

State Bar Court of California
Hearing Department
San Francisco

<p>Counsel For The State Bar</p> <p>Susan I. Kagan Deputy Trial Counsel 180 Howard Street San Francisco, CA 94105 (415) 538-2037</p> <p>Bar # 214209</p>	<p>Case Number (s) 06-O-14846 [07-O-13876; 08-O-10825; 08-O-10894]</p>	<p>(for Court's use)</p> <p style="text-align: center; font-size: 2em; font-weight: bold;">FILED <i>ADS</i></p> <p style="text-align: center;">DEC 10 2008</p> <p style="text-align: center;">STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p> <p style="text-align: center; font-weight: bold;">PUBLIC MATTER</p>
<p>In Pro Per Respondent</p> <p>Cynthia L. Cox 740 Oakland Ave., # 101 Oakland, CA 94611 (510) 821-8806</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>STAYED SUSPENSION; NO ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>Bar # 168112</p> <p>In the Matter Of: Cynthia L. Cox</p> <p>Bar # 168112</p> <p>A Member of the State Bar of California (Respondent)</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 14, 1993**.
- (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 **11** 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:
(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. **See page 10.**
- (8) ☐ **No aggravating circumstances** are involved.

Additional aggravating circumstances

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) ☒ **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious. **See page 10.**
- (2) ☐ **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) ☐ **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) ☐ **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) ☐ **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) ☐ **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) ☐ **Good Faith:** Respondent acted in good faith.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) ☐ **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) ☐ **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) ☐ **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) ☐ **No mitigating circumstances** are involved.

Additional mitigating circumstances

D. Discipline:

- (1) ☒ **Stayed Suspension:**

- (a) ☒ Respondent must be suspended from the practice of law for a period of **two (2) years**.

- 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 **four (4) 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:**

Attachment language (if any):

FACTS AND CONCLUSIONS OF LAW

Case No.: 06-O-14846

Facts

1. On October 10, 2006, the State Bar opened an investigation in this matter pursuant to a complaint ("complaint") filed by Rudy Ramirez and Pablo Mota alleging misconduct in relation to respondent's representation in a bankruptcy matter.
2. On December 20, 2006, State Bar Investigator, Francoise Jacobs ("Jacobs"), sent respondent a letter regarding the allegations in the complaint. Respondent received a copy of Jacobs' December 20, 2006 letter. Jacobs' December 20, 2006 letter requested that respondent provide a written explanation regarding the allegations in the complaint. Respondent did not respond to Jacobs' December 20, 2006 letter.
3. On February 20, 2007, Jacobs again wrote respondent asking for a written explanation regarding the allegations in the complaint. Respondent received Jacobs' February 20, 2007 letter, but did not respond to it.
4. On March 28, 2007, Jacobs wrote to respondent again asking for a written explanation regarding the allegations in the complaint. Respondent received Jacobs' March 28, 2007 letter, but did not respond to it.
5. Subsequently, respondent provided a written response regarding the allegations in the complaint.

Conclusions of Law

By failing to respond to three different letters from the State Bar and by failing to provide the investigator with a written response to the allegations in the complaint, respondent failed to cooperate or participate in the disciplinary investigation against her in willful violation of section 6068(i) of the Business and Professions Code.

Case No.: 07-O-13876

Facts

1. On September 20, 2007, the State Bar opened an investigation in this matter pursuant to a complaint ("complaint") filed by Robert Jacobson alleging misconduct in relation to respondent's representation in a bankruptcy matter.
2. On October 26, 2007, State Bar Investigator, Francoise Jacobs ("Jacobs"), sent respondent a letter regarding the allegations in the complaint. Respondent received a copy of Jacobs' October 26, 2007 letter. Jacobs' October 26, 2007 letter requested that respondent provide a written explanation regarding the allegations in the complaint. Respondent did not respond to Jacobs' October 26, 2007 letter.
3. On November 26, 2007, Jacobs again wrote respondent asking for a written explanation regarding the allegations in the complaint. Respondent received Jacobs' November 26, 2007 letter, but did not respond to it.
4. On December 17, 2007, Jacobs wrote to respondent again asking for a written explanation regarding the allegations in the complaint. Respondent received Jacobs' December 17, 2007 letter, but did not respond to it.
5. Subsequently, respondent provided a written response regarding the allegations in the complaint.

