

PUBLIC MATTER

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FILED

MAY 17 2012

 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

In the Matter of:)	Case Nos.	07-O-11228 et al.
GARY D. OLIVE,)		
No. 176748,)	STIPULATION TO MODIFY	
)	PROBATION CONDITIONS AND	
A Member of the State Bar.)	(PROPOSED) ORDER THEREON	

The State Bar of California, Office of the Chief Trial Counsel ("State Bar"), by and through Acting Senior Trial Counsel Erin McKeown Joyce, and Respondent Gary D. Olive, hereby stipulate to modify three of the conditions of the disciplinary probation imposed by the Supreme Court in its disciplinary order filed August 15, 2011 in Case No. S193619, which were recommended by the State Bar Court in its order approving the stipulation filed on April 12, 2011, as follows:

1. RESTITUTION

Respondent acknowledges that he owes restitution (including the principal amount, plus interest of 10 percent per annum) to the clients as detailed below. If the Client Security Fund ("CSF") has reimbursed the clients for all or any portion of the principal amounts listed below, Respondent must also pay restitution to CSF in the amounts paid, plus applicable interest and costs. Respondent must pay the restitution owed pursuant to the Supreme Court's disciplinary order in Case Nos. 07-O-11228, et al, (Supreme Court Case No. S193619) and provide



satisfactory proof of payment to the Office of Probation no later than two (2) years from the effective date of the Supreme Court's disciplinary order filed August 15, 2011. The Supreme Court's disciplinary order became effective September 14, 2011.

Payee	Principal Amount	Interest Accrues From
Mario Bruno	\$2,500	12/01/07
Alicia Sanchez	\$500	04/14/09
Raymundo Acosta	\$2,495	09/28/09
Martha Sanchez	\$500	04/14/09
Javier Romero	\$2,495	07/31/09
Juan Plata	\$2,495	09/01/09
Nestor Gutierrez	\$2,495	12/01/09
Claudia Navarro	\$2,495	11/01/09
Raquel Tovar	\$2,495	11/01/09
Maria Cubias	\$2,495	05/01/09
Maria Zepeda	\$4,495	11/01/09
Blanca Ramirez	\$2,495	11/01/09
Juan Villalobos	\$2,495	01/01/10
Leticia Vasquez	\$2,995	08/18/09
Juan Torres	\$2,497.50	04/19/10
Maria Najera	\$1,495	04/01/09

2. SUBSTANCE ABUSE MEETING ATTENDANCE CONDITION

Respondent must attend at least one (1) meeting per month of the support LAP (Lawyers Assistance Program). On a quarterly basis with his quarterly and final written reports, Respondent shall provide documentary proof of attendance at the support LAP meetings to the Office of Probation, in the form of a signed attendance card, signed by the facilitator or the support LAP group conducting the meeting.

3. FEE ARBITRATION CONDITION

- a. No later than July 1, 2012, Respondent will send a letter to former clients Debra and Byron Jones notifying them of their right to arbitrate their fee dispute with Respondent.
- b. Respondent will provide a copy of the letter to the Jones to the Office of Probation with his October 10, 2012 quarterly report.
- c. Respondent will abide by the final arbitration award in the Jones arbitration, either by paying the award in full, or making a payment plan with the Jones. Pursuant to

1 the payment plan with the Jones, Respondent must pay the full award no later than
2 July 1, 2013.

