

FILED

JUL 11 2014

STATE BAR COURT
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**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES**

In the Matter of)

RICHARD ALAN BRUBAKER,)

Member No. 134130,)

A Member of the State Bar.)

Case Nos.: **07-O-10980-RAH**

(07-O-11008; 07-O-11015;

07-O-11205; 07-O-11335;

07-O-11403; 07-O-11972;

07-O-12243) (S204625)

**ORDER GRANTING REDUCTION IN
COSTS AND EXTENSION OF TIME IN
WHICH TO PAY**

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On May 20, 2014, respondent Richard Alan Brubaker (respondent) filed a motion for relief from disciplinary costs. Specifically, respondent asked that he be given relief on the ground of financial hardship from the Supreme Court's October 17, 2012 order (S204625) assessing costs against him in the amount of \$10,000; or, in the alternative, that the total amount of the assessed costs be reduced to \$5,000, and that he be allowed to pay the reduced amount in installment payments over a period of five years.

On June 4, 2014, the State Bar of California, Office of the Chief Trial Counsel (State Bar), by and through senior trial counsel Mia R. Ellis, filed a response to respondent's motion asserting the State Bar's objection to granting respondent complete relief from payment of costs or any reduction in the amount of the disciplinary costs. The State Bar, however, did not object to placing respondent on a "payment plan" with regard to the disciplinary costs.

Having carefully considered respondent's motion and the State Bar's opposition thereto, the court finds that respondent has established hardship, special circumstances, and other good cause under rule 5.130(B) of the Rules of Procedure of the State Bar as to warrant the following orders:

1. Respondent's motion for relief from payment of disciplinary costs is **granted in part**, and **denied in part**. The amount of costs assessed against respondent is not completely waived, but, is reduced from \$10,000 to \$5,000; and

2. Respondent is granted an extension of time to pay the reduced disciplinary costs. In view of respondent's financial hardship, the court orders respondent to pay the reduced disciplinary costs in five equal installments along with his membership fees, commencing with the 2015 billing cycle. In accordance with Business and Professions Code section 6086.10, one-fifth of the \$5,000 reduced disciplinary costs must be paid with petitioner's membership fees for the years 2015, 2016, 2017, 2018 and 2019.

It is further **ORDERED** that if respondent fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California. (Rules Proc. of State Bar, rule 5.134.) The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

IT IS SO ORDERED.

Dated: July 11, 2014



RICHARD A. HONN
Judge of the State Bar Court

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 11, 2014, I deposited a true copy of the following document(s):

ORDER GRANTING REDUCTION IN COSTS AND EXTENSION OF TIME IN WHICH TO PAY

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

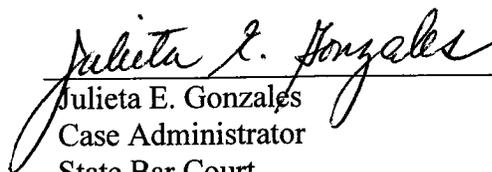
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

RICHARD A. BRUBAKER
3703 1/2 FLETCHER DR
LOS ANGELES, CA 90065

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

Mia R. Ellis, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 11, 2014.



Julieta E. Gonzales
Case Administrator
State Bar Court