Conclusions of Law

By failing to respond to three different letters from the State Bar and by failing to provide the investigator with a written response to the allegations in the complaint, respondent failed to cooperate or participate in the disciplinary investigation against her in willful violation of section 6068(i) of the Business and Professions Code.

Case No.: 08-O-10825

Facts

1. On February 22, 2008, the State Bar opened an investigation in this matter pursuant to a complaint ("complaint") filed by Emmanuel Sena alleging misconduct in relation to respondent's representation in a bankruptcy matter.
2. On March 5, 2008, State Bar Investigator, Francoise Jacobs ("Jacobs"), sent respondent a letter regarding the allegations in the complaint. Respondent received a copy of Jacobs' March 5, 2008 letter. Jacobs' March 5, 2008 letter requested that respondent provide a written explanation regarding the allegations in the complaint. Respondent did not respond to Jacobs' March 5, 2008 letter.
3. On March 26, 2008, Jacobs again wrote respondent asking for a written explanation regarding the allegations in the complaint. Respondent received Jacobs' March 26, 2008 letter, but did not respond to it.
4. Subsequently, respondent provided a written response regarding the allegations in the complaint.

Conclusions of Law

By failing to respond to two different letters from the State Bar and by failing to provide the investigator with a written response to the allegations in the complaint, respondent failed to cooperate or participate in the disciplinary investigation against her in willful violation of section 6068(i) of the Business and Professions Code.

Case No.: 08-O-10894

Facts

1. On May 13, 2006, respondent was hired to represent Action Development LLC ("Action") and Michael Gray ("Gray"), a principal of Action, in a chapter 7 matter in U.S. Bankruptcy Court, Northern District of California, Oakland Division, Case No. 05-49398.
2. Prior to hiring respondent, Action purchased a piece of property in Oakland ("Oakland property") and hired Newtown Construction to build a multi-unit project on the Oakland property. Action obtained a loan for the construction on the Oakland property from Scripps Lake Merritt LLC ("Scripps"). At some point, Action stopped making payments to Newtown Construction. On December 1, 2005, Newtown Construction filed a complaint against Action in state court to recover \$240,000 in unpaid work. Thereafter, on December 9, 2005, Action filed for a voluntary petition for relief under chapter 11 in Case No. 05-49398. On May 2, 2006, Case No. 05-49398 was converted into a chapter 7 matter and Lois I. Brady ("Brady") was appointed as chapter 7 trustee. On the same date, Scripps, which had previously foreclosed on the Oakland property, purchased it at a trustee's sale.
3. In the meantime, Action filed a complaint against Scripps in state court on the theory of lender liability and fraud ("lender lawsuit"). Over Scripps' objection, Brady abandoned the lender lawsuit as an asset of Action's chapter 7 estate. In response, on November 8, 2006, Scripps purchased the lender lawsuit from the chapter 7 estate at auction for \$10,000 and then dismissed the case against itself. Respondent, on behalf of Action, objected to Scripps purchase and dismissal of the lender lawsuit and filed an adversary proceeding in Case No. 05-49398 on the grounds on inadequate consideration.
4. On January 22, 2007, the court issued an order in Case No. 05-49398 approving the sale of the lender lawsuit to Scripps.

