# State Bar Court of California **Hearing Department** Los Angeles

Counsel For The State Bar

CHRISTINE SOUHRADA **DEPUTY TRIAL COUNSEL** 1149 SOUTH HILL STREET LOS ANGELES, CA 90015 TELEPHONE: (213) 765-1162

Bar # 228256

In Pro Per Respondent

**LUCIO G. CALUNGCAGIN** 1325 S. EMPIRE STREET ANAHEIM. CA 92804 (714) 612-7981

Bar # 134519

In the Matter Of:

**LUCIO G. CALUNGCAGIN** 

Bar # 134519

A Member of the State Bar of California (Respondent)

Case Number (s) 06-0-13653

(for Court's use)

FILE

OCT 08 2008 STATE BAR COURT

CLERK'S OFFICE LOS ANGELES

PUBLIC MATTER

Submitted to: Settlement Judge

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

ACTUAL SUSPENSION

☐ PREVIOUS STIPULATION REJECTED

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

## A. Parties' Acknowledgments:

- Respondent is a member of the State Bar of California, admitted June 14, 1988. (1)
- (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 14 pages, not including the order.
- A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included (4) under "Facts."
- Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of (5)
- The parties must include supporting authority for the recommended level of discipline under the heading (6) "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)		ayment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 40.7. (Check one option only):			
		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: five billing cycles following the effective date of the Supreme Court Order.  (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"			
	Prof		ting Circumstances [for definition, see Standards for Attorney Sanctions for onal Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances red.		
(1)		Prio	r 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)		<b>Dishonesty:</b> 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)		<b>Trust Violation:</b> 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)		Harn	n: 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)		<b>Lack of Cooperation:</b> 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)			iple/Pattern of Misconduct: Respondent's current misconduct evidences multiple acts of wrongdoing monstrates a pattern of misconduct.		
(8)	$\boxtimes$	No aggravating circumstances are involved.			

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# Additional aggravating circumstances:

C.	C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.				
(1)		<b>No Prior Discipline:</b> 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)		<b>Remorse:</b> 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)		<b>Restitution:</b> Respondent paid \$ on in restitution to without the threat or force of disciplinary, civil or criminal proceedings.			
(6)		<b>Delay:</b> 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)		<b>Emotional/Physical Difficulties:</b> 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)		<b>Family Problems:</b> 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)		<b>Rehabilitation:</b> Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.			
13)		No mitigating circumstances are involved.			
ddi	dditional mitigating circumstances				
		Respondent has no prior record of discipline over 20 years of practice			

D.	Discipline:			
(1)	$\boxtimes$	⊠ Stayed Suspension:		
	(a) Respondent must be suspended from the practice of law for a period of one year.			
		1.		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)	$\boxtimes$	The a	above-referenced suspension is stayed.
(2)	$\boxtimes$	Proi	oation	<b>:</b>
	Respondent must be placed on probation for a period of <b>two years</b> , which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)			ust be placed on probation for a period of <b>two years</b> , which will commence upon the effective reme Court order in this matter. (See rule 9.18, California Rules of Court)
(3)	$\boxtimes$	Actu	ıal Su	spension:
	(a)	$\boxtimes$	Resp of 90	ondent must be actually suspended from the practice of law in the State of California for a period 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. A	\ddit	iona	l Cor	nditions 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)	$\boxtimes$	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		

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		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 O Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the teat 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)	$\boxtimes$	The following conditions are attached hereto and incorporated:					
		☐ Substance Abuse Conditions ☐ Law Office Management Conditions					
		☐ Medical Conditions ☐ Financial Conditions					
F. O	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.					
۵۱	<b>5</b> 2	No MPRE recommended. Reason:					
2)	$\boxtimes$	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					

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		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)		<b>Credit for Interim Suspension [conviction referral cases only]:</b> 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:

	n the Matter of	Case number(s):	
L	UCIO CALUNGCAGIN	06-0-13653	
A Member of the State Bar			
Fi	nancial Conditions		
a.	Restitution		
	annum) to the payee(s) listed one or more of the payee(s)	ition (including the principal amoud below. If the Client Security Fur for all or any portion of the princip estitution to CSF in the amount(s)	nd ("CSF") has reimbursed all amount(s) listed below.
	Payee	Principal Amount	Interest Accrues From
b.	Installment Restitution Pay  Respondent must pay the above below. Respondent must prowith each quarterly probation No later than 30 days prior to	ments  ove-referenced restitution on the povide satisfactory proof of paymen report, or as otherwise directed by the expiration of the period of promake any necessary final payment cluding interest, in full.	payment schedule set forth t to the Office of Probation y the Office of Probation. obation (or period of t(s) in order to complete
	rayee/cor (as applicable)	Minimum Payment Amount	Payment Frequency
<b>:</b> .	Client Funds Certificate		
If Respondent possesses client funds at any time during the period covered required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other final professional approved by the Office of Probation, certifying that:			ch required report a countant or other financial
	business in the St	maintained a bank account in a ba ate of California, at a branch loca at such account is designated as a ccount";	ted within the State of

