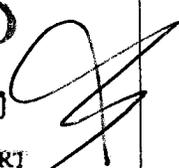


(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles			PUBLIC MATTER
<p>Counsel For The State Bar</p> <p>ELINA KREDITOR Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015</p> <p>Bar # 250641</p>	<p>Case Number (s)</p> <p>07-O-12080; 07-O-14235</p>	<p>(for Court's use)</p> <p>FILED</p> <p>AUG 16 2010</p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> 	
<p>Counsel For Respondent</p> <p>KEVIN GERRY Law Offices of Kevin Gerry 433 N. Camden Drive, 4th Floor Beverly Hills, CA 90210</p> <p>Bar # 129690</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>		
<p>In the Matter Of:</p> <p>DIANE MEDINA BIGGERS</p> <p>Bar # 222634</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 4, 2002.
- (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."



(Do not write above this line.)

- (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: two membership billing cycles following the effective date of discipline.
(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

D. Discipline:

(1) **Stayed Suspension:**

(a) Respondent must be suspended from the practice of law for a period of two 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:

(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 six months.

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.

(Do not write above this line.)

- (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:
- | | |
|---|---|
| <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 321(a)(1) & (c), 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.

(Do not write above this line.)

- (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:** See Attachment to Stipulation Re Facts, Conclusions of Law and Disposition

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Diane Medina Biggers

CASE NUMBER(S): 07-O-12080; 07-O-14235

FACTS AND CONCLUSIONS OF LAW

Diane Medina Biggers ("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.

I. Facts

1. On April 14, 2006, James Finegan ("Finegan") employed Respondent to perform legal services related to Finegan's family law matters.
2. On May 1, 2006, Respondent filed a petition, Riverside County Superior Court Case Number RIP090460, to appoint Finegan's sister, Anna Redell (Redell), as the guardian for Finegan's children. Thereafter, the court set a hearing for May 26, 2006. Respondent did not appear for the May 26, 2006 hearing. As a result of Respondent's failure to appear, the court continued that hearing to July 7, 2006. Respondent did not appear for the July 7, 2006 hearing.
3. On or about September 19, 2006, Finegan and Redell met with Respondent and requested that she refund approximately \$4,500 in fees already paid to Respondent. At that meeting, Respondent presented to Finegan and Redell an "Agreement and Release of Liability" (the settlement and release agreement) by which Respondent sought from the clients a release from any malpractice, procedural or billing dispute. Further, the Respondent sought a waiver from the clients as to "any right to file a Complaint with the State Bar or any such other tribunal, court or arbitrating body" and indicated that she would return to the clients "fees in the amount of \$1,200, as a complete and final settlement of all issues of mal-practice and billing."
4. In the settlement and release agreement, Respondent agreed to "copy the client's file and return it forthwith, as well as to effect any legal documents removing themselves from the Guardianship Proceeding and Paternity Suit," that Respondent would return to the clients "fees in the amount of \$1,200, as a complete and final settlement of all issues of mal-practice and billing," and that "[i]f any party fails to comply with this agreement and release and does file a complaint with any legal or arbitative body, then the rest of the agreement is null and void."
5. On or about April 15, 2006, Jesus Verduzco ("Verduzco") employed Respondent to perform legal services related to Verduzco's marriage dissolution and a criminal matter.
6. Verduzco and Respondent executed a retainer agreement which provided that Respondent "will post as collateral" specific personal properties including, but not limited to, Verduzco's professional tools such as a plasma cutter, welder, tool box, and a Toyota pickup truck. The retainer agreement further provided that "[i]f the client becomes delinquent in making payments for services rendered as agreed, then any collateral posted pursuant to this retainer agreement will be forfeited, and become property of the attorney."

