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 <p>kwiktag® 078 542 850</p>			<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b>	
<b>Counsel For The State Bar</b>  <b>Ashod Mooradian</b> <b>Deputy Trial Counsel</b> <b>1149 S. Hill Street</b> <b>Los Angeles, CA 90015</b> <b>(213) 765-1004</b>  <b>Bar # 194283</b>		<b>Case Number (s)</b> <b>07-O-12295-DFM</b>		(for Court's use)  <div style="text-align: center;"> <b>FILED</b>  <b>OCT 22 2009</b> <i>HC</i>  <b>STATE BAR COURT</b>  <b>CLERK'S OFFICE</b>  <b>LOS ANGELES</b> </div> <div style="text-align: center; margin-top: 20px;"> <b>PUBLIC MATTER</b> </div>
<b>In Pro Per Respondent</b>  <b>Martin George Crumblish</b> <b>100 Wilshire Blvd., Suite 950</b> <b>Santa Monica, CA 90401</b> <b>(310) 713-1061</b>  <b>Bar # 49361</b>		Submitted to: <b>Settlement Judge</b>		
<b>In the Matter Of:</b> <b>MARTIN GEORGE CRUMLISH</b>  <b>Bar # 49361</b>  A Member of the State Bar of California (Respondent)		<b>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</b>  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED		

**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 29, 1971**.
- (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 **04-O-14801**
  - (b)  Date prior discipline effective **June 26, 2007**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Rule 3-110(A)**
  - (d)  Degree of prior discipline **Private Reproval**
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.

SBC Case#: 88-C-14885; 91-C00424

D prior discipline effective: October 30, 1993

Rules of Professional Conduct/State Bar Act violations: Respondent was convicted of driving while under the influence of alcohol, in violation of Vehicle Code section 23152(a), in each of the above case numbers, and the records of his convictions were referred for a disciplinary hearing, pursuant to B&P Code sections 6101 and 6102.

Degree of prior discipline: Five years suspension, stayed, with five years probation, no actual suspension.

- (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.

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- (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:**

None.

**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. **No client funds were involved or imperilled by any of Respondent's misconduct herein. All of Respondent's misconduct herein involved his personal funds and his deposit into and multiple disbursements out of his client trust account.**
- (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. **Respondent cooperated to the extent that he stipulated to facts, conclusions of law and level of discipline. Respondent also provided documentation as requested by the State Bar.**
- (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. **Respondent recognizes his wrongdoing, was remorseful and has taken steps to atone for the consequences of his 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**

None

**D. Discipline:**

- (1)  **Stayed Suspension:**
- (a)  Respondent must be suspended from the practice of law for a period of **One (1) 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 (2) 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 **Ninety (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 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 954-9.10(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:**

**(A) CLIENT TRUST ACCOUNTING SCHOOL:** Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the State Bar Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

**(B) MCLE CREDIT:** Respondent will not receive Minimum Continuing Legal Education (MCLE) credit for attending the State Bar Ethics School as required pursuant to paragraph E.(8) above or for attending Client Trust Accounting School as required pursuant to paragraph F.(5)(A) above. These requirements are 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 of California.)

**ATTACHMENT TO**

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

**IN THE MATTER OF:**     MARTIN GEORGE CRUMBLISH (SBN 49361)

**CASE NUMBER(S):**     07-O-12295-DFM

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

The parties waive any variance between the Notice of Disciplinary Charges (“NDC”) filed on November 26, 2008, and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

**B.     FACTS AND CONCLUSIONS OF LAW.**

MARTIN GEORGE CRUMBLISH (“Respondent”) admits that the following facts are true and that he is culpable of violations of the specified statutes and/or *Rules of Professional Conduct*.

Facts:

1.     On June 29, 2006, Respondent deposited and thereafter maintained personal funds in his client trust account held at Washington Mutual Bank bearing account number. 877-027608-4 (“client trust account”).

2.     Specifically, on June 29, 2006, Respondent deposited a check into his client trust account made payable to Respondent in the amount of \$68,071.56. The \$68,071.56 was Respondent’s portion of community property funds from Respondent’s marital dissolution.

