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**State Bar Court of California  
Hearing Department  
Los Angeles  
ACTUAL SUSPENSION**

<p>Counsel For The State Bar  AGUSTIN HERNANDEZ Deputy Trial Counsel 1149 South Hill Street Los Angeles, CA 90015-2299 (213) 765-1713  Bar # 161625</p>	<p>Case Number(s): 06-O-15480 07-H-13336</p>	<p>For Court use only</p> <p><b>PUBLIC MATTER</b></p> <p><b>FILED</b></p> <p>JUL 07 2011</p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent  DAVID CAMERON CARR 530 B Street, Suite 1410 San Diego, CA 92101 (619) 696-0526  Bar # 124510</p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p>	
<p>In the Matter of: ALEX JUSTIN RANCIGLIO  Bar # 162222  A Member of the State Bar of California (Respondent)</p>	<p><b>ACTUAL SUSPENSION</b></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 14, 1992.
- (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):
- Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
  - Costs are to be paid in equal amounts prior to February 1 for the following membership years: 2012, 2013 and 2014. (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.

**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 04-O-14783
  - (b)  Date prior discipline effective August 21, 2006.
  - (c)  Rules of Professional Conduct/ State Bar Act violations: Rules 3-110(A) and 3-700(A)(2), Rules of Professional Conduct, and Business and Professions Code, section 6068(m).
  - (d)  Degree of prior discipline Public Reprimand (two years).
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.
- (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.
- (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:**

At the time of the misconduct in this stipulation, Respondent had been suffering from a long history of depression which contributed to the misconduct. The depression intensified upon retiring from the military in 1992 and not being able to find employment as an attorney. (Respondent was admitted to the practice of law in California in 1992, but was admitted to practice in the State of Missouri in 1969. From 1969 through 1992, Respondent served in the United States Air force as a judge advocate). In 1997, Respondent's marriage of 28 years ended in divorce. In 1998, Respondent was laid off from his job as an attorney. Unable to find other employment as an attorney, Respondent began working as a substitute teacher. Respondent has sought and received treatment for his depression. Respondent has been participating in the Lawyer Assistance Program since October 2008.

Due to his depression, Respondent could not bring himself open mail from the State Bar and could not timely comply with the terms and conditions of his reproof. Eventually, Respondent did attend and pass Ethics School on December 6, 2007, and filed all of his missing Quarterly Reports in 2008. Respondent also took the MPRE on November 8, 2008, but did not receive a passing score.

**D. Discipline:**

- (1)  **Stayed Suspension:**

- (a)  Respondent must be suspended from the practice of law for a period of one 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:
- (b)  The above-referenced suspension is stayed.

- (2)  **Probation:**

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

- (3)  **Actual Suspension:**

- (a)  Respondent must be actually suspended from the practice of law in the State of California for a period of 90 days.
- i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
  - ii.  and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii.  and until Respondent does the following:

**E. Additional Conditions of Probation:**

- (1)  If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in the general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2)  During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3)  Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4)  Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5)  Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6)  Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7)  Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8)  Within one (1) year of the effective date of the discipline herein, Respondent must provide to the 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: \_\_\_\_\_
- (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)  The following conditions are attached hereto and incorporated:

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- |   |   |
|---|---|
| <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 during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
- No MPRE recommended. Reason: \_\_\_\_\_
- (2)  **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3)  **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4)  **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension: \_\_\_\_\_
- (5)  **Other Conditions:** \_\_\_\_\_



