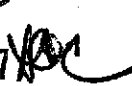




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State Bar Court of California
Hearing Department
Los Angeles

ORIGINAL

Counsel For The State Bar Joy Chantarsompoth Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015-2299 (213) 765-1718	Case Number (s) 06-O-12456-RAH	(for Court's use) <div style="text-align: center;"> FILED OCT 31 2007  STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Bar # 222009 In Pro Per Respondent David E. Allen 19200 Von Karman Avenue, Suite 600 Irvine, CA 92612-8616	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING PUBLIC REPROVAL <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
Bar # 73848 In the Matter Of: David E. Allen Bar # 73848 A Member of the State Bar of California (Respondent)		

PUBLIC MATTER**FILED****OCT 31 2007**

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

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 **May 2, 1977**.
- (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."

- (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 (public reproof)
 - ☐ case ineligible for costs (private reproof)
 - ☐ costs to be paid in equal amounts 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
- (9) The parties understand that:
- (a) ☐ A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
 - (b) ☐ A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
 - (c) ☒ A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

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 or a separate attachment entitled "Prior Discipline."
- (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:

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. **See page 9.**
- (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.
- (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:

D. Discipline:

- (1) ☐ **Private reproof (check applicable conditions, if any, below)**
- (a) ☐ Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b) ☐ Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

- (2) ☒ **Public reproof (Check applicable conditions, if any, below)**

E. Conditions Attached to Reproval:

- (1) ☒ Respondent must comply with the conditions attached to the reproof for a period of **one (1) year**.
- (2) ☒ During the condition period attached to the reproof, 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 condition period attached to the reproof. 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 the reproof during the preceding calendar quarter. Respondent must also state in each report 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 (thirty) days, that report must be submitted on the next following 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 condition period and no later than the last day of the condition period.

- (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 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 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 conditions attached to the reprobation.
- (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) ☐ 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 of the effective date of the reprobation.
- ☒ No MPRE recommended. Reason: **See page 11.**
- (11) ☒ The following conditions are attached hereto and incorporated:
- | | |
|---|--|
| <input type="checkbox"/> Substance Abuse Conditions | <input checked="" type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

Respondent agrees that he will provide a complete accounting of funds to Sowvanee Buntukampol ("Buntukampol") no later than October 15, 2007. Respondent also agrees that he will provide Buntukampol with written notice of her right to pursue binding fee arbitration no later than October 15, 2007. Respondent shall pay for all costs associated with the fee arbitration.

Within ten (10) days of the effective date of this reprobation, Respondent will provide satisfactory proof to the Office of Probation that he has provided the aforementioned accounting and notice of fee arbitration to Buntukampol. With each quarterly report, Respondent shall provide satisfactory proof to the Office of Probation regarding the status of any fee arbitration proceedings with Buntukampol.

Attachment language (if any):

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: David E. Allen

CASE NUMBER(S): 06-O-12456

**WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND
STIPULATED FACTS AND CULPABILITY**

The parties waive any variance between the Notice of Disciplinary Charges filed on June 4, 2007 and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

STIPULATION AS TO FACTS AND CONCLUSIONS OF LAW

Facts

1. On August 28, 2002, Sowvanee Buntukampol ("Buntukampol") employed Respondent to represent her in a marital dissolution matter entitled *Buntukampol v. Buntukampol*, Orange County Superior Court case no. 02D002436, ("the divorce matter"), filed March 11, 2002.
2. On September 9, 2002, Respondent filed a Substitution Of Attorney form to represent Buntukampol in the divorce matter.
3. On September 10, 2002, Buntukampol paid an advanced fee by check in the amount of \$7,500.00, to Respondent for the divorce matter. The check, bearing the date of September 10, 2002, was given to Respondent on August 28, 2002.
4. On October 11, 2002, Respondent was served by the Law Offices of Karin Quirk ("Quirk") with Form Interrogatories, and a Request for Production of Documents in the divorce matter or respond to the form interrogatories. Moreover, Respondent did not request an extension of time to produce the documents or to send interrogatory responses.
5. On or about December 4, 2002, Quirk sent a letter to Respondent, informing him that as of the date of her letter, her office had not received a response to her discovery requests. In addition, neither had her office received a request for an extension of time from Respondent to respond to the requests. In her letter, Quirk stated that if the responses to the requests for discovery were not received in her office within 15 days from the date of the letter, her office would file a motion to compel and would request attorneys fees and filing costs. Quirk also requested in her letter that Respondent provide a Preliminary Declaration of Disclosure, Income & Expense Declaration, and Schedule of Assets and Debts. Quirk further requested in her letter that Respondent provide the documents along with responses to the discovery requests.

Respondent did not thereafter provide Quirk with the responses to the discovery requests or the requested documents.

6. On January 7, 2003, Quirk filed a Notice of Motion To Compel Production of Documents and Responses to Form Interrogatories ("Motion"), and to Compel the production of documents including Buntukampol's Income and Expense Declaration, and Schedule of Assets and Debts. The Motion was served upon Respondent. Respondent received the Motion.

