

STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT
ALTERNATIVE DISCIPLINE PROGRAM

1149 S. Hill St., 5th Fl., Los Angeles, CA 90015

For Clerk's Use Only:

FILED

DEC 21 2010

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

In the Matter of:

TODD E. MACALUSO,
Member No. 133009

A Member of the State Bar of California.

Case No(s). 06-O-14552

ALTERNATIVE DISCIPLINE PROGRAM
STATUS CONFERENCE ORDER

Date: December 20, 2010

Time: 10:00 a.m.

Office of Trials by:

CHARLES MURRAY

- ☒ In Person
☐ Telephone
☐ No Appearance

Named Party by:

TODD E. MACALUSO

- ☐ In Person
☒ Telephone
☐ No Appearance

Named Party's Counsel by:

DAVID CARR

- ☐ In Person
☒ Telephone
☐ No Appearance

Upon consideration of all evidence, reports and documents currently before it, the Court finds that Respondent

- ☐ Is in compliance with the conditions of the State Bar Court's Alternative Discipline Program.

In light of Respondent's compliance, the following are ordered by the court:

- ☐ Respondent may appear by telephone rather than in person at the next scheduled status conference.
☐ Credit for inactive enrollment towards the period of actual suspension imposed as part of discipline is granted in the amount of _____ days/months (circle one).
☐ The frequency of status conferences is hereby reduced.
☐ Respondent's minimum required period of participation in the Alternative Discipline Program is hereby reduced by _____ days/months (circle one). The projected end date of Respondent's participation in the Alternative Discipline Program is _____.
☐ Respondent has successfully completed the Alternative Discipline Program. The Court will prepare its decision and recommendation regarding the lower level of discipline.
☐ Other _____

- ☐ Is NOT in compliance with the conditions of the State Bar Court's Alternative Discipline Program.

In light of Respondent's non-compliance, the following sanctions are ordered by the court:


- ☐ Court to issue an Order to Show Cause as to why Respondent should not be placed on involuntary inactive enrollment due to non-compliance.
☐ Respondent's credit for inactive enrollment towards the period of actual suspension imposed as part of discipline is hereby reduced in the amount of _____ days/months (circle one).
☐ The frequency of status conferences is hereby increased.
☐ Respondent's minimum required period of participation in the Alternative Discipline Program is hereby increased by _____ days/months (circle one). The projected end date of Respondent's required participation in the Alternative Discipline Program is _____.
☐ Respondent is hereby terminated from the Alternative Discipline Program. The Stipulation as to Facts and Conclusions of Law will be filed by the Clerk with this order. The Court will prepare its decision and recommendation regarding the higher level of discipline.

☒ Other OUR MOTION FOR RECOGNITION DENIED - NO GOOD CAUSE SHOWN
RESPONDENT'S MOTION FOR RETURN TO ACTIVE STATUS PURSUANT TO B.P.S. 623
IS GRANTED - RESPONDENT RETURNED TO ACTIVE STATUS UPON FILING OF THIS ORDER

- ☐ Further Status Conference ☐ In person ☒ Telephonic 3-741 AM 9:45 AM

Waive service of this order: ☐ Both Parties ☐ Office of the Chief Trial Counsel ☐ Member/Member's Counsel
IT IS SO ORDERED.

Dated: December 20, 2010


 RICHARD A. PLATEL
 Judge of the State Bar Court



CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on December 21, 2010, I deposited a true copy of the following document(s):

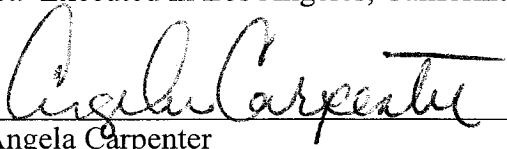
ALTERNATIVE DISCIPLINE PROGRAM STATUS CONFERENCE ORDER

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

- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:
- DAVID C CARR
LAW OFFICE OF DAVID C CARR
530 B STREET STE 1410
SAN DIEGO CA 92101
- ☐ 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:

CHARLES MURRAY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on December 21, 2010.


Angela Carpenter
Case Administrator
State Bar Court