5. On February 1, 2007, respondent, on behalf of Action, filed a Motion for Reconsideration of Order Approving Sale of Claims of Estate in Case No. 05-49398. On February 26, 2007, the bankruptcy court *sua sponte* issued an order denying Action's motion for reconsideration. In the order, the court noted that respondent's motion did not have "sufficient merit to require that it be scheduled for a hearing and therefore denies it."
6. On March 8, 2007, respondent filed a Notice of Appeal on behalf of Action, Gray and Newtown Construction in *In re Action Development, LLC*, U.S. District Court, Northern District of California, Oakland Division, Case No. C 07-1539 SBA, appealing the bankruptcy court's February 26, 2007 order in Case No. 05-49398. Respondent did not file a designation of record or statement of issues within the ten-day period after filing the Notice of Appeal, as required by Bankruptcy Rule 8006.
7. Although Newtown Construction was represented by attorney, Jon P. Rankin ("Rankin"), respondent handled most aspects of the appeal on behalf of Newtown Construction.
8. On May 18, 2007, counsel for Scripps sent a letter to respondent enclosing a copy of Scripps' motion for sanctions based on respondent's failure to perfect the appeal and requesting that the appeal be dismissed within 21 days. Respondent received the May 18, 2007, but failed to respond to it.
9. On June 28, 2007, a case management conference was held in Case No. C 07-1539 SBA. Respondent attended the conference. At the conference, the court advised respondent that she had until June 29, 2007, to perfect the appeal, and warned that if the appeal was not perfected by that date, the matter may be dismissed.
10. On June 29, 2007, respondent filed a statement of issues and a designation of the record in Case No. C 07-1539 SBA. Thereafter, Brady and Scripps filed motions to dismiss and for sanctions on the grounds that respondent's appeal was frivolous; the parties sought attorney's fees and costs. Respondent was served with copies of the motions, but failed to file a response to them.
11. On October 4, 2007, the court issued an order granting Brady's motion to dismiss and denying Brady's motion for sanctions and Scripps' motion to dismiss. On the same date, the court issued an order to show cause ("OSC") why Brady and Scripps should not be awarded attorney's fees and costs incurred in responding to the appeal as sanctions against Action, Gray, Newtown Construction, respondent and Rankin, jointly and severally. The court scheduled the OSC hearing to take place on November 6, 2007. In addition, the court ordered the parties to file an opposition to the imposition of sanctions at least 14 days prior to the OSC hearing, or by October 23, 2007. Respondent received a copy of the court's October 4, 2007 order, but did not file an opposition, or appear at the OSC hearing on November 6, 2007.
12. On November 15, 2007, the court issued an order awarding attorney's fees and costs to Brady and Scripps against Action, Gray, Newtown Construction, respondent and Rankin, jointly and severally. The court ordered Brady and Scripps to file a motion for allowance of fees within 14 days of the order and ordered Action, Gray, Newtown Construction, respondent and Rankin to file an opposition within 10 days of receipt of the motion. Respondent received a copy of the court's November 15, 2007 order.
13. On November 26, 2007, Brady and Scripps filed a motion for allowance of attorney's fees. Respondent received a copy of the motion, but failed to file a response to it.
14. On December 31, 2007, Rankin filed an untimely motion to set aside the award of sanctions as to Newtown Construction and Rankin on the basis of excusable neglect based on respondent's failure to act. In the motion, Rankin claimed that he relied on respondent's repeated assurances that she would dismiss the appeal and handle the issue of sanctions, to no avail.
15. On February 14, 2008, the court granted the motion for attorney's fees and denied Rankin's motion to set aside the sanctions. The court awarded \$22,104.43 to Scripps and \$8,521.10 to Scripps as attorney's fees and costs as sanctions pursuant to the court's November 15, 2007 order against Action, Gray, Newtown Construction, respondent and Rankin, jointly and severally. Respondent received a copy of the court's February 14, 2008 order, but did not report the sanctions to the State Bar in writing within 30 days of her knowledge of the imposition of judicial sanctions.

16. Thereafter, Newtown Construction and Rankin paid the sanctions awarded by the court in Case No. C 07-1539 SBA.

17. On February 29, 2008, the State Bar opened an investigation in this matter pursuant to a complaint ("complaint") filed by counsel for Scripps alleging misconduct in relation to respondent's representation in Case No. C 07-1539 SBA.

18. On March 24, 2008, State Bar Investigator, Francois Jacobs ("Jacobs"), sent respondent a letter regarding the allegations in the complaint. Respondent received a copy of Jacobs' March 24, 2008 letter. Jacobs' March 24, 2008 letter requested that respondent provide a written explanation regarding the allegations in the complaint. Respondent did not respond to Jacobs' March 24, 2008 letter.

19. On April 15, 2008, Jacobs again wrote respondent asking for a written explanation regarding the allegations in the complaint. Respondent received Jacobs' April 15, 2008 letter, but did not respond to it.

20. Subsequently, respondent provided a written response regarding the allegations in the complaint.

Conclusions of Law

By failing to file a response to Brady and Scripps' motions to dismiss and for sanctions, by failing to file an opposition to the imposition of sanctions Case No. C 07-1539 SBA as ordered by the court on October 4, 2007, failing to appear at the OSC hearing on November 6, 2007, and by failing to file a response to Brady and Scripps' motion for allowance of attorney's fees, respondent intentionally, recklessly and repeatedly failed to perform legal services with competence in willful violation of rule 3-110(A) of the Rules of Professional Conduct.