7. By and through Respondent's collateral requirement, as set forth in the retainer agreement, Respondent acquired an ownership, possessory, security, or pecuniary interest adverse to Verduzco. Respondent did not advise Verduzco in writing that the client may seek the advice of an independent lawyer of the client's choice, regarding Respondent's acquisition of an ownership, possessory, security, or pecuniary interest adverse to Verduzco. Respondent did not obtain Verduzco's written consent, after any written advice regarding the terms of Respondent's acquisition of an ownership, possessory, security, or pecuniary interest adverse to Verduzco.
8. On May 22, 2006, Verduzco wrote Respondent a letter terminating her employment, requesting the return of his files from Respondent, requesting a refund and a return of the property he provided to Respondent as collateral. Respondent acknowledge receipt of Verduzco's letter, but did not return to Verduzco's client file or his property.
9. On January 4, 2007, Respondent and Verduzco participated in a fee arbitration conducted by the Riverside County Bar Arbitration Panel (the fee arbitration). At the fee arbitration, Respondent informed the arbitrator that she had sold Verduzco's tools and truck for \$1,800. The arbitrator determined that the value of Verduzco's tools and truck was \$10,000, that the value of Respondent's services performed in Verduzco's family law matter was \$1,500, and that the value of Respondent's services performed in Verduzco's criminal law matter was \$1,000. On May 23, 2007, the arbitrator issued a Findings and Award, awarding Verduzco \$7,500 against Respondent. To date, Respondent has not paid any portion of the \$7,500 award to Verduzco.
10. In the course of her representation of Verduzco, Respondent employed Vincent Zucchero (Zucchero), a non attorney law clerk. Zucchero met with Verduzco regarding Respondent's employment in Verduzco's matters. On May 11, 2006, Zucchero sent a letter to Teresa Verduzco, Zucchero's mother. The letter contained legal advice regarding Mr. Verduzco's matters. Respondent was grossly negligent in not knowing that Zucchero had sent a letter providing legal advice to Teresa Verduzco.
11. On May 23, 2006, the superior court entered a default judgment against Verduzco in his marriage dissolution case. On May 26, 2006, Respondent and Verduzco executed a Substitution of Attorney form, which Respondent had prepared, regarding Verduzco's family law case (substitution). Respondent did not file the substitution with the family law court at any time.

II. Conclusions of Law

By failing to appear for the court hearings held on May 26, 2006, and July 7, 2006, in the Finegan matter, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in willful violation of rule 3-110(A) of the California Rules of Professional Conduct.

By seeking an agreement from Finegan to not report to the State Bar Respondent's professional misconduct or the terms of a settlement of a claim for professional misconduct, Respondent willfully violated California Business and Professions Code section 6090.5.

By conditioning Respondent's return of Finegan's client file and refund of \$1,200 in fees upon the client's waiver of his rights – including the clients' right to seek fee arbitration and to file any

disciplinary complaint against Respondent, Respondent willfully violated rule 3-700(A)(2) of the California Rules of Professional Conduct.

In the Verduzco matter, by failing to provide the requisite written advice to Verduzco regarding Respondent's interest in Verduzco's property and thereafter obtain Verduzco's written consent to the terms of Respondent's acquisition, Respondent knowingly acquired an ownership, possessory, security, or other pecuniary interest adverse to a client, in willful violation of rule 3-300 of the California Rules of Professional Conduct.

By failing to promptly return all papers and property belonging to Verduzco upon termination of Respondent's employment, Respondent willfully violated rule 3-700(D)(1) of the California Rules of Professional Conduct.

By failing to refund the \$7,500 in unearned fees to Verduzco, Respondent willfully violated rule 3-700(D)(2) of the California Rules of Professional Conduct.

By failing to supervise Zucchero's work so as to prevent his provision of legal advice to Teresa Verduzco, Respondent failed to supervise the work of a non-attorney employee or agent, in willful violation of rule 3-110(A) of the California Rules of Professional Conduct.

By failing to perform legal services for which Respondent was hired in Verduzco's marriage dissolution case, such that a default judgment was entered against Verduzco, and by failing to file the substitution of attorney, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in willful violation of rule 3-110(A) of the California Rules of Professional Conduct.

DISMISSALS

The parties respectfully request that the Court dismiss, in the interest of justice, the following counts contained in the Notice of Disciplinary Charges filed in the instant matter:

Count 1--Business and Professions Code, Section 6106, Moral Turpitude: Misrepresentation to Client.

Count 2--Rules of Professional Conduct, rule 4-200(A), Entering into Agreement for, Charging, or Collecting an Illegal or Unconscionable Fee.

Count 3-- Rules of Professional Conduct, rule 3-300, Acquiring Interests Adverse to a Client

Count 7-- Business and Professions Code, Section 6106, Moral Turpitude: Misrepresentation to Client.

Count 8-- Business and Professions Code, Section 6106, Moral Turpitude: Misrepresentation to Client.

Count 9--Rules of Professional Conduct, rule 4-200(A), Entering into Agreement for, Charging, or Collecting an Illegal or Unconscionable Fee

Count 10-- Rules of Professional Conduct, rule 3-300, Acquiring Interests Adverse to a Client.

