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<p>State Bar Court of California Hearing Department Los Angeles REPROVAL</p>		
<p>Counsel For The State Bar</p> <p>Dane C. Dauphine Assistant Chief Trial Counsel 1149 South Hill St. Los Angeles, CA 90015-2299 (213) 765-1293</p> <p>Bar # 121606</p>	<p>Case Number(s): 06-O-14014, 07-O-10545</p>	<p>For Court use only</p> <p style="text-align: center; font-size: 24pt; font-weight: bold;">FILED</p> <p style="text-align: center; font-weight: bold;">NOV 15 2011</p> <p style="text-align: center; font-weight: bold;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Ellen A. Pansky Pansky Markle Ham LLP 1010 Sycamore Ave., #308 South Pasadena, CA 91030 (213) 626-7300</p> <p>Bar # 77688</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p>	
<p>In the Matter of: Aron Joshua Laub</p> <p>Bar # 95478</p> <p>A Member of the State Bar of California (Respondent)</p>	<p>PUBLIC REPROVAL</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	

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

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted December 16, 1980.
- (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.

(Effective January 1, 2011)



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- (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 are added to membership fee for calendar year following effective date of discipline (public reproof).
 - Case ineligible for costs (private reproof).
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: 2013, 2014, and 2015. (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are 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

(Effective January 1, 2011)

- (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.
- (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. Respondent cooperated with the State Bar's efforts to obtain a superior court order assuming jurisdiction over his practice at the Crime Attorneys office.
- (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. After 3 1/2 months at Crime Attorneys, Respondent determined that the office was being controlled by Lerner who was not taking Respondent's directions concerning case load, and he terminated his relationship. When Lerner took client files and locked Respondent out of the office, Respondent took steps to freeze the bank accounts he had set up for the practice and employ counsel to address the situation.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.

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- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her. There has been excessive delay in the prosecution of this matter which was not attributable to Respondent.
- (7) **Good Faith:** Respondent acted in good faith. Respondent acted in good faith when agreeing to become the managing attorney for Crime Attorneys and demonstrated due diligence and prudence by talking to the existing managing attorney before agreeing to become affiliated with Crime Attorneys.
- (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. Respondent provided two character letters which do not provide a wide range of references but do attest to his good character.
- (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:

Respondent has been in practice since December 1980 with no prior record of discipline. Respondent was primarily responsible for bringing the improper activities of Ed Lerner and Crime Attorneys to the attention of the State Bar in 2006. Thereafter, Respondent worked with the Office of the Chief Trial Counsel to see that Crime Attorneys ceased operations and that its remaining clients received a refund of unearned fees that had been deposited in a bank account in Respondent's name. In November 2006, Respondent executed a declaration detailing his 3 1/2 month involvement with Crime Attorneys which was used by the State Bar to support its Ex Parte Application for Interim Orders Assuming Jurisdiction Over the Unauthorized Law Practice of Crime Attorneys. Respondent's candid disclosure to the State Bar demonstrated his spontaneous, overriding concern for the well-being of the clients in lieu of any concern for his own self-interest. The events which form the basis of this proceeding occurred more than five years ago, and there are no other disciplinary charges presented against Respondent before or since.

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).

(Effective January 1, 2011)

Reproof

(b) Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).
or

(2) **Public reapproval (Check applicable conditions, if any, below)**

E. Conditions Attached to Reapproval:

- (1) Respondent must comply with the conditions attached to the reapproval for a period of three years.
- (2) During the condition period attached to the reapproval, 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 reapproval. 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 reapproval 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 reapproval.
- (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: .

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- (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:

- (11) The following conditions are attached hereto and incorporated:

Substance Abuse Conditions

Law Office Management Conditions

Medical Conditions

Financial Conditions

F. Other Conditions Negotiated by the Parties:

Respondent must pay \$48,901.81 to Cindy Talavera within three years of the effective date of discipline. If the Client Security Fund ("CSF") has reimbursed Ms. Talavera for all or any portion of this amount, Respondent must also pay restitution to CSF of the amount paid within three years of the effective date of discipline.

Respondent must pay \$15,000 to Russell H. Smith, Sr., within three years of the effective date of discipline. If the Client Security Fund ("CSF") has reimbursed Mr. Smith for all or any portion of this amount, Respondent must also pay restitution to CSF of the amount paid within three years of the effective date of discipline.

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Aron Joshua Laub

CASE NUMBER(S): 06-O-14014, 07-O-10545

FACTS AND CONCLUSIONS OF LAW.