3.     Respondent was the only authorized signatory on the client trust account. Also, prior to June 29, 2006, the balance in Respondent’s client trust account was \$21.25.

4.     From about July 1, 2006 through about May 1, 2007, Respondent issued approximately nineteen (19) checks to himself from his client trust as periodic disbursements of his marital settlement proceeds.

5.     On April 6, 2007, Respondent issued trust account check number 133 in the amount of \$1,000 and made payable to “Glacamora Enterprise”. The memo section of trust

account check number 133 stated "MGC-Disso Partial Dist." Glacamora Enterprise is a California Corporation formed by Respondent of which he is the President.

6. As of May 1, 2007, the balance in Respondent's client trust account was \$500.20.

7. On May 7, 2007, Washington Mutual Bank notified the State Bar of California that Respondent had issued client trust check number 203 against insufficient funds in his client trust account.

8. On May 15, 2007, the State Bar wrote Respondent regarding the insufficient funds activity in his client trust account.

9. On May 18, 2007, Respondent responded to the State Bar. In his May 18, 2007 letter, Respondent stated that client trust check number 203 was made payable to himself. Respondent also stated that the only funds in his client trust account at the time check number 203 was issued were his personal funds.

10. On July 16, 2007 and on October 26, 2007, a State Bar investigator wrote Respondent regarding his client trust account.

11. On or about December 13, 2007, Respondent provided a written response to the State Bar regarding his client trust account. In the December 13, 2007 letter, Respondent stated that the \$68,071.56 deposited into his client trust account were funds Respondent received from his divorce attorney and were Respondent's "allotment of funds from the marital settlement agreement." That is, it was Respondent's understanding that some portion of the \$68,071.56 actually belonged to his wife. However, Respondent concedes that shortly after the deposit of the \$68,071.56, it was made clear to Respondent that no portion of said funds belonged to his wife and still Respondent took no action to remove said funds from his client trust account.

#### Conclusions of Law:

12. By maintaining personal funds in his client trust account and by disbursing personal funds from his client trust account, Respondent commingled his personal funds in a bank account labeled "Trust Account" or "Client's Funds Account" in willful violation of *Rules of Professional Conduct*, rule 4-100(A).

### **C. AUTHORITIES SUPPORTING DISCIPLINE.**

#### Applicable Standards:

In *In re Silvertown*<sup>1</sup>, the California Supreme Court held that the *Standards For Attorney Sanctions For Professional Misconduct*<sup>2</sup> 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

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<sup>1</sup> (2005) 36 Cal. 4th 81, 92.

<sup>2</sup> Hereinafter "*Standard*" or "*Standards*".

consistent and uniform application of disciplinary measures.” (Id.) The “presumptively appropriate level of discipline” for any misconduct is as set forth in the standards.<sup>3</sup>

The primary purposes of disciplinary proceedings 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.<sup>4</sup> Pursuant to the *Standards*, Respondent’s misconduct warrants significant discipline.

*Standard 1.7(b)* provides if “...a member is found culpable of professional misconduct in any proceeding in which discipline may be imposed and the member has a record of two prior impositions of discipline as defined by *Standard 1.2(f)*, the degree of discipline in the current proceeding shall be disbarment unless the most compelling mitigating circumstances clearly predominate.

*Standard 2.2(b)* states that the culpability of a member “...of commingling of entrusted funds or property with personal property or the commission of another violation of rule 4-100, *Rules of Professional Conduct*, none of which offenses result in the wilful misappropriation of entrusted funds or property shall result in at least a three month actual suspension from the practice of law, irrespective of mitigating circumstances.”

