ORIGINAL

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State Bar Court of California
Hearing Department
Los Angeles

PUBLIC MATTER

Counsel For The State Bar **Melanie J. Lawrence** **1149 South Hill Street** **Los Angeles, CA 90015** Bar # **230102**	Case Number (s) **07-O-10166** **08-O-10271** **09-O-10091 (unfiled)**	(for Court's use) FILED MAR 25 2009 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
Counsel For Respondent **Daniel S. Agle** **Klinedinst** **501 West Broadway, Suite 600** **San Diego, CA 92101** Bar # **251090**	Submitted to: **Settlement Judge** STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING **ACTUAL SUSPENSION** ☐ PREVIOUS STIPULATION REJECTED	
In the Matter Of: **Patty N. Albrecht** **27740 Jefferson Ave. #300** **Temecula, CA 92590** Bar # **135403** A Member of the State Bar of California (Respondent)		

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 **June 14, 1988**.

(2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.

(3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **12** pages, not including the order.

(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."

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(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 284, Rules of Procedure.

☒ costs to be paid in equal amounts prior to February 1 for the following membership years: **three billing cycles following the effective date of the Supreme Court order.**
(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.

(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

See stipulation attachment, page 10.

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 **30 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 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:

☐ Substance Abuse Conditions ☒ Law Office Management Conditions

☐ Medical Conditions ☐ 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 ~~951~~ 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**

☐ No MPRE recommended. Reason:

(2) ☐ **Rule ~~955~~ 9.20, California Rules of Court:** Respondent must comply with the requirements of rule ~~955~~ **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 ~~955~~ 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 ~~955~~ **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:**

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Law Office Management Conditions

a. ☐ Within days/ months/ years of the effective date of the discipline herein, Respondent must develop a law office management/organization plan, which must be approved by the Office of Probation. This plan must include procedures to (1) send periodic reports to clients; (2) document telephone messages received and sent; (3) maintain files; (4) meet deadlines; (5) withdraw as attorney, whether of record or not, when clients cannot be contacted or located; (6) train and supervise support personnel; and (7) address any subject area or deficiency that caused or contributed to Respondent's misconduct in the current proceeding.

b. ☒ Within days/**18** months/ years of the effective date of the discipline herein, Respondent must submit to the Office of Probation satisfactory evidence of completion of no less than **6** hours of Minimum Continuing Legal Education (MCLE) approved courses in law office management, attorney client relations and/or general legal ethics. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for attending these courses (Rule 3201, Rules of Procedure of the State Bar.)

c. ☐ Within 30 days of the effective date of the discipline, Respondent must join the Law Practice Management and Technology Section of the State Bar of California and pay the dues and costs of enrollment for year(s). Respondent must furnish satisfactory evidence of membership in the section to the Office of Probation of the State Bar of California in the first report required.

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Patty N. Albrecht

CASE NUMBER(S): ET AL. 07-O-10166, 08-O-10271, 09-O-10091 (unfiled)

WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CULPABILITY:

The parties waive any variance between the Notice of Disciplinary Charges filed on October 16, 2008, and the facts and/or conclusions of law contained in this stipulation and waive the issuance of an Amended Notice of Disciplinary Charges. The parties further waive the right to the filing of an Amended Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

FACTS AND CONCLUSIONS OF LAW.

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

07-O-10166

Facts:

1. In September 2004, Julie Leonardson employed Albrecht & Albrecht, of which Respondent is a partner, to represent her in a personal injury matter, on a contingency fee basis. Pursuant to the employment agreement, Albrecht & Albrecht would receive 33 1/3 % of any settlement if the case settled before trial, 40% if the case went to trial, or $350 per hour "if on a time plus basis." The agreement included a lien on any recovery to pay attorneys fees and costs and a right to retain "said sums for fees and advances out of the proceeds of monies finally received by settlement, judgment or otherwise."

2. In February 2005, Leonardson terminated the services of Albrecht & Albrecht and retained Richard Kahanowitch as her new counsel.

3. On March 7, 2005, Kahanowitch sent a letter to Albrecht & Albrecht advising that Leonardson had hired him and requesting the file in the Leonardson matter.

4. On March 17, 2005, W.E. Jon Albrecht, a partner in Albrecht & Albrecht, sent a letter to Kahanowitch acknowledging receipt of the March 7, 2005, letter and enclosing the file. He advised that under separate cover, Albrecht & Albrecht would forward their lien for services rendered in the Leonardson case.

5. On March 21, 2005, Albrecht & Albrecht mailed an itemized accounting for Leonardson's matter to Kahanowitch setting forth the amount of the firm's lien at $2,796 but Kahanowitch did not receive it.

6. In August 2006, Leonardson's matter settled. On August 14, 2006, a settlement check was issued in the sum of $60,000, payable to Leonardson and her attorneys, Zimmerman & Kahanowitch and Albrecht & Albrecht. The Zimmerman and Kahanowitch firm endorsed the check. Leonardson had not endorsed the check.

7. On September 11, 2006, Kahanowitch mailed a letter to Albrecht & Albrecht in which he enclosed the settlement check and requested the firm endorse the check and return it. Further, the letter requested that Albrecht & Albrecht provide an itemized billing if the firm intended to assert a lien.

8. Respondent endorsed the check but instead of returning it as requested, she deposited it into the firm trust account on September 26, 2006.

9. On October 3, 2006, Respondent sent a letter to Kahanowitch in which she advised him she was enclosing a check issued from her trust account in the amount of $57,204. She had determined that Albrecht & Albrecht was entitled to $2,796 based on an hourly rate, plus costs, as set forth in the March 21, 2005 accounting. A copy of the March 21, 2005 accounting was enclosed with the October 3, 2006, letter.

10. In depositing the $60,000 check and retaining $2,796, Respondent interpreted the employment agreement as giving the firm express authority to satisfy its lien from any and all proceeds and believed that if she had endorsed the check and returned it, as requested, the lien could have been subject to extinguishment. Respondent's belief was held in good faith but was not reasonable.

11. On October 9, 2006, Kahanowitch sent a letter to Respondent demanding she endorse the $60,000 check and return it to his office or if she had negotiated it, to forward the $2,796 for deposit into his trust account while their respective firms resolved any lien issues. Further, he advised her in the letter that he and Leonardson "take issue" with the hourly rate and that he had not received the itemized accounting any time before October 6, 2006.

12. On November 8, 2006, Kahanowitch sent Respondent a letter in which he demanded she return the $2,796 and explain her actions in depositing the settlement check without Leonardson's endorsement.

13. On November 11, 2006, Respondent sent Kahanowitch a letter in which she stated that he had been notified "on more than one occasion" of the lien and itemized statement and that, "Your $17,204 attorneys fees should be adequate. . . " Due to the fee agreement with Leonardson, the $2,796 in question constituted attorney's fees, not client funds. The dispute was between Kahanowitch and Albrecht & Albrecht.

14. On March 9, 2007, after the State Bar notified Respondent of its intent to file a Notice of Disciplinary Charges in the matter, Respondent sent Kahanowitch a trust account check for $2,796.

Conclusions of Law:

By depositing the check into her client trust account and unilaterally determining her fee, Respondent deposited funds into that account which had not been entrusted to her by a client, thereby willfully misusing her client trust account in violation of Rule 4-100(A) of the Rules of Professional Conduct.

09-O-10091 (unfiled, investigation matter)

Facts:

15. On November 6, 2006, Wayne and Karen McCorkindale hired Albrecht & Albrecht to represent them in a guardianship and adoption matter. On that date the McCorkindale's paid Albrecht & Albrecht $7,500 in advanced fees.

16. On November 11, 2008, the McCorkindale's sent a letter to Albrecht & Albrecht terminating the firm's services and requesting their file and any unearned fees. Respondent received the letter.

17. On November 24, 2008, Respondent sent a letter to the McCorkindale's in which she stated that the file would be ready for pickup after the first week in December and to call for an appointment so that she would have a release and Substitution of Attorney ready for their signature. The letter was misaddressed in that the zip code was wrong. The McCorkindale's never received the letter. Respondent made no other attempt to return the property.

18. On December 6, 2008, the McCorkindale's complained to the State Bar that they had not received their file or return of any unearned fees.

19. On February 25, 2009, after learning of the McCorkindale's complaint to the State Bar, Respondent sent the McCorkindale's file and unearned fees to the McCorkindales, via messenger to ensure prompt delivery. Due to scheduling difficulties related to Mr. McCorkindale's work schedule, the messenger was finally able to deliver the file and unearned fees on March 10, 2009.

Conclusions of Law:

By failing to adequately respond to the McCorkindale's request for their property by sending the letter to the wrong zip code and not making additional attempts to return the property to the McCorkindales until after they filed a State Bar complaint, Respondent failed to respond promptly to reasonable status inquiries of a client and keep a client reasonably informed of significant developments in a matter with regard to which she had agreed to provide legal services in violation of Business and Professions Code section 6068(m).

AUTHORITIES SUPPORTING DISCIPLINE

Mitigating factors:

Respondent has been in practice since 1988 with no prior record of discipline.

Respondent has cooperated with the State Bar in the investigation of the McCorkindale matter.

Standards:

Standard 1.3 provides that the primary purposes of attorney discipline are, "the protection of the public, the courts and the legal profession; the maintenance of high legal professional standards by attorneys and the preservation of public confidence in the legal profession."

Standard 2.2(b) applies to the rule 4-100(A) violations. It requires at least a three month actual suspension irrespective of mitigating circumstances.

Standard 2.6(a) applies to violations of Business and Professions Code section 6068. It requires disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim with due regard to the purposes of imposing discipline.

Case Law:

To determine the appropriate level of discipline, the standards provide guidance. (*Drociak v. State Bar* (1991) 52 Cal. 3d 1085; *Matter of Sampson* (1994) 3 Cal. State Bar Ct. Rptr. 119.) They are entitled to "great weight." (*In re Silverton* (2005) 36 Cal. 4th 81, 92.) But, the recommended discipline must rest upon a balanced consideration of relevant factors. (*Sampson, supra,* 3 Cal. State Bar Ct. Rptr. 119.) The standards need not be applied in a talismanic fashion and may be tempered with considerations peculiar to the offense and the offender. (See *In re Van Sickle* (2006) 4 Cal. State Bar Ct. Rptr. 980.)

In *Matter of Sternlieb* (1990) 52 Cal.3d 317 an attorney was culpable in one client matter of misappropriation and failure to properly account for trust funds when she withdrew money from her trust account to pay for attorney's fees without her client's consent. *Sternlieb* testified she believed her use of the funds were authorized by her client, a belief the court concluded was unreasonable. In mitigation, *Sternlieb* had no prior record of discipline, expressed remorse and had taken steps to establish office procedures that would avoid practices that led to the violation. *Sternlieb* was ordered actually suspended for 30 days.

In *Dudugjian v. State Bar* (1991) 52 Cal. 3d. 1092, an attorney believing that there were no unresolved issues regarding attorney's fees, deposited a settlement check into his general account without his client's endorsement. Then the client directly and through an attorney requested the funds. While waiting for the check to clear, the attorney falsely represented he would comply with the request. He then applied the funds to the client's outstanding bill. He received a public reproval.

DISMISSALS.

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

Case No.	Count	Alleged Violation
08-O-10271	5	Rule 3-110(A)

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of March 13, 2009, the prosecution costs in this matter are estimated at $4.273. 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 **Patty N. Albrecht**	Case number(s): **07-O-10166 et.al.**

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	Respondent's Signature	Print Name
3/19/09		DANIEL AGLE
Date	Respondent's Counsel Signature	Print Name
3/23/09		Melanie J. Lawrence
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter of **Patty N. Albrecht**	Case number(s): **07-O-10166 et.al.**

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.

03/19/09	Patty Norman Albrecht	PATTY NORMAN ALBRECHT
Date	Respondent's Signature	Print Name
Date	Respondent's Counsel Signature	Print Name
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter Of **Patty N. Albrecht**	Case Number(s): **07-O-10166 et.al.**

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:

- [x] 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.)**

03-25-09
Date

Judge of the State Bar Court

RICHARD A. PLATEL

(Stipulation form approved by SBC Executive Committee 10/16/00. Revised 12/16/2004; 12/13/2006.)

Actual Suspension Order

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 March 25, 2009, 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:

DANIEL S AGLE ESQ
KLINEDINST PC
501 W BROADWAY STE 600
SAN DIEGO, CA 92101 - 3584

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

Melanie J. Lawrence, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on March 25, 2009.

Julieta E. Gonzales
Julieta E. Gonzales
Case Administrator
State Bar Court