Count 12-- Business and Professions Code, Section 6106, Moral Turpitude, Conversion of Client's Properties.

Count 15—Rules of Professional Conduct, rule 1-300(A), Aiding the Unauthorized Practice of Law

Count 18— Business and Professions Code, Section 6106, Moral Turpitude, Misrepresentation to the State Bar.

MPRE CONDITIONS

With respect to the MPRE condition on page 5 of the instant Stipulation, in the event that Respondent takes and passes the MPRE examination after the date of her signature of the Stipulation but before the effective date of discipline, Respondent may submit this MPRE result to satisfy the requirement under the instant Stipulation that she provide proof of passage of the MPRE within one year following the effective date of discipline.

PENDING PROCEEDINGS

The disclosure date referred to, on page 2, paragraph A(7), of the instant Stipulation, was July 6, 2010.

COSTS OF DISCIPLINARY PROCEEDINGS

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of June 6, 2010, the costs in this matter are \$4453.00. 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.

AUTHORITIES SUPPORTING DISCIPLINE

In *In re Silvertan* (2005) 36 Cal. 4th 81, 92, the California Supreme Court held that the Standards for Attorney Sanctions for Professional Misconduct are entitled to "great weight" and the Court will "not reject a recommendation arising from the Standards unless [it has] grave doubts as to the propriety of the recommended discipline." The Standards are not binding but "they promote the consistent and uniform application of disciplinary measures." (Id.) The "presumptively appropriate level of discipline" for any misconduct is as set forth in the standards (See *Morgan v. State Bar* (1990) 51 Cal. 3d 598, 607).

Standard 2.4(b) provides that, where a willful failure to perform services involves an individual matter or matters not amounting to a pattern, the discipline shall be reproof or suspension, depending on the gravity of the harm and the extent of such misconduct.

Standard 2.8 provides that a violation of rule 3-300 of the 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 2.8 provides that a violation of rule 3-300 of the 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.

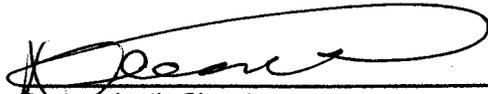
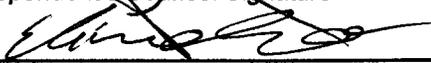
Standard 2.10 provides that a violation of any provision of the Business and Professions Code or any Rules of Professional Conduct not specified in the standards shall result in reproof or suspension, according to the gravity of the offense or harm to any victim, with due regard to the purposes set forth in standard 1.3.

(Do not write above this line.)

In the Matter of DIANE MEDINA BIGGERS	Case number(s): 07-O-12080; 07-O-14235
---	--

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.

<u>7-20-10</u> Date	 Respondent's Signature	<u>Diane M. Biggers</u> Print Name
<u>7-14-10</u> Date	 Respondent's Counsel Signature	<u>Elina Kreditor</u> Print Name
<u>7-20-10</u> Date	 Deputy Trial Counsel's Signature	<u>Elina Kreditor</u> Print Name

(Do not write above this line.)

In the Matter Of DIANE MEDINA BIGGERS	Case Number(s): 07-O-12080; 07-O-14235
---	--

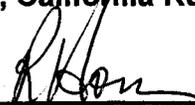
ORDER

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.)

8-11-10
Date



Judge of the State Bar Court
RICHARD A. HONN

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 August 16, 2010, 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:

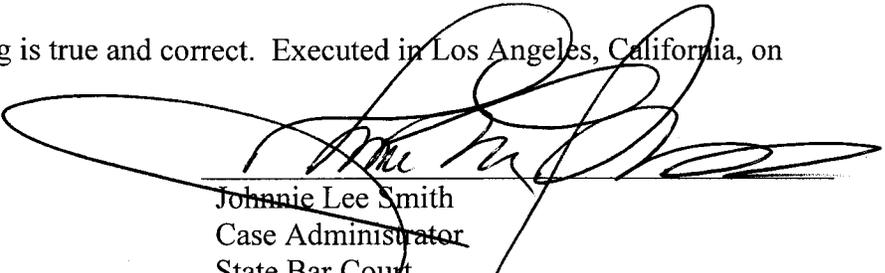
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

KEVIN GERRY
433 N CAMDEN DRIVE 4TH FL
BEVERLY HILLS CA 90210

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

ELINA KREDITOR, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 16, 2010.


Johanie Lee Smith
Case Administrator
State Bar Court