7. On January 29, 2003, the court granted both of Quirk's Motions, and gave Respondent 30 days from January 29, 2003, to comply with Quirk's discovery requests. Through no fault of Buntukampol, Respondent did not comply with Quirk's discovery requests, failing to obey the court's order to comply with discovery. Respondent received notice of the court's ruling. Thereafter, Respondent eventually responded to Quirk's discovery requests.

8. On or about February 28, 2003, Quirk filed a Memorandum for Trial Setting ("Memorandum") in the divorce matter. Respondent was properly served with, and received the Memorandum.

9. On or about March 5, 2003, Quirk sent a letter to Respondent enclosing an executed Marital Settlement Agreement and notarized Interspousal Transfer Deed for the divorce matter. Quirk requested that Respondent draft the judgment documents in the divorce matter. In her letter, Quirk also stated that upon receipt of Buntukampol's "financial disclosures," including her Income & Expense Declaration and Schedule of Assets and Debts ("Schedule"), the documents required by her office for finalizing the dissolution would be executed. Quirk requested that Respondent forward the requested documents to her as soon as possible so that a final entry of judgment could be sought in the divorce matter. Respondent received the letter. Respondent and Quirk are unsure if the documents were ever sent to Quirk.

10. On November 20, 2003, Respondent and Buntukampol signed a Declaration of Disclosure (financial disclosures) in the divorce matter. The Declaration of Disclosure included an Income and Expense Declaration, Schedule of Assets and Debts, Community & Quasi-Community Property Declaration, and a Separate Property Declaration. Respondent did not file the Declaration of Disclosure with the court or otherwise finalize the divorce matter.

11. In 2005, Buntukampol attempted on at least six occasions in telephone conversations with Respondent to convince Respondent to personally deliver to her copies of Buntukampol's final divorce documents, but Respondent did not deliver her documents.

12. On February 14, 2006, Respondent and Buntukampol were scheduled to meet regarding the divorce matter. Respondent cancelled the meeting and re-scheduled the meeting for February 17, 2006.

13. On February 15, 2006, Buntukampol received her client file from Respondent including the financial disclosure documents requested by Quirk on March 5, 2003.

14. On February 17, 2006, Respondent and Buntukampol met to finalize the divorce matter. Respondent informed Buntukampol that a Schedule of Assets and Debts was needed in order to complete the (financial disclosure) documentation for the divorce matter. Buntukampol reminded Respondent that Quirk had requested the Schedule over three years earlier. Respondent believed a new, more updated,

Schedule of Assets and Debts needed to be prepared. Respondent assured Buntukampol that the Schedule of Assets and Debts would be sent to Quirk by February 22, 2006. Respondent agreed to meet with Buntukampol again on February 27, 2006, at 2:00 p.m. at her place of business, to complete the documentation for the divorce matter.

15. On February 27, 2006, Respondent did not appear for the meeting with Buntukampol.

16. From February 27, 2006 through March 9, 2006 Buntukampol made three unsuccessful attempts to contact Respondent by telephone and left messages for Respondent to contact her. Respondent did not return her calls during this period.

17. On March 15, 2006, Buntukampol left a telephone message for Respondent to contact her regarding Respondent's failure to send Quirk the Schedule of Assets and Debts (Disclosure) for the divorce matter. Respondent did not respond to Buntukampol's telephone message. On or about March 21, 2006, the State Bar opened an investigation, case no. 06-O-12456, ("the Buntukampol matter").

18. On June 1, 2006, a State Bar investigator sent a letter to Respondent regarding the allegations in the Buntukampol matter. The investigator's letter warned Respondent that his written response and documents requested by the investigator must be received by June 15, 2006, or the State Bar would consider it a failure to cooperate with a State Bar investigation and Respondent would be in violation of Business and Professions Code, section 6068(i). Respondent received the letter.

19. Respondent failed to respond to the investigator's June 1, 2006, letter.

20. On August 4, 2006, the investigator wrote Respondent regarding the Buntukampol matter. In the letter the investigator again requested that Respondent provide a written explanation regarding the allegations set forth by Buntukampol. The investigator's letter stated that a written response from Respondent must be received by August 14, 2006, at the State Bar. Respondent received the letter.

21. Respondent failed to respond to the investigator's August 4, 2006, letter.

Conclusions of Law:

22. By failing to prepare and submit responses to the Request for Production of Documents and Form Interrogatories, by failing to respond to Buntukampol's attempts to communicate with Respondent in 2005 and between February 2006 and March 2006, by failing to show up for scheduled meetings with Buntukampol, by failing to finalize Buntukampol's divorce matter, Respondent failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to his client in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

23. By failing to provide a written response to the allegations from the investigator as requested in the investigator's letters of June 1, 2006 and August 4, 2006 for the Buntukampol matter, or otherwise cooperating in the investigation of the Buntukampol matter, Respondent failed to cooperate in a disciplinary investigation in willful violation of Business and Professions Code section 6068(i).

MITIGATING CIRCUMSTANCES

No Prior Discipline

Respondent has no record of discipline over more than twenty-five (25) years of practice and is entitled to significant mitigation. (*Hawes v. State Bar* (1990) 51 Cal.3d 587, 596.)