By failing to comply with the court's October 4, 2007 order requiring respondent to file an opposition to the imposition of sanctions and requiring respondent to appear at the OSC hearing on November 6, 2007, and by failing to comply with the court's November 15, 2007 order requiring respondent to file an opposition to Brady and Scripps' motion for allowance of fees within 10 days of receipt of the motion, respondent violated orders of the court requiring her to do or forbear an act connected with or in the course of her profession, which she ought in good faith to do or forbear, in willful violation of section 6103 of the Business and Professions Code.

By failing to report in writing to the State Bar the court's February 14, 2008 order imposing sanctions against her in the amount \$22,104.43 and \$8,521.10 in Case No. C 07-1539 SBA within 30 days of respondent's knowledge of the imposition of judicial sanctions, respondent failed to report to the agency charged with attorney discipline, in writing, within 30 days of the time respondent had knowledge of the imposition of any judicial sanctions against respondent in willful violation of section 6068(o)(3) of the Business and Professions Code.

By failing to respond to two different letters from the State Bar and by failing to provide the investigator with a written response to the allegations in the complaint, respondent failed to cooperate or participate in the disciplinary investigation against her in willful violation of section 6068(i) of the Business and Professions Code.

PENDING PROCEEDINGS

The disclosure date referred to on page two, paragraph A (7) was October 22, 2008.

STATE BAR ETHICS SCHOOL

Because respondent has agreed to attend State Bar Ethics School as part of this stipulation, respondent may receive Minimum Continuing Legal Education credit upon the satisfactory completion of State Bar Ethics School.

FACTS SUPPORTING AGGRAVATING AND MITIGATING CIRCUMSTANCES

AGGRAVATING CIRCUMSTANCES

Standard 1.2(b)(ii). Respondent's numerous failures to cooperate with State Bar investigations demonstrate multiple acts of misconduct.

MITIGATING CIRCUMSTANCES

Standard 1.2(e)(i). Respondent has been in practice since 1993. She has no prior record of discipline.

SUPPORTING AUTHORITY

Standard 2.4(b) requires a reproof or suspension for a respondent who has wilfully failed to perform services in which she was retained.

Standard 2.6 requires that violations of Business and Professions Code sections 6068(i), 6068(o) and 6103 shall result in disbarment or suspension depending on the gravity of the offense or harm, if any, to the victim, with due regard to the purpose of imposing discipline set forth in standard 1.3.

Business and Professions Code section 6103 requires disbarment or suspension for a wilful disobedience or violation of a court order.


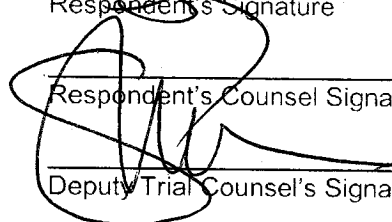
In accordance with the standards and section 6103 of the Business and Professions Code, a stayed suspension is the proper discipline for respondent's misconduct in this matter.

(Do not write above this line.)

In the Matter of Cynthia L. Cox	Case number(s): 06-O-14846 [07-O-13876; 08-O-10825; 08-O-10894]
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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.

Date <u>11/12/08</u>	 Respondent's Signature	Cynthia L. Cox Print Name
Date <u>11/17/08</u>	 Respondent's Counsel Signature	N/A Print Name
Date <u>11/17/08</u>	Deputy Trial Counsel's Signature	Susan I. Kagan Print Name

(Do not write above this line.)

In the Matter Of
Cynthia L. Cox

Case Number(s):
06-O-14846 [07-O-13876; 08-O-10825; 08-O-10894]

ORDER

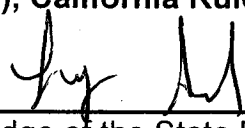
Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- ☒ 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.)**

Date

Dec. 1, 2008


Judge of the State Bar Court
Luis Armendariz

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 San Francisco, on December 10, 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:

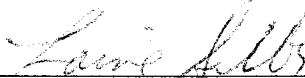
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

CYNTHIA L. COX
740 OAKLAND AVE #101
OAKLAND, CA 94611

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

SUSAN KAGAN, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on December 10, 2008.



Laine Silber
Case Administrator
State Bar Court