and For Sanctions. Respondent received the motion, but did not file an opposition.

On September 26, 2005, the court granted the August 22, 2005, motion and ordered Horwitz-Person to answer the interrogatories and sanctioning respondent and Horwitz-Person jointly and severally \$500. Respondent timely received notice of the court's action. Respondent did not inform Horwitz-Person of the order.

On October 4, 2005, respondent satisfied his continuing legal education requirement and once again was entitled to practice law.

On October 17, 2005, the court granted the September 19, 2005, motion and ordered Dawn Horwitz-Person to Serve Further Answers to Form Interrogatories and sanctioned respondent and Horwitz-Person jointly and severally \$636.30. Respondent timely received notice of the court's action. Respondent did not inform Horwitz-Person of the order.

On October 21, 2005, opposing counsel filed a Motion For Order Dismissing the Action of Plaintiff and for Monetary Sanctions. Respondent received this motion, but did not file an opposition. On November 21, 2005, the court granted the motion, dismissed the case with prejudice and sanctioned respondent and

Horwitz-Person \$936.30. Respondent timely received notice of the court's action. Respondent did not inform Horwitz-Person of the order.

On January 10, 2006, Horwitz-Person filed her Motion for Hearing to Relieve Counsel and Request Equitable Relief of Order Dismissing Case. On February 9, 2006 the court denied the request for equitable relief, relieved Horwitz-Person of any personal responsibility for the sanctions, but affirmed the sanction's ordered against respondent.

To date respondent has not paid the total of \$2,072.60 in sanctions ordered on: September 26, October 17 and November 21, 2005.

06-O-12726 (Mary Routon)

In 1994 respondent represented Mary Routon ("Routon") in the collection of debt incurred by Charlie Helms ("Helms"). Respondent filed suite in Butte County Superior Court, *Routon vs. Helms*, case no. C-33161. On November 7, 2004, the issue was submitted and on December 1, 1994, the court awarded Routon \$12,000 plus court costs and interest. Helms paid on the judgment only sporadically. On June 19, 1998, respondent and Routon entered into a contingent fee contract for the collection of the judgment.

Between June 1998 and March 19, 2001, respondent took no action to collect on the judgment.

Between March 19, 2001 and September 18, 2002, respondent made sporadic attempts to collect on the judgment including setting, but not conducting debtor's examinations of Helms on January 28, 2002, April 1, 2002 and April 22, 2002. Respondent did collect some funds from Helms and Routon did receive her portion of those funds. After September 18, 2002, respondent made no further attempts to collect on the judgment.

Between September 18, 2002 and December 15, 2005, Routon periodically asked respondent about the status of the collection efforts on the judgment. Respondent ceased responding to these requests for a status report in January 2003.

On December 15, 2005, respondent vacated his business office and disconnected his business telephone. Respondent did not inform Routon that he was vacating his office, nor did he provide her with new contact information.

Respondent effectively withdrew from representation of Routon by abandoning his office and disconnecting his telephone without providing new contact information.

07-O-11462 (Rose and Herman Bankston)

Rose and Herman Bankston ("Bankstons") were defendants in a suit arising out of the sale of their home. The case was titled *Braun vs. Rose and Herman Bankston, Paul Cannon et al.* Butte County Superior Court case no. 133008. The plaintiff alleged undisclosed defects and sought damages in excess of \$25,000.

As of November 18, 2004 the Bankstons had retained respondent to represent them in the matter. On December 10, 2004, the Bankstons paid \$600 to be used for court filing fees. Notwithstanding respondent agreed to represent the Bankstons he did not formally enter the case, nor did he file a response.

On December 9, 2004, default was properly entered against the Bankstons. On December 10, 2004, there was a case management conference ("CMC") for the matter at which respondent did not appear. At the CMC a further CMC was scheduled for February 18, 2005.

On February 18, 2005, at the CMC the Bankstons were present, but there were no appearances by counsel. Subsequent to the CMC on February 18, 2005, the Bankstons paid respondent an additional \$100. A further CMC was scheduled for March 25, 2005, for a prove up hearing on the default.

The March 25, 2005, CMC was continued at the request of counsel to April 22, 2005. On April 22, 2005 at the CMC for the prove up hearing respondent made a special appearance for the Bankstons. Counsel for the plaintiff did not appear as he had already submitted the papers and no opposition or appearance had ever been made by respondent. Respondent represented to the court that counsel for the plaintiff had agreed to set aside the default. The court instructed respondent to telephone opposing counsel to confirm the agreement on the record. Respondent returned to court and stated the opposing counsel was not in the office. In fact counsel for the plaintiff had not agreed to set aside the default. On April 22, 2005, judgment was entered against the Bankstons and the other named defendants in the amount of \$113,000 plus attorney's fees in the amount of \$5,812 and costs of \$552.

Between April 22, 2005 and November 1, 2005, the Bankstons would telephone respondent to ask what was happening in their case. Respondent did not answer their telephone calls. On October 13, 2005, the Bankstons received notice of the entry of judgment against them. Between October 13, 2005 and November 1, 2005, the Bankstons made repeated efforts to speak with respondent. Respondent did not reply to the messages left.

On November 1, 2005, Herman Bankston went to respondent's office and asked why a response had never been filed. Respondent claimed that he had injured his back. Respondent did not inform Herman Bankston at this time or prior to this time of the default judgment. Respondent also said that he would file the necessary papers and fax them to the Bankstons. Since the meeting on November 1, 2005, respondent has taken no action on the Bankstons matter

CONCLUSIONS OF LAW.

06-O-1115 (Dawn Horwitz-Person)

Respondent intentionally failed to respond to the August 22, September 19 and October 21, 2005 Motions of Opposing Counsel and intentionally allowed the dismissal of Horowitz-Persons' case with prejudice, and thereby respondent willfully failed to perform legal services with competence and violated rule 3-110(A), California Rules of Professional Conduct.

Respondent willfully failed to pay the \$2,072.60 in court ordered sanctions from the orders dated September 26, October 17 and November 21, 2005, and thereby respondent willfully disobeyed and violated an order

of the court requiring him to do an act in the course of his profession, which he ought in good faith to have done, in violation of Business and Professions Code section 6103.

Respondent willfully failed to inform Horwitz-Person of the court orders dated September 26, October 17 and November 21, 2005, and respondent thereby failed to keep a client reasonably informed of significant developments in a matter with regard to which he had agreed to provide legal services, in violation of Business and Professions Code section 6068(m).

06-O-12726 (Mary Routon)

Respondent intentionally, recklessly and repeatedly failed to work toward collecting on Routon's judgment against Helms from June 1998 through March 18, 2001 and from September 18, 2002 through December 15, 2005, and thereby respondent willfully failed to perform legal services with competence and violated rule 3-110(A), California Rules of Professional Conduct.

Respondent willfully abandoned his office without notifying Routon that he was terminating his employment and thereby respondent improperly withdrew from employment in violation of rule 3-700(A)(2), California Rules of Professional Conduct.

Respondent intentionally failed to reply to Routon's requests for a status update and thereby failed to keep a client reasonably informed of significant developments in a matter in violation of Business and Professions Code section 6068(m).

07-O-11462 (Rose and Herman Bankston)

Respondent intentionally, recklessly and repeatedly failed to work on the Bankstons' matter, resulting in a default judgment, and thereby respondent willfully failed to perform legal services with competence and violated rule 3-110(A), California Rules of Professional Conduct.

Respondent willfully failed to inform the Bankstons of the default judgment and also willfully failed to respond to their reasonable status inquiries, and respondent thereby failed to keep a client reasonably informed of significant developments in a matter with regard to which he had agreed to provide legal services, in violation of Business and Professions Code section 6068(m).

Respondent intentionally misrepresented to the court that opposing counsel had agreed to set aside the default and respondent thereby committed an act of moral turpitude, dishonesty and corruption in violation of Business and Professions Code section 6106.