- 3 d. Respondent will provide evidence of compliance with the final arbitration award in
4 the Jones arbitration to the Office of Probation no later than October 10, 2013.
- 5 e. No later than July 1, 2012, Respondent will send a letter to the following former
6 clients, notifying them of their right to arbitrate their fee dispute with Respondent
7 with the Los Angeles County Bar Association or any other appropriate entity of the
8 clients' choice: Nelson Flores, Gloria Gutierrez, Edgar Robles, Pedro Salinas,
9 Octavio Arreola and Alba Rosales.
- 10 f. Respondent will provide a copy of the letters to Nelson Flores, Gloria Gutierrez,
11 Edgar Robles, Pedro Salinas, Octavio Arreola and Alba Rosales to the Office of
12 Probation with his October 10, 2012 quarterly report.
- 13 g. Respondent will abide by the final arbitration awards in any arbitrations with the
14 following former clients: Nelson Flores, Gloria Gutierrez, Edgar Robles, Pedro
15 Salinas, Octavio Arreola and Alba Rosales, either by paying the awards in full, or
16 making a payment plan with the former clients. Pursuant to any payment plans with
17 the former clients, Respondent must pay the full awards no later than July 1, 2014.
- 18 h. Respondent will provide evidence of compliance with the final arbitration awards in
19 any arbitrations with the following former clients to the Office of Probation no later
20 than October 10, 2014: Nelson Flores, Gloria Gutierrez, Edgar Robles, Pedro
21 Salinas, Octavio Arreola and Alba Rosales.

22 The three modified conditions detailed above supersede the restitution condition,
23 substance abuse meeting attendance condition and fee arbitration condition which were
24 recommended by the State Bar Court in its order approving the stipulation filed on April 12,
25 2011.

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1 All other probation conditions imposed in the Supreme Court's disciplinary order
2 (S193619) remain in full force and effect.

3 AGREED AND ACCEPTED:

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5 Dated: May 17, 2012


Respondent Gary D. Olive

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7
8 THE STATE BAR OF CALIFORNIA
9 OFFICE OF THE CHIEF TRIAL COUNSEL

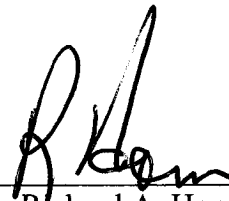
10
11 Dated: May 17, 2012

12 By: 
Erin McKeown Joyce
13 ACTING SENIOR TRIAL COUNSEL

14 ORDER

15
16 It is so ordered.

17
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19
20 Dated: 5/25/12


Hon. Richard A. Honn
21 STATE BAR COURT JUDGE
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1 **DECLARATION OF SERVICE BY REGULAR MAIL**

2 **CASE NUMBER: 07-O-11228 et al.**

3 I, the undersigned, over the age of eighteen (18) years, whose business address and place
4 of employment is the State Bar of California, 1149 South Hill Street, Los Angeles, California
5 90015, declare that I am not a party to the within action; that I am readily familiar with the State
6 Bar of California's practice for collection and processing of correspondence for mailing with the
7 United States Postal Service; that in the ordinary course of the State Bar of California's practice,
8 correspondence collected and processed by the State Bar of California would be deposited with
9 the United States Postal Service that same day; that I am aware that on motion of party served,
10 service is presumed invalid if postal cancellation date or postage meter date on the envelope or
11 package is more than one day after date of deposit for mailing contained in the affidavit; and that
12 in accordance with the practice of the State Bar of California for collection and processing of
13 mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on
14 the date shown below, a true copy of the within

15 **STIPULATION TO MODIFY PROBATION CONDITIONS**
16 **AND (PROPOSED) ORDER THEREON**

17 in a sealed envelope placed for collection and mailing at Los Angeles, on the date shown below,
18 addressed to:

19 **Gary D. Olive**
20 **PO Box 78445**
21 **Los Angeles, CA 90016**

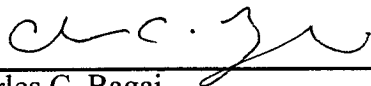
22 in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

23 **N/A**

24 I declare under penalty of perjury under the laws of the State of California that the
25 foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

26 **DATED: May 17, 2012**

27 **Signed:**

28 
Charles C. Bagai
Declarant

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 June 12, 2012, I deposited a true copy of the following document(s):

STIPULATION TO MODIFY PROBATION CONDITIONS AND ORDER THEREON

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

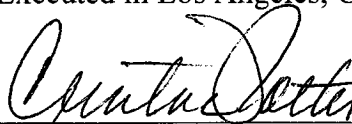
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

GARY D. OLIVE
GARY OLIVE
PO BOX 78445
LOS ANGELES, CA 90016

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

Erin Joyce, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 12, 2012.



Cristina Potter
Case Administrator
State Bar Court