AUTHORITIES SUPPORTING DISCIPLINE

Standards For Attorney Sanctions For Professional Misconduct

Standard 2.4(b) states, “[c]ulpability of a member of wilfully failing to perform services in an individual matter or matters not demonstrating a pattern of misconduct or culpability of a member of wilfully failing to communicate with a client shall result in reproof or suspension depending upon the extent of the misconduct and the degree of harm to the client.”

Standard 2.6 provides that culpability of a member of violation of Business and Professions Code section 6068 shall result in disbarment or suspension depending on the gravity of the offense or harm.

Case Law

In *In the Matter of Robert S. Hanson* (1994) 2 Cal. State Bar Ct. Rptr. 703, 715 the attorney was publicly reproofed for committing misconduct in a single client matter. The attorney’s misconduct involved failing to promptly refund unearned fees to his clients and upon discharge by the clients, failing to take steps to avoid foreseeable prejudice to his clients. (See *id.*) In January 1990, the attorney’s clients terminated the respondent’s employment and demanded an accounting and refund of unearned fees. (See *id.* at p. 708.) The attorney testified that in late February 1990, she sent the clients an accounting. (See *id.*) However, the clients denied ever receiving this letter. (See *id.*) In April 1991, after the intervention of the State Bar, the attorney finally refunded his clients the unearned fees plus interest. (See *id.*) The attorney also failed to respond to the opposing counsel’s request for written verification that he was no longer representing his clients since his clients were trying to contact the opposing counsel. (See *id.*) The attorney had no mitigating circumstances and was privately reproofed in 1975. (See *id.* at p. 709.)

DISMISSALS

Count 2 is dismissed in the interest of justice.

ESTIMATE OF COSTS OF DISCIPLINARY PROCEEDINGS

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of October 3, 2007, the estimated prosecution costs in this matter are approximately \$3654.00. Respondent acknowledges that this figure is an estimate only. 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.

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 6068.10, 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.)

PENDING PROCEEDINGS

The disclosure date referred to on page one, paragraph A.(7) was October 3, 2007.

In the Matter of
David E. Allen

Case number(s):
06-O-12456

A Member of the State Bar

Law Office Management Conditions

- a. ☐ Within days/ months/ years of the effective date of the discipline herein, Respondent must develop a law office management/organization plan, which must be approved by the Office of Probation. This plan must include procedures to (1) send periodic reports to clients; (2) document telephone messages received and sent; (3) maintain files; (4) meet deadlines; (5) withdraw as attorney, whether of record or not, when clients cannot be contacted or located; (6) train and supervise support personnel; and (7) address any subject area or deficiency that caused or contributed to Respondent's misconduct in the current proceeding.
- b. ☒ Within days/six (6) months/ years of the effective date of the discipline herein, Respondent must submit to the Office of Probation satisfactory evidence of completion of no less than six (6) hours of Minimum Continuing Legal Education (MCLE) approved courses in law office management, attorney client relations and/or general legal ethics. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for attending these courses (Rule 3201, Rules of Procedure of the State Bar.)
- c. ☐ Within 30 days of the effective date of the discipline, Respondent must join the Law Practice Management and Technology Section of the State Bar of California and pay the dues and costs of enrollment for year(s). Respondent must furnish satisfactory evidence of membership in the section to the Office of Probation of the State Bar of California in the first report required.

In lieu of the Multistate Professional Responsibility Examination, Respondent will be required to complete six (6) hours of Minimum Continuing Legal Education, specifically in the area of Law Office Management, as it will better address Respondent's current misconduct. This requirement is in addition to the Minimum Continuing Legal Education he is required to complete as a member of the State Bar of California

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In the Matter of David E. Allen	Case number(s): 06-O-12456
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SIGNATURE OF THE PARTIES

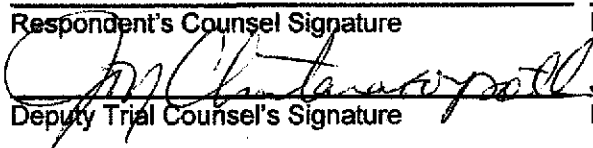
By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Fact, Conclusions of Law and Disposition.

Oct 4, 2007
Date


Respondent's Signature

David E. Allen
Print Name

10-4-07
Date


Respondent's Counsel Signature

Joy Chantarasompoth
Print Name

(Do not write above this line.)

In the Matter Of
David E. Allen

Case Number(s):
06-O-12456

ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproval, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

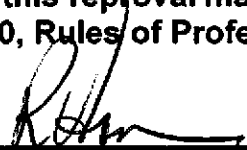
- ☒ The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
- ☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- ☐ All court dates in the Hearing Department are vacated.

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 125(b), Rules of Procedure.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

Failure to comply with any conditions attached to this reproval may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

10/31/07

Date



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 October 31, 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 Los Angeles, California, addressed as follows:

**DAVID E ALLEN
19200 VON KARMAN AVE STE 600
IRVINE CA 92612 8516**

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

JOY CHANTARASOMPOTH, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **October 31, 2007.**



Angela Owens-Carpenter
Case Administrator
State Bar Court