4. The Order and Public Repeal became effective on or about August 21, 2006.
5. Pursuant to the Order, Respondent was required to comply with certain terms and conditions attached to the Public Repeal for the period of two (2) years from the effective date of the Order, including the following:
  - a) Within thirty (30) days from the effective date of discipline, Respondent was required to contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss the terms and conditions of his probation;
  - b) Respondent was required to submit written quarterly reports to the Office of Probation no later than October 10, 2006, January 10, 2007, April 10, 2007, July 10, 2007, October 10, 2007, January 10, 2008, April 10, 2008, and July 10, 2008, and a final quarterly report due no later than August 21, 2008, during the condition period of the Public Repeal;
  - c) Within one (1) year of the effective date of the Order, Respondent was required to provide to the Office of Probation satisfactory proof of attendance of Ethics School and passage of the test given at the end of that session; and
  - d) Within one (1) year of the effective date of the Order, Respondent was required to provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE") to the Office of Probation.
  - e) On or about August 16, 2006, a Probation Deputy in the State Bar's Office of Probation mailed a letter to Respondent, reminding him of the terms of his Public Repeal which became effective August 21, 2006. The letter was properly addressed and mailed to Respondent at his official State Bar Membership Records address at P.O. Box 1316, Attn: Legal Department, San Bernardino, CA 92402-1316. The letter was not returned by the U.S. Postal Service as undeliverable, or for any other reason. Respondent received the letter.
6. During the two years from the effective date of the Court Order of the Public Repeal imposed in this matter, Respondent did not comply with the terms and conditions attached to it, to wit: Respondent did not contact any Probation Deputy or anyone else in the Office of Probation to schedule a meeting with his assigned Probation Deputy or anyone else in the Office of Probation to discuss the terms and conditions of his probation; did not submit the quarterly reports to the Office of Probation due no later than October 10, 2006, January 10, 2007, April 10, 2007, July 10, 2007, October 10, 2007, January 10, 2008, and April 10, 2008 ; did not submit to the Office of Probation proof of attendance and successful completion of Ethics School; and did not submit to the Office of Probation proof of passage of the MPRE.

#### CONCLUSIONS OF LAW:

7. By not contacting anyone at the Office of Probation to schedule a meeting to discuss the terms and conditions of his probation; by not submitting timely to the Office of Probation any quarterly reports; by not submitting timely to the Office of Probation proof of attendance and successful completion of the Ethics School; and by not submitting timely to the Office of Probation proof of passage of the MPRE, Respondent

failed to comply with all conditions attached to his disciplinary probation, in willful violation of Rules of Professional Conduct, rule 1-110.

Case No. 06-O-15480 (Complainant: Arlene Hughes)

FACTS:

8. Arlene Rae Hughes (“Arlene”) and A.R. Hughes (a.k.a. Frank Maher, hereinafter “Hughes”) were together from 1979 through 2006 but were never married.

9. On January 1, 1983, Hughes and Arlene signed a Partnership Agreement and became partners in a business named “Panamex.”

10. From 1991 through 2006 Respondent provided legal services to Hughes, Arlene, and Panamex.

11. In early 2004, Arlene informed Hughes that she wanted to dissolve the partnership because she did not want to be responsible for Panamex’s debt and tax liabilities. At that time, neither Arlene nor Hughes took any affirmative steps to formally dissolve the partnership. However, Hughes remained in Oregon and solely operated Panamex, and Arlene moved to Southern California and was no longer involved with Panamex.

12. On January 5, 2006, Hughes was admitted to Loma Linda Medical Center due to a diagnosis of terminal cancer. Hughes remained in the hospital from January 5, 2006, until his death on February 6, 2006.

13. On January 10, 2006, Respondent informed Arlene that he was buying Panamex from Hughes and that she needed to sign a Notice of Dissolution to formally dissolve Panamex. Arlene informed Respondent that she thought the partnership had already been dissolved. Respondent informed Arlene that Panamex had not been formally dissolved.

14. On January 11, 2006, Respondent presented a Notice of Dissolution of Panamex to Arlene for her signature. Arlene signed the Notice of Dissolution on this date.

15. On January 25, 2006, Hughes signed a Bill of Sale that transferred Hughes’ interest in Panamex and its assets to Respondent (Bill of Sale).

16. The terms of the acquisition contained in the Bill of Sale were not fair and reasonable to Hughes and were not fully disclosed and transmitted in writing in a manner that should have been reasonably understood by Hughes. The Bill of Sale did not specify how much Panamex and its assets were worth. The consideration given by Respondent to Hughes for Panamex was in lieu of payment for legal services rendered by Respondent to Hughes and Panamex throughout many years. The Bill of Sale did not specify the value of Respondent’s legal services.