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

Background Facts

1. In March 2006, Respondent was contacted by an individual named Edward Lerner ("Lerner") who was operating a criminal law marketing firm known as "Crime Attorneys." Lerner represented that he was not an attorney but had substantial experience in setting up, marketing, and managing private criminal defense law firms. Lerner also represented that Crime Attorneys was in full compliance with all ethical rules and regulations, acknowledging that a law firm must be controlled by a lawyer and that he was not permitted to engage in the practice of law. Lerner told Respondent that the lawyer who was serving as Crime Attorneys' current managing attorney was leaving, and he offered the position to Respondent. Lerner represented that Respondent would be able to manage the firm while focusing on representing his clients since Crime Attorneys would provide clerical assistance and office management functions, employee benefits such as medical insurance, computer research access, and professional errors and omissions insurance. Before agreeing to become the managing attorney for Crime Attorneys, Respondent spoke to the outgoing managing attorney who did not disclose to Respondent any ethical impropriety that he was engaged in by acting as managing attorney for Crime Attorneys and assuring Respondent that Crime Attorneys was being operated in an ethically proper manner.

2. On or about April 3, 2006, Respondent began acting as managing attorney for Crime Attorneys. He was paid a monthly salary that was based on a projection of the amount of fees that Respondent's cases would generate, with the understanding that the balance of funds was going for the advertising and law office management expenses of the firm. At that time, there was one other attorney working at Crime Attorneys who had a full and active case load. As cases came into the office, Respondent informed Lerner that additional attorneys were needed to handle the incoming cases, and Lerner represented that he would advertise to hire additional attorneys.

3. On or about May 31, 2006, Respondent and Lerner opened bank accounts at City National Bank, including a checking account and a client trust account. Both accounts were set up in the name of "Aron J. Laub, DBA Crime Attorneys," and both accounts listed Respondent and Lerner as signatories. Lerner kept physical control of the records for the accounts and controlled all the banking for the firm. Lerner did not disclose to Respondent that he still maintained a bank account which had been opened with the former managing attorney. Lerner concealed from Respondent that he continued to deposit some of the advance fees paid by clients into the bank account that had been opened by the prior managing attorney, rather than depositing those funds into the bank account opened by Respondent.

4. In July 2006, Respondent came to the conclusion that Lerner would not follow Respondent's direction that he was not to accept further clients for the firm, and after contacting the State Bar's ethics hotline, Respondent realized that the structure of the firm violated several ethical rules. On July 19, 2006, Respondent informed Lerner that he was leaving Crime Attorneys and needed to transition the existing cases to another attorney. The following day, Respondent returned to the office from a court appearance and discovered that Lerner had had entered his office and had removed from Respondent's office his client files, documents, and work product. Shortly thereafter, Lerner changed the locks on the office, cancelled Respondent's parking permit, and cancelled Respondent's access to computer data, making data which Respondent had saved while performing legal research unavailable to Respondent.

5. On July 24, 2006, Respondent instructed City National Bank to "freeze" both of the accounts that he had opened with Lerner and requested that he be provided with bank statements for those accounts. Respondent also hired attorneys to represent him in demanding the return of client files and transfer of fees from Lerner. Lerner hired an outside law firm to resist cooperating with Respondent but eventually returned some of the client files for Respondent's clients to Respondent in batches during the period from July through September 2006.

6. Respondent voluntarily initiated contact with and informed the State Bar of the situation with Lerner and fully cooperated with the State Bar's efforts in filing an application on December 1, 2006, to the Los Angeles County Superior Court to assume jurisdiction over the portion of Respondent's law practice being conducted at the Crime Attorneys office. On that date, the court granted interim orders, and on January 26, 2007, the court granted a permanent order for the assumption of jurisdiction over the portion of Respondent's law practice that had been conducted under the name Crime Attorneys.

Case No. 06-O-14014 (Complainant: Cindy Talavera)

FACTS:

7. On March 8, 2006, Cindy Talavera ("Talavera") contacted Respondent to represent her nephew, Anthony Hansen, in preparing and litigating a petition for writ of habeas corpus which had to be filed by September 29, 2006. Talavera gave Respondent a large box of files pertaining to the case and agreed to pay Respondent a flat fee of \$50,000 for the legal services in two installments. The first installment of \$25,000 was to be paid by March 29, 2006, and the remaining amount was to be paid by June 29, 2006. On March 19, 2006, Talavera received a fee agreement from Respondent, and she contacted Respondent to inform him that she was in escrow on the sale of a house and would pay the fee in full when the escrow closed. Respondent agreed that when he received the fee agreement and the advance fee, he would commence representation of Hansen.

8. In April 2006, Talavera contacted Respondent by telephone, and Respondent informed Talavera that he had joined a law firm known as Crime Attorneys and that she would have to retain the new firm. Thereafter, Lerner contacted Talavera inquiring about the payment of the fees, but she informed him that the closing of the sale of her house had been delayed. On May 25, 2006, Talavera received a letter from Respondent on the Crime Attorneys letterhead inquiring about whether she intended to retain the firm on behalf of Hansen.