Looking to the *Standards*, the most severe specific *Standard* applicable to the misconduct found is *Standard 2.2(b)*. *Standard 2.2(b)* provides for at least a three-month suspension, irrespective of mitigating circumstances. Further, in this matter, Respondent has two prior records of discipline implicating the application of *Standard 1.7(b)*. If *Standard 1.7(b)* is applied then the resulting discipline is disbarment or a longer actual suspension. However, Respondent’s first prior discipline involved Respondent’s two convictions for driving under the influence of alcohol for was over 15 years ago and since that time Respondent has remained abstinent and consistently has treated with Alcoholics Anonymous and “The Other Bar”. Further, the second prior discipline was for a violation of rule 3-110(A), which Respondent immediately acknowledged, stipulated to misconduct and took steps to atone for the consequences of his misconduct by immediately offering a refund and helping the client-victim in a separate proceeding. Therefore, the application of *Standard 1.7(b)* in this matter is not appropriate.

Given the nature and scope of Respondent’s misconduct, including aggravation evidence, the appropriate level of discipline under the *Standards* is a three month period of actual suspension.

#### Aggravating Circumstances:

An aggravating circumstance “...is an event or factor established clearly and convincingly by the State Bar as having surrounded a member’s professional misconduct and which demonstrates that a greater degree of sanction than set forth in these standards for the

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<sup>3</sup> See *Morgan v. State Bar* (1990) 51 Cal.3d 598, 607.

<sup>4</sup> See *Standard 1.3*.

particular act of professional misconduct found or acknowledged is needed to adequately protect the public, courts and legal profession.”<sup>5</sup>

Standard 1.2(b) provides for a greater degree of sanction set forth in the standards where aggravating circumstances exist. In this matter, only one aggravating factor exists, pursuant to *Standard 1.2(b)(i)*, Respondent has two prior records of discipline (for discussion see *infra*).

Mitigating Circumstances:

Standard 1.2(e) provides for a more lenient degree of sanction than set forth in the standards where mitigating circumstances exist. In this case, there are three mitigating circumstances.

First, no client funds were involved or imperilled by any of Respondent's misconduct herein.<sup>6</sup> All of Respondent's misconduct herein involved his personal funds and his deposit into and multiple disbursements out of his client trust account. Second, Respondent displayed spontaneous candor and cooperation with the State Bar during disciplinary investigation and proceedings.<sup>7</sup> Respondent further cooperated to the extent that he stipulated to facts, conclusions of law and level of discipline. Third, Respondent was remorseful for both charges herein and has candidly expressed such remorse to the State Bar.<sup>8</sup> Further, Respondent recognizes his wrongdoing, was remorseful and has taken steps to atone for the consequences of his misconduct.

Given the nature and scope of Respondent's misconduct, and considering evidence of aggravating and mitigating circumstances, the appropriate level of discipline under the *Standards* is a period of actual suspension of 90 days “to deter the recalcitrant attorney from future wrongdoing.”<sup>9</sup>

Caselaw:

In fashioning the appropriate level of discipline, the *Standards* are the starting point. Consideration must also be given to whether the recommended discipline is consistent with or disproportional to prior decisions of the California Supreme Court and the Review Department of the State Bar Court.

In *Matter of McKiernan*,<sup>10</sup> the court concluded that the attorney violated section 6106 by issuing the two checks knowing that there were insufficient funds to cover them; by failing to make timely restitution; and by his gross neglect in failing to maintain and supervise his client trust account.<sup>11</sup> The court also found that the attorney violated rule 4-100(A) by retaining personal funds in his client trust account, and by failing to supervise and properly maintain his

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<sup>5</sup> Standard 1.2(b).

<sup>6</sup> *Standard 1.2(e)(iii)*.

<sup>7</sup> *Standard 1.2(e)(v)*.

<sup>8</sup> *Standard 1.2(e)(vii)*.

<sup>9</sup> *In Re Silvertown* (2005) 36 Cal. 4th 81, 95.

<sup>10</sup> (Review Dept. 1995) 3 Cal. State Bar Ct. Rptr. 420.

<sup>11</sup> *Id.* at 423-424.

client trust account in that he allowed a client to place funds in the client trust account and use it as his personal business account. Finally, the court found that there were three aggravating circumstances and five mitigating circumstances, including no prior record of discipline. The attorney was suspended for two years, stayed, and placed on two years probation on conditions, including actual suspension for a period of three months.<sup>12</sup>

Comparison:

Respondent's misconