

FILED

APR 16 2008

**STATE BAR COURT
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LOS ANGELES**

**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES**

In the Matter of

MARTIN HOWARD PRITIKIN,

Member No. 210845,

A Member of the State Bar.

Case No. 06-O-11815-DFM

**(1) Order Denying Respondent's Motion for
Reconsideration and Request for Judicial
Notice; and**

(2) Modification Order

TO ALL PARTIES AND COUNSEL IN THE ABOVE ENTITLED MATTER:

On March 17, 2008, respondent **Martin Howard Pritikin** through his counsel Brian Procel asked the court to reconsider its decision filed March 5, 2008, and take judicial notice of certain cases found online in the California Bar Journal. (Rules Proc. of State Bar, rule 224.) Specifically, respondent requested the court to reconsider its recommended level of discipline, which includes a one-year stayed suspension, one-year probation and 30-day actual suspension.

On April 1, 2008, Deputy Trial Counsel Miho Murai of the Office of the Chief Trial Counsel of the State Bar of California (State Bar) opposed the motion and the judicial notice request.

After carefully considering all issues set forth in the motion and request, the court finds respondent's arguments without merit.

Notwithstanding, to clarify its decision, the court hereby makes the following modification:

At page 10, second paragraph, "actual" is deleted so that the paragraph reads as follows: "The standards provide a range of sanctions ranging from suspension to disbarment, depending upon the gravity of the offenses and the harm to the client."

The modification is insubstantial and does not affect the merits of the decision.

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ACCORDINGLY, no good cause or error of fact and/or law having been shown, respondent's motion for reconsideration is hereby **DENIED** and the court's recommended discipline stands.

Furthermore, respondent's request for judicial notice is improper and thus, is also **DENIED**.

IT IS SO ORDERED.

Dated: April 15, 2008

A handwritten signature in black ink, appearing to read "Donald F. Miles", written over a horizontal line.

DONALD F. MILES
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 Los Angeles, on April 16, 2008, I deposited a true copy of the following document(s):

**(1) ORDER DENYING RESPONDENT'S MOTION FOR
RECONSIDERATION AND REQUEST FOR JUDICIAL NOTICE; AND (2)
MODIFICATION ORDER**

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

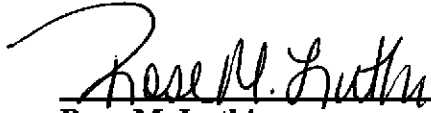
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**BRIAN A. PROCEL, ESQ.
MILLER BARONDESS, LLP
1999 AVE OF THE STARS STE 1000
LOS ANGELES CA 90067**

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

MIHO MURAI, ESQ., Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **April 16, 2008**.



Rose M. Luthi
Case Administrator
State Bar Court