9. In late June 2006, Talavera contacted Respondent by telephone and informed him that she was ready to make the payment and retain the firm. Respondent instructed Talavera to contact Lerner and get wiring instructions to pay the fee. Talavera did as instructed and was provided with instructions to wire the funds to an account at City National Bank, but Lerner gave Talavera the account number for the

Crime Attorneys account opened with the prior managing attorney and not one of the accounts opened in Respondent's name. On or about June 30, 2006, Talavera paid \$50,000 by wiring the funds to the Crime Attorneys account opened by the prior managing attorney.

10. In or about July 2006, Talavera contacted Respondent who informed her that he had left the office of Crime Attorneys but that he would continue to represent Anthony Hansen if Talavera still wanted his services.

11. In or about August 2006, Talavera contacted Respondent and informed him that she was seeking other representation for Anthony Hansen, and she requested a refund of the fees paid and the release of the client file. At that time, Respondent had not provided any legal services to Hansen. Respondent was able to obtain most of the client file from Lerner and return it to Talavera on behalf of Hansen. Respondent did not refund any of the fees paid by Talavera because the funds had been retained by Crime Attorneys after Respondent had left the firm.

12. Talavera contacted Lerner and requested the return of the fees, but Lerner refused, offering that Crime Attorneys would represent Hansen. Talavera declined the offer, requesting the return of the fees.

13. When the superior court assumed jurisdiction over Respondent's law practice at Crime Attorneys, the court also assumed jurisdiction over the two Crime Attorneys bank accounts opened in Respondent's name which Respondent had previously frozen. Thereafter, the court approved a disbursement of the frozen funds. Since Talavera's funds had not been deposited in those accounts, she received only the amount of \$1,098.19 from the frozen accounts in July 2008.

CONCLUSIONS OF LAW:

14. By failing to supervise Lerner in the deposit of the funds Talavera paid for legal representation of Hansen during the time that Respondent was managing attorney for Crime Attorneys' fees and not refunding the amount to Talavera which had been misappropriated by Lerner, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 07-O-10545 (Complainant: Russell H. Smith, Sr.)

FACTS:

15. On or about June 5, 2006, family members of Russell H. Smith, Jr., ("Smith") contacted Crime Attorneys to discuss employing the firm to represent Smith in an appeal from the sentencing imposed for a criminal conviction in the State of Virginia, and someone on behalf of the firm quoted a fee of \$100,000. On or about June 6, 2006, Respondent spoke to Smith's father, Russell H. Smith, Sr., about the matter. Thereafter, Smith received a letter from Crime Attorneys signed by Lerner as Chief Executive Officer and listing Respondent as Managing Partner, enclosing a fee agreement to employ Crime Attorneys.

16. On June 9, 2006, Smith employed Crime Attorneys to represent him, and Russell H. Smith, Sr., transferred the sum of \$15,000 to Crime Attorneys at Lerner's direction. Without Respondent's knowledge or consent, Lerner deposited the funds in the Crime Attorneys account opened with the prior managing attorney rather than depositing the funds into an account opened in Respondent's name.

Respondent did not supervise the receipt of the funds to ensure that they were properly deposited and did not discover that Lerner had not deposited the funds in one of the accounts in Respondent's name.

17. In June 2006, Respondent commenced representing Smith.

18. On July 10, 2006, a check payable to Pamela Miller, Smith's sister, in the sum of \$23,800 which she endorsed over to Crime Attorneys was deposited in one of the accounts opened by Respondent as an additional payment towards the fees for legal services.

19. On or about June 28, 2006, a notice of appeal was filed on behalf of Smith by local counsel who had affiliated with Crime Attorneys.

20. On July 20, 2006, and July 25, 2006, without Respondent's knowledge or consent, Lerner received and deposited in the Crime Attorneys account opened with the prior managing attorney two additional payments received from Smith's relatives totaling \$41,898.85. These payments were deposited after Respondent had notified Lerner that he was terminating his involvement with Crime Attorneys, and Respondent was unaware of the receipt and/or the deposit of these funds.

21. By letter dated August 16, 2006, Crime Attorneys notified Smith that Respondent was no longer the managing partner of Crime Attorneys and that the former staff attorney was now the new managing partner. Respondent also contacted Smith or his father, and Smith chose to continue representation with Respondent. Lerner eventually released Smith's client file to Respondent, including the record on appeal. Respondent reviewed the record to begin formulating arguments for the appeal.