17. At the time that Respondent obtained Hughes’ signature on the Bill of Sale, Respondent did not advise Hughes in writing that he could to seek the advice from an independent lawyer of his choice and did not give him a reasonable opportunity to seek that advice.

18. Respondent did not inform Arlene of the value of Panamex and its assets or its liabilities. Respondent did not give anything of value to Arlene in return for her signature on the Notice of Dissolution. Arlene was the sole beneficiary under Hughes' will, and under the will, she was potentially entitled to receive Panamex and its assets and liabilities. Hughes' estate has not been probated and it is unknown if there will be any remaining assets after satisfying all of Panamex's debt and tax liabilities. However, in 2004, Arlene did inform Hughes that she wanted to dissolve the partnership because she did not want to be responsible for any of Panamex's debt and tax liabilities. Up until January 10, 2006, Arlene believed that the partnership had been dissolved.

19. At the time that Respondent obtained Arlene's signature on the Notice of Dissolution, Respondent did not advise Arlene in writing that she could seek the advice from an independent lawyer of her choice and did not give her a reasonable opportunity to seek that advice.

#### CONCLUSIONS OF LAW:

20. By knowingly acquiring an ownership interest in Panamex when the terms of the acquisition were not fair and reasonable to Hughes and were not fully disclosed to him in writing in a manner that could have been reasonably understood by him; and by failing to advise Hughes in writing that he may seek the advice from an independent lawyer of his choice and not giving him a reasonable opportunity to seek that advice, Respondent improperly acquired an interest adverse to a client, in wilful violation of Rule 3-300, Rules of Professional Conduct.

21. By entering into a business transaction with Arlene and not fully disclosing to her in writing the terms of the transaction in a manner that could have been reasonably understood by her; and by failing to advise Arlene in writing that she may seek the advice from an independent lawyer of her choice and not giving her a reasonable opportunity to seek that advice, Respondent improperly entered into a business transaction with a client, in wilful violation of Rule 3-300, Rules of Professional Conduct.

#### PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was June 16, 2011.

#### AUTHORITIES SUPPORTING DISCIPLINE.

##### Standards

Standard 1.3, Title IV, Standards for Attorney Sanctions for Professional Misconduct, provides that the primary purposes of the disciplinary system are: "the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession."

Standard 1.7(a) provides that if a member has a prior imposition of discipline, “the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding unless the prior discipline imposed was so remote in time to the current proceeding and the offense for which it was imposed was so minimal in severity that imposing greater discipline in the current proceeding would be manifestly unjust.”

Standard 1.6(a) states that “[i]f two or more acts of professional misconduct are found or acknowledged in a single disciplinary proceeding, and different sanctions are prescribed by these standards for said acts, the sanction imposed shall be the more or most severe of the different applicable sanctions.”

Standard 2.8 provides that Respondent’s violation of rule 3-300, Rules of Professional Conduct shall result in suspension “unless the extent of the member’s misconduct and the harm to the client are minimal, in which case, the degree of discipline shall be reproof.”

Standard 2.9 provides that a violation of rule 1-110, Rules of Professional Conduct, shall result in suspension.

#### Case Law

The Supreme Court has emphasized the importance of the standards and has held that great weight should be given to the application of the standards in determining the appropriate level of discipline. (In re Silverton (2005) 36 Cal. 4th 81.) The standards must be followed unless there is a compelling reason justifying a deviation from the standards. (In the Matter of Bouyer (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 404.) The Supreme Court has held that unless it has “grave doubts as to the propriety of the recommended discipline,” it will uphold the application of the standards. In re Silverton, supra, 36 Cal. 4th at p. 91-92.

The Supreme Court imposed discipline consisting of a one-year stayed suspension with 60 days of actual suspension and one year of probation for violating the terms and conditions of a prior discipline. The respondent failed to take and pass the MPRE within the required time. Conroy actually defaulted in his matter and made no showing of an inability to comply with his probationary condition. In aggravation, the Court considered that Conroy had one prior imposition of discipline, failed to participate in the disciplinary proceedings, and demonstrated a lack of understanding of the gravity of his misconduct. (Conroy v. State Bar (1990) 51 Cal.3d 799.)

In this case, Ranciglio failed to comply with more than one condition of probation, but Ranciglio was suffering from depression at the time and has participated in these proceedings. Conroy defaulted in his proceedings and made no showing of an inability to comply with his probationary condition.

The Review Department imposed discipline consisting of a one-year stayed suspension with 60 days of actual suspension and two years of probation when an attorney acquired an interest adverse interest to his clients (and committed additional misconduct). Fonte drafted a trust for his clients and named himself the successor trustee. Pursuant to the trust, Fonte could borrow money from the trust without any security. Fonte failed to adequately disclose the import of this provision to his clients, and failed to advise them in writing that they could seek advice from independent counsel or give them the opportunity to do so. In

another matter, Fonte represented clients with adverse interests. Fonte failed to advise them of the conflicts of interest arising from his representation and failed to obtain their written consent to his representation. Fonte also failed to provide an accounting. In mitigation, Fonte had no record of prior discipline in 25 years of practice and had extensive public service. In aggravation, the court considered that Fonte was overreaching when he removed \$2,500 from one of the client's funds while he had a conflict of interest; tried to induce the clients to withdraw their State Bar complaints; misled the probate court; lacked candor; committed multiple acts of misconduct; caused significant harm to his clients; and demonstrated an indifference toward rectification or atonement for the consequences of his misconduct. (In the Matter of Fonte (Review Department 1994) 2 Cal. State Bar Ct. Rptr. 752.)

Fonte's misconduct is more severe and egregious than Ranciglio's misconduct. Fonte did have 25 years of practice without discipline while Respondent has one prior imposition of discipline. However, Fonte has serious aggravating circumstances.

The standards and case law support a 90-day actual suspension. As discussed above on page 4, Respondent is entitled to mitigation due to his depression. Discipline consisting of a one-year stayed suspension with 90 days of actual suspension and two years of probation is appropriate and sufficient to protect the public, the courts and the integrity of the legal profession.

DISMISSALS.

The parties respectfully request the Court to dismiss the following alleged violations in the interest of justice:

Case No.	Count	Alleged Violation
06-O-15480	Three	Business and Professions Code, section 6106
06-O-15480	Four	Business and Professions Code, section 6106

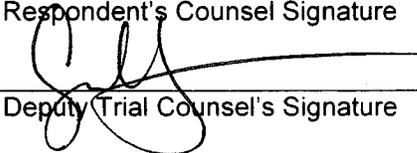
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In the Matter of: ALEX JUSTIN RANCIGILO	Case number(s): 06-O-15480 & 07-H-13336
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**SIGNATURE OF THE PARTIES**

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>6/20/2011</u> Date	 Respondent's Signature	<u>ALEX JUSTIN RANCIGILO</u> Print Name
<u>6/20/11</u> Date	 Respondent's Counsel Signature	<u>DAVID CAMERON CARR</u> Print Name
<u>June 20, 2011</u> Date	 Deputy Trial Counsel's Signature	<u>AGUSTIN HERNANDEZ</u> Print Name

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In the Matter of:  
ALEX JUSTIN RANCIGILO

Case Number(s):  
06-O-15480 & 07-H-13336

### ACTUAL SUSPENSION 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 5.58(E) & (F), 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

07-05-11

Judge of the State Bar Court

RICHARD A. PLATEL

## 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 July 7, 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:

DAVID C. CARR, ESQ.  
LAW OFFICE OF DAVID CAMERON CARR  
530 B ST STE 1410  
SAN DIEGO, CA 92101

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

AGUSTIN HERNANDEZ, ESQ., Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 7, 2011.



Rose Luthi  
Case Administrator  
State Bar Court