- b. Respondent has kept and maintained the following:
  - A written ledger for each client on whose behalf funds are held that sets forth:
    - 1. the name of such client;
    - 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.
- 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.
- 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 Lucio Calungcagin

### Case no. 06-O-13653

#### I. Facts

- 1. On September 5, 2003, George Guzman was involved in an automobile accident while driving a vehicle owned and insured by his stepfather, Juan Zuniga (the "personal injury matter"). Guzman's mother, Guillermina Carreno, was a passenger in the vehicle at the time of the accident.
- 2. Within days of the accident, Guzman and Carreno employed Respondent to represent them in the personal injury matter.
- 3. On April 7, 2004, Zuniga's insurance company, 21st Century, issued two checks in the amounts of \$2,931.46 and \$3,236.46 made payable to Respondent and his clients, Guzman and Carreno, for medical payments. Respondent received both checks but failed to deposit the checks into his client trust account or otherwise cash the checks.
- 4. Respondent did not notify Guzman and Carreno that he had received funds from 21st Century on their behalf.
- 5. As of September 30, 2004, the two checks from 21st Century had not been cashed, and 21st Century wrote Respondent regarding their status. In the September 30, 2004 letter, 21st Century directed Respondent to cash or deposit the checks as soon as possible or they would become stale dated and a bank would not cash them. In the September 30, 2004 letter, 21st Century included forms so Respondent could update them with the status of the checks. Respondent received the letter.
- 6. On November 2, 2004, Respondent returned the forms to 21st Century. On the forms, Respondent stated that the med-pay checks were "inserted in file; forgot to deposit." The checks were not cashed or deposited.
- 7. On March 9, 2005, Respondent's assistant, Vina Lardizabal, contacted 21st Century and informed them that the two checks had become stale dated and needed to be replaced. A 21st Century representative told Vina that once the first set of checks were returned, they would reissue new checks.
- 8. On April 25, 2005, Respondent returned the stale-dated checks to 21st Century and asked 21st Century to reissue the checks as soon as possible.

- 9. On June 7, 2005, 21st Century Insurance issued two replacement checks made payable to Respondent and his clients for medical payments. Respondent received both checks but failed to deposit the checks into his client trust account or otherwise cash the checks.
- 10. Respondent did not inform Guzman and Carreno that he had received the replacement checks from 21st Century on their behalf.
- 11. On September 21, 2006, Respondent wrote the State Bar regarding his representation of Guzman and Carreno in their personal injury matter. In the September 21, 2006 letter, Respondent admitted that he never cashed the checks issued by 21st Century Insurance.
- 12. As of November 2006, Respondent had not cashed the second set of medpay checks and the checks had once again become stale dated. Respondent never requested replacement checks on behalf of Guzman and Carreno.
- 13. On September 11, 2003, Respondent wrote Cencal Insurance, the insurance company for the opposing driver in the personal injury matter, to inform them that he was representing Guzman and Carreno regarding their claims.
- 14. On November 3, 2004, Andy Thompson, a claims supervisor, wrote Respondent offering to settle Guzman and Carreno's claims for \$2,500 each, and requesting that Respondent serve Cencal with a copy of any summons and complaint Respondent filed on behalf of his clients. Respondent received the letter. Respondent did not respond.
- 15. On December 1, 2004, Thompson wrote Respondent regarding Respondent's failure to provide a response to Cencal's November 3, 2004 settlement offers, and informed Respondent that Black Hawk Claims Services, Inc had taken over the personal injury matter from Cencal Insurance. Respondent received the letter.
- 16. On January 5, 2005, Respondent wrote Thompson stating that his clients had rejected Cencal's settlement offers as too low and Respondent offered to settle Guzman and Carreno's claim for \$6,000 and \$6,500 respectively.
- 17. On January 11, 2005, Thompson wrote Respondent on behalf of Black Hawk rejecting Respondent's January 5, 2005 settlement offers and stated that Black Hawk's top offer was \$4,200 for each client, and the offer was not subject to negotiation. Respondent received the letter.

