

State Bar Court of California
Hearing Department
Los Angeles

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Counsel For The State Bar

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Bar # **151715**

Counsel For Respondent

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100 Pringle Ave., Ste 570
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Bar # **124812**

In the Matter Of:
Stephen P. Naratil

Bar # **174825**

A Member of the State Bar of California
(Respondent)

Case Number (s)

Inv. Nos. **06-O-14047**
07-O-11392
08-O-10609
10-O-05062

(for Court's use)

FILED

SEP 23 2010

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

STAYED SUSPENSION; NO 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:

- (1) Respondent is a member of the State Bar of California, admitted **December 9, 1994**.
- (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 **13** 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.
 - ☒ costs to be paid in equal amounts prior to February 1 for the following membership years: **Two (2) billing cycles following the effective date of the Supreme Court order in this matter.**
(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
 - ☐ costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
 - ☐ costs entirely waived

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

- (1) ☐ **Prior record of discipline** [see standard 1.2(f)]
- (a) ☐ State Bar Court case # of prior case
 - (b) ☐ Date prior discipline effective
 - (c) ☐ Rules of Professional Conduct/ State Bar Act violations:
 - (d) ☐ Degree of prior discipline
 - (e) ☐ If Respondent has two or more incidents of prior discipline, use space provided below 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. **Respondent engaged in multiple acts 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 was very cooperative with the State Bar. Respondent agreed to this stipulation without unreasonable delay. Respondent's cooperation made the filing of a Notice of Disciplinary Charges unnecessary. Additionally, Respondent made substantial restitution payments to his former clients quickly.**
- (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. **Upon being informed that Freda Harris, Jason O'Dell and Amy Owens had not received a refund of any portion of the fees they had paid, Respondent investigated the matter, accepted responsibility for same and made full restitution to those individuals. Respondent kept no fee for himself from those individuals. Respondent also agreed to make substantial restitution to Trent and Judith Binger.**
- (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

*** ADDITIONAL FACTORS IN MITIGATION, INCLUDING FACTORS REGARDING RESPONDENT'S LACK OF PRIOR DISCIPLINE AND GOOD CHARACTER, ARE DISCUSSED ON PAGE 11 OF THIS STIPULATION.**

D. Discipline:

(1) ☒ **Stayed Suspension:**

(a) ☒ Respondent must be suspended from the practice of law for a period of **One (1) year**.

- 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:

The above-referenced suspension is stayed.

(2) ☒ **Probation:**

Respondent is placed on probation for a period of **Two (2) years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court)

E. Additional Conditions of Probation:

- (1) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2) ☒ 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.
- (3) ☒ 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.
- (4) ☒ 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.

- (5) ☐ 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.
- (6) ☒ 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.
- (7) ☒ 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 State Bar Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason: .
- (8) ☐ 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.
- (9) ☐ The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) ☒ **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- ☐ No MPRE recommended. Reason:
- (2) ☒ **Other Conditions:**

Respondent must pay restitution to Trent Binger in the amount of \$16,000 no later than eighteen (18) months after the effective date of the California Supreme Court order imposing discipline in this matter. In paying this restitution to Trent Binger, Respondent must pay Trent Binger at least \$500 per month beginning on the tenth day of the first month after the effective date of the California Supreme Court order imposing discipline in this matter.

Respondent must also pay restitution to Judith Binger in the amount of \$14,000 no later than eighteen (18) months after the effective date of the California Supreme Court order imposing discipline in this matter.

Respondent must provide the Office of Probation satisfactory proof of having timely paid the above-described restitution to Trent Binger and Judith Binger with each quarterly probation report due that office after the effective date of the California Supreme Court order imposing discipline in this matter.

Finally, if the State Bar of California's Client Security Fund reimburses Trent Binger or Judith Binger for any portion of the restitution owed by Respondent to those individuals, Respondent must pay that reimbursement amount, plus applicable interest and costs, to the Client Security Fund instead of paying that amount to the Client Security Fund recipient. If Respondent becomes responsible for payments to the Client Security Fund under this stipulation, he must make those payments and provide satisfactory proof of same to the Office of Probation no later than eighteen (18) months after the effective date of the California Supreme Court order imposing discipline in this matter.