22. Respondent did not complete the process to obtain permission to appear in the Virginia court as counsel for Smith. For that reason, the Virginia Court of Appeals dismissed Smith's appeal on October 27, 2006. On January 25, 2007, Respondent mailed a letter to Russell H. Smith, Sr., and to Smith informing them that he was no longer able to continue representing Smith and that the final date for filing a motion for a delayed appeal was April 27, 2007. He acknowledged his responsibility in causing the dismissal of the appeal and offered to provide a declaration in support of a motion for delayed appeal.

23. The Los Angeles County Superior Court approved a disbursement from the Crime Attorneys accounts opened in Respondent's and Lerner's names. A total of \$25,572.34 was disbursed to Smith or his family members in May and July 2008 from those accounts. Respondent has not refunded the balance of funds in the amount of \$15,000 which was received during the time that Respondent was the managing attorney for Crime Attorneys and which were deposited by Lerner in the account opened by the predecessor managing attorney.

CONCLUSIONS OF LAW:

24. By failing to supervise Lerner in the deposit of the \$15,000 paid by the Smith family for Smith's legal representation during the time that Respondent was managing attorney for Crime Attorneys and not refunding that amount, which was misappropriated by Lerner, to Smith or his family, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was October 26, 2011.

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct (the "Standards"):

Standard 2.10 provides for a reproof or suspension according to the gravity of the offense or the harm, if any, to the victim for offenses involving other violations not specified in other standard.

Case Law

Failure to refund an unearned fee has resulted in discipline of a public reproof for a single violation or actual suspension up to 6 months where there are repeated violations or other misconduct. (*Matthew v. State Bar* (1989) 49 Cal.3d 784 [60-days actual suspension for failing to account for and/or refund unearned fees in three matters and failing to and failing to perform services diligently in two of the matters; no prior record of discipline]; *In the Matter of Lindmark* (Review Dept. 2004) 4 Cal. State Bar Ct. Rptr. 668 [public reproof for failure to refund \$5,000 which was eventually reduced to a judgment against the attorney and collected by a bank account levy 21 months after termination of employment; no prior discipline]; *In the Matter of Nees* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 459 [6-month suspension in a default case for failing to communicate with the client in a habeas corpus case, failing to perform services, failing to release the client file, and failing to refund unearned fees on \$7,000, all in one client matter, no prior discipline]; *In the Matter of Hanson* (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 703 [public reproof for failure to refund \$1,000 in unearned fees for 15 months until after State Bar involvement; prior private reproof considered remote in time]; *In the Matter of Kennon* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 267 [30-days actual suspension for failing to perform and communicate in two client matters and failing to refund unearned fees of \$2,000 in one of the cases; no prior discipline].)

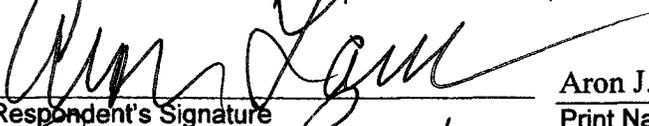
Due to the mitigating circumstances, a public reproof is an appropriate disposition.

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In the Matter of: Aron Joshua Laub, no. 95478	Case number(s): 06-O-14014, 07-O-10545
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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 Facts, Conclusions of Law, and Disposition.

<u>11-3-11</u> Date	<u></u> Respondent's Signature	<u>Aron J. Laub</u> Print Name
<u>11/7/11</u> Date	<u></u> Respondent's Counsel Signature	<u>Ellen A. Pansky</u> Print Name
<u>11/9/11</u> Date	<u></u> Deputy Trial Counsel's Signature	<u>Dane C. Dauphine</u> Print Name

(Do not write above this line.)

In the Matter of:
Aron Joshua Laub, no. 95478

Case Number(s):
06-O-14014, 07-O-10545

REPROVAL ORDER

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

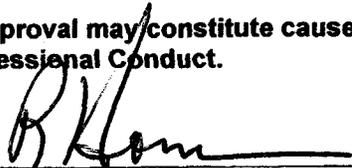
- The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- All court dates in the Hearing Department are vacated.

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 5.58(E) & (F), 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 reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

Date

11-15-11


RICHARD A. HONN
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 November 15, 2011, 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:

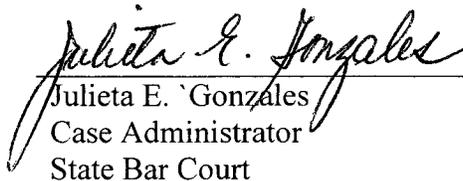
by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ELLEN A PANSKY ATTORNEY AT LAW
PANSKY MARKLE HAM LLP
1010 SYCAMORE AVE UNIT 308
SOUTH PASADENA, CA 91030

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

Dane C. Dauphine, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 15, 2011.



Julieta E. Gonzales
Case Administrator
State Bar Court