- 18. Respondent did not inform Guzman and Carreno that Black Hawk had offered to settle their claims for \$4,200 each.
- 19. On March 2, 2005, Thompson wrote Respondent regarding Respondent's failure to respond to Thompson's January 11, 2005 letter. Respondent received the letter. Respondent did not respond and Black Hawk closed its files regarding Guzman and Carreno's claims.
- On May 6, 2005, Respondent wrote Juan Zuniga, Guillermina Carreno and George Guzman about the personal injury matter. In the May 6, 2005 letter, Respondent apologized for his lack communication and informed them that their case had settled. Respondent told Zuniga, Guillermina and Carreno that he would send them settlement releases when he received them. As of May 6, 2005, Respondent had not reached a settlement with Black Hawk regarding the personal injury matter. The May 6, 2005 letter was Respondent's last communication with his clients.
- 21. As of June 2, 2005, Zuniga, Guillermina and Carreno had not received the settlement releases from Respondent, and thus wrote Respondent asking for information regarding the releases and checks. Respondent received the letter. Respondent did not respond.
- 22. On March 28, 2006, Guzman and Carreno wrote Respondent regarding his failure to communicate with them, and asked Respondent to provide an accounting of their funds, provide them with their share of the settlement, provide then with copies of the releases and a copy of the settlement check. Respondent received the letter.
- 23. Respondent did not file a civil complaint on behalf of Guzman and Carreno.

#### II. Conclusions of Law

- 24. By failing to deposit the checks issued by 21st Century into a client trust account, Respondent failed to maintain client funds in a Client Trust Account in wilful violation of Rules of Professional conduct, rule 4-100(A).
- 25. By failing to respond to the settlement offers by Cencal or Black Hawk, by failing to obtain replacement checks after the June 7, 2005 checks became stale dated, by failing to file a complaint or otherwise resolve Guzman and Carreno's claims against Cencal or Back Hawk, by failing to respond to letters from Guzman, Carreno and Zuniga,

by failing to inform Guzman and Carreno that he had received their med-pay checks in April 2004, by failing to inform Guzman and Carreno that he had received replacements checks in June 2005, by failing to inform Guzman and Carreno of the January 11, 2005 settlement offer, and by failing to file a civil action on behalf of Guzman and Carreno, Respondent recklessly or repeatedly failed to perform legal services with competence in wilful violation of Rules of Professional Conduct, rule 3-110(A).

## III. Supporting Authority

Standard 2.2 of the Standards for professional conduct, states:

(b) Culpability of a member of commingling of entrusted funds or property with personal property or the commission of another violation of rule 4-100, Rules of Professional Conduct, none of which offenses result in the wilful misappropriation of entrusted funds or property shall result in at least a three month actual suspension from the practice of law, irrespective of mitigating circumstances.

## IV. Dismissals

The parties respectfully request that the Court dismiss counts two, four, five, six, and seven with prejudice in the interest of justice.

## V. Waiver of Variance

The parties waive any variance between the Notice of Disciplinary Charges filed on July 3, 2008 and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive 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.

# VI. Estimate of Costs of Disciplinary Proceedings

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of September 23, 2008, the estimated prosecution costs in this matter are approximately \$ 2,330.74. 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.

(Do not write above this line.)			
	In the Matter of	Case number(s):	
	LUCIO CALUNGCAGIN	06-0-13653	

## 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.

10/2/08	EA (	LUCIO G. CALUNGCAGIN
Date	Respondent's Signature	Print Name
Date	Respondent's Counsel Signature	Print Name
10/2/08 Date	Deputy Trial Counsel's Signature	CHRISTINE SOUHRADA Print Name

In the Matt		Case Number(s): 06-0-13653	
<u> </u>	OR	DER	
_	ERED that the requested dismissal of	nd that it adequately protects the public, f counts/charges, if any, is GRANTED without	
Ä	The stipulated facts and disposition RECOMMENDED to the Supreme C	are APPROVED and the DISCIPLINE Court.	
	•	are APPROVED AS MODIFIED as set forth OMMENDED to the Supreme Court.	
	All Hearing dates are vacated.		
he stipulator further refective c	tion, filed within 15 days after service modifies the approved stipulation. (Sec	oved unless: 1) a motion to withdraw or modify of this order, is granted; or 2) this court modifies a rule 135(b), Rules of Procedure.) The ive date of the Supreme Court order herein, B(a), California Rules of Court.)	
10-1	k-08	RHon	
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 8, 2008, 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:

LUCIO G CALUNGCAGIN 1325 S EMPIRE STREET ANAHEIM CA 92804

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

CHRISTINE SOUHRADA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 8, 2008.

Angela Owens-Carpenter Case Administrator

State Bar Court