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(7), was August 24, 2007.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of August 24, 2007, the costs in this matter are \$3,221. 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.

AUTHORITIES SUPPORTING DISCIPLINE.

Slavkin v. State Bar (1989) 49 Cal. 3d 894 – Slavkin received a one-year actual suspension for one client abandonment and deceit in obtaining a loan occurring in a short period of time. Slavkin had substance abuse issues. Slavkin had no prior discipline.

In the Matter of Trillo (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 59 – Trillo received a one-year actual suspension for abandoning two clients in a civil action and for a labor action for one of the clients. Trillo was found to have violated 6068(a), 6103, 6106 and the rules governing competence, trust accounts and termination of employment. Trillo had no prior record of discipline.

Standard 2.3 – “Culpability of a member of an act of moral turpitude, fraud, or intentional dishonesty toward a court, client or another person or of concealment of a material fact to a court, client or another person shall result in actual suspension or disbarment depending upon the extent to which the victim of the misconduct is harmed or misled and depending upon the magnitude of the act of misconduct and the degree to which it relates to the member’s acts within the practice of law.”

Standard 2.4(a) – “Culpability of a member of a pattern of willfully failing to perform services demonstrating the member’s abandonment of the causes in which he or she was retained shall result in disbarment.”

AGGRAVATING CIRCUMSTANCES.

Respondent’s misconduct evidences multiple acts of wrongdoing and a pattern of misconduct in that he abandoned three clients resulting in the dismissal of a client’s matter with prejudice, entry of default against a client and failure to collect on a judgment for another client. (Standard 1.2(b)(ii))

Respondent’s misconduct harmed his clients in that one client lost her cause of action, clients in another matter have a judgment of in excess of \$100,000 against them and a third client has been unable to collect on her judgment. (Standard 1.2(b)(iv))

MITIGATING CIRCUMSTANCES.

Although the misconduct herein is serious, respondent has had no prior record of discipline since being admitted to the practice of law on December 11, 1989.

Respondent during the period of misconduct suffered from acute depression, which contributed to the misconduct.

(Do not write above this line.)

STATE BAR ETHICS SCHOOL EXCLUSION

Respondent resides outside California and is unable to attend State Bar Ethics School. As an alternative to State Bar Ethics School, the parties agree that respondent will, within one-year of the effective date of this stipulation, complete twelve hours of continuing legal education in ethics at least 50% of which must be participatory.

Respondent admits that the above facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

In the Matter of
Stephen P. Trover

Case number(s):
06-O-11115; 06-O-12726; 07-O-11462

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
Herman and Rose Bankston	\$700	February 18, 2005

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than **December 31, 2009**.

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

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";

- 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

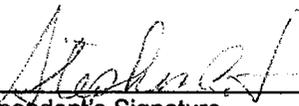
- Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

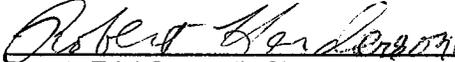
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In the Matter of Stephen P. Trover	Case number(s): 06-O-11115; 06-O-12726; 07-O-11462
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SIGNATURE OF THE PARTIES

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.

Aug 30, 2007  Stephen P. Trover
Date Respondent's Signature Print Name

Sept. 6, 2007  Robert A. Henderson
Date Deputy Trial Counsel's Signature Print Name

(Do not write above this line.)

In the Matter of STEPHEN P. TROVER	Case number(s): 06-O-1115; 06-O-12726; 07-O-11462
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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.

1. On page 4, D(3)(a) ii --the "x" in front of the box is deleted as it contradicts the fact that respondent was given elsewhere in the stipulation until December 2009 to fulfill his financial conditions.
2. On page 5, E(8)--the "x" in front of the box is deleted. No Ethics school recommended. Reason: See page 12.

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.)**

October 3, 2007
Date


PAT McELROY
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 October 3, 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:

STEPHEN P. TROVER
6905 S 1300 E #144
MIDVALE UT 84047-1817

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

ROBERT HENDERSON, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on **October 3, 2007**.



George Hue
Case Administrator
State Bar Court