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Stephen P. Naratil, State Bar No. 174825

INVESTIGATION NUMBERS: 06-O-14047, 07-O-11392, 08-O-10609, 10-O-05062

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 set forth below.

INVESTIGATION No. 06-O-14047

Facts

In May 2004, Respondent entered into a written contract with Edward Lerner (Lerner), a non-lawyer, whereby Lerner and his company, Esquire Marketing, would receive 83% of the legal fees generated by Respondent's law practice in exchange for providing Respondent various services generally described as marketing, promoting and managing Respondent's criminal defense practice. The contract further stated that Respondent would receive 17% of all legal fees generated under the contract.

Pursuant to the contract, Respondent's law practice was to be conducted under the name "Crime Attorneys".

Respondent conducted his law practice adhering to the terms of the contract from May 2004 through April 2006. During this period of time, Respondent shared legal fees with Lerner.

Respondent has informed the State Bar that his relationship with Lerner did not interfere with his legal representation of clients, nor did he ever observe Lerner engage in any improper solicitation of clients.

Legal Conclusions

By sharing legal fees with Lerner, Respondent shared legal fees with a person who is not a lawyer in willful violation of the Rules of Professional Conduct, rule 1-320(A).

INVESTIGATION No. 07-O-11392

Facts

In April 2005, Respondent entered into a retainer agreement with Freda Harris (Harris) whereby Respondent agreed to represent Harris' son, Marc Latham (Latham), in a criminal matter in the State of Texas. The representation of Latham involved drafting and filing a petition for a writ of habeas corpus in the Texas state court system. The retainer agreement stated that Harris was to pay Respondent \$50,000 for the representation of her son. Respondent explains that the fee also included his representing Latham at trial on the underlying criminal matter if Latham was granted a new trial. Latham was never granted a new trial.

Respondent was not admitted to practice law in the State of Texas at the time he entered into the retainer agreement with Harris, but he intended at that time to obtain permission to represent Latham in the State of Texas on a pro hac vice basis.

From April 2005 through December 2006, Harris paid Respondent and/or Crime Attorneys \$36,000 pursuant to the retainer agreement she entered into with Respondent.

In April 2005, Respondent contacted Adrienne Dunn (Dunn), an attorney licensed to practice law in the State of Texas, requesting that she and her Texas law firm assist with the representation of Latham and his petition for a writ of habeas corpus.

In June 2005, Respondent entered into a retainer agreement with Dunn and her Texas law firm, whereby the Texas law firm agreed to represent Latham with his petition for a writ of habeas corpus. This agreement provided that the Texas law firm would investigate, draft and file the petition on behalf of Latham in the Texas state court system for a flat fee of \$10,000.

Thereafter, the Texas law firm represented Latham in his petition for a writ of habeas corpus.

Respondent did not provide any significant services to Harris or Latham other than to arrange for the Texas law firm to represent Latham. Respondent never obtained permission to represent Latham in the State of Texas on a pro hac vice basis. Respondent only acted as an intermediary in employing the Texas law firm on behalf of Harris and Latham.

Respondent paid the Texas law firm \$10,000 from the \$36,000 he was paid by Harris.

Respondent and Crime Attorneys retained the remaining \$26,000 paid by Harris.

Respondent did not earn the remaining \$26,000 paid by Harris.

Respondent was unaware that Harris did not receive a refund of the \$26,000 retained by Respondent and Crime Attorneys.

On July 13, 2010, Respondent refunded \$26,000 to Harris.

Legal Conclusions

By failing to refund any portion of the \$26,000 paid by Harris, but unearned by Respondent, until July 13, 2010, Respondent failed to refund promptly any part of a fee that has not been earned in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

INVESTIGATION No. 08-O-10609

Facts

In February 2006, Jason O'Dell (O'Dell), with the assistance of his girlfriend, Amy Owens (Owens), employed Respondent, through Crime Attorneys, to represent O'Dell in a criminal proceeding in the State of Texas. The representation involved defending O'Dell against a charge that he had possessed a small amount methamphetamine.

Respondent was not admitted to practice law in the State of Texas at the time he entered into the employment agreement with O'Dell and Owens, but he intended at that time to obtain permission to represent O'Dell in the State of Texas on a pro hac vice basis.

In February 2006, O'Dell and Owens paid Respondent \$10,000 for the representation of O'Dell.

After being paid the \$10,000, Respondent entered into an agreement with Peter Barrett (Barrett), an attorney licensed to practice law in the State of Texas, to represent O'Dell in his criminal proceeding for a fee of \$3,000 plus costs. Barrett then represented O'Dell in his criminal proceeding.

Respondent did not provide any significant services to O'Dell or Owens other than to arrange for Barrett to represent O'Dell. Respondent never obtained permission to represent O'Dell in the State of Texas on a pro hac vice basis. Respondent only acted as an intermediary in employing Barrett on behalf of O'Dell and Owens.

Respondent paid Barrett \$3,500 from the \$10,000 he was paid by O'Dell and Owens.

Respondent and Crime Attorneys retained the remaining \$6,500 paid by O'Dell and Owens.

Respondent did not earn the remaining \$6,500 paid by O'Dell and Owens.

Respondent was unaware that O'Dell and Owens did not receive a refund of the \$6,500 retained by Respondent and Crime Attorneys.

On July 13, 2010, Respondent refunded \$6,500 to O'Dell and Owens.

Legal Conclusions

By failing to refund any portion of the \$6,500 paid by O'Dell and Owens, but unearned by Respondent, until July 13, 2010, Respondent failed to refund promptly any part of a fee that has not been earned in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

INVESTIGATION No. 10-O-05062

Facts

In February 2006, Trent Binger employed Crime Attorneys, and therefore Respondent, to represent him in the event that charges were filed against him in a military court-martial proceeding. In February 2006, Trent Binger and his mother, Judith Binger, paid Respondent and/or Crime Attorneys \$30,000 pursuant to a retainer agreement that Trent Binger entered into with Crime Attorneys. The \$30,000 payment was deposited into a bank account opened and controlled by Respondent.

Charges were not file against Trent Binger until sometime after January 2007, more than nine months after Respondent had ended his association with Lerner and stopped practicing law under the name "Crime Attorneys". Trent Binger was represented in his court-martial proceeding by defense counsel provided by the Judge Advocate General's office.

Neither Respondent, nor any other employee of Crime Attorneys, provided any legal services of value to Trent Binger.

Respondent did not earn any portion of the \$30,000 paid by the Bingers. Respondent has not refunded any portion the \$30,000 to the Bingers.

Respondent was unaware that the Bingers did not receive a refund of the \$30,000 retained by Respondent and Crime Attorneys.

Respondent has agreed to refund \$30,000 to the Bingers.

Legal Conclusions

By failing to refund any portion of the \$30,000 paid by the Bingers, but unearned by Respondent, Respondent failed to refund promptly any part of fee that has not been earned in willful violation of the Rules of Professional Conduct, rule 3-700(D)(2).

ADDITIONAL MITIGATING CIRCUMSTANCES

Respondent has no record of prior discipline since being admitted to the practice of law in California on December 9, 1994.

Respondent was very cooperative with the State Bar in the resolution of this matter. He initiated his own investigation of the State Bar's allegations and quickly recognized and accepted responsibility for his misconduct.

Once Respondent confirmed that Freda Harris, Jason O'Dell and Amy Owens were due restitution, he took steps to pay that restitution quickly. Once Respondent recognized that the Bingers were due restitution, he agreed to pay that as well.

Finally, Respondent submitted multiple letters to the State Bar which attest to Respondent's good character and community service. These letters state that the writers have known Respondent for a significant period of time and that they are aware of the fact that Respondent faces discipline as a result of past misconduct. An inference can be drawn from these letters that Respondent's misconduct resulted from a lack of attention to the finances of his legal practice, rather than bad character.

Respondent is active in his church and volunteers his time coaching children in various sporting activities.

DISCUSSION RE DISCIPLINE

Standard 2.10 provides that a violation of a Rule of Professional Conduct not otherwise specifically addressed in the Standards, which includes rules 1-320(A) and 3-700(D)(2), shall result in reproof or suspension depending upon the gravity of the offense and the harm, if any, to the victim of the misconduct, with due regard to the purpose of discipline.

Standard 1.3 provides guidance as to the imposition of discipline and interpretation of specific Standards. That Standard states that the primary purpose of discipline is the protection of the public, the courts and the legal profession.

Here, Respondent's misconduct is serious and involves the practice of law. Additionally, Respondent should have been aware that his clients were entitled to a refund and he should have refunded the unearned fee much sooner than he did. These factors dictate that significant discipline be imposed in this matter.

However, Respondent recognizes the wrongfulness of his conduct and readily admits that he should have acted sooner with regard to the client refunds. In furtherance of that recognition of wrongdoing, Respondent has made significant restitution and has agreed to make complete restitution, taking no fee for himself. These factors, along with the mitigating factors discussed above, suggest that Respondent is not likely to commit further misconduct in the future.

The stipulated discipline is consistent with the Standards, as discussed above, and case law.

In *In the Matter of Hanson* (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 703, a public reproof was imposed upon the respondent for his failure to refund an unearned fee of approximately \$1,000 for a period of 22 months. The respondent had a prior discipline, was also found culpable of improperly withdrawing from employment and did not refund the unearned fee until after the State Bar had intervened in the matter.

In *In the Matter of Nees* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 459, the respondent was placed on actual suspension for six months and until he refunded an unearned fee of \$7,000. The respondent's misconduct was aggravated by multiple factors, including the abandonment of his client, his having failed to refund the unearned fee after agreeing to refund same and his failure to participate in the State Bar disciplinary proceeding.

This stipulated matter is more serious than *Hanson*. Respondent's failure to return unearned fees involves three client matters and over \$60,000.

However, this matter is less serious than *Nees*. Respondent did not abandon his clients and his misconduct did not deprive the clients of legal representation as was the case in *Nees*.

Additionally, Respondent admits that he should have been aware of the fact that his clients were due at least a partial refund before the State Bar became involved. In light of that fact, Respondent immediately cooperated with the State Bar by investigating the matters and making restitution of \$32,500 without any personal claim to a fee. Respondent also agreed to refund an additional \$30,000.

Unlike *Nees*, who abandoned his client and ignored the State Bar, Respondent took affirmative action to address the harm suffered by his former clients and resolve this State Bar disciplinary matter. Therefore, the discipline in this matter should be significantly less than that imposed in *Nees*.

Given the above, the parties submit that the agreed upon discipline in this matter is consistent with the Standards and, with the agreed upon probationary conditions, will satisfactorily serve to protect the public.

PENDING PROCEEDINGS

The disclosure date referred to, on page one, paragraph A.(7), was September 3, 2010.

COSTS OF DISCIPLINARY PROCEEDINGS

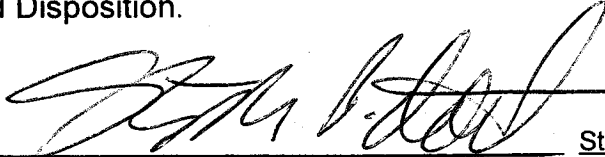
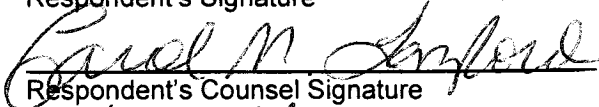

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of, September 3, 2010, the prosecution costs in this matter are approximately \$4,000. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

(Do not write above this line.)

In the Matter of Stephen P. Naratil	Case number(s): Inv. Nos. 06-O-14047 07-O-11392 08-O-10609 10-O-05062
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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.

<u>9/17/10</u> Date	 Respondent's Signature	<u>Stephen P. Naratil</u> Print Name
<u>9-13-10</u> Date	 Respondent's Counsel Signature	<u>Carol M. Langford</u> Print Name
<u>9/20/10</u> Date	 Deputy Trial Counsel's Signature	<u>Kevin B. Taylor</u> Print Name

(Do not write above this line.)

In the Matter Of
Stephen P. Naratil

Case Number(s):
Inv. Nos. 06-O-14047
07-O-11392
08-O-10609
10-O-05062

ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- ☒ The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- ☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- ☐ All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 135(b), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

05-23-10

Date



Judge of the State Bar Court

RICHARD A. PLATEL

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 September 23, 2010, 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:
- CAROL LANGFORD
100 PRINGLE AVE, STE 570
WALNUT CREEK, CA 94596
- ☐ by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:
- ☐ by overnight mail at , California, addressed as follows:
- ☐ by fax transmission, at fax number . No error was reported by the fax machine that I used.
- ☐ By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

KEVIN TAYLOR, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 23, 2010.



Angela Carpenter
Case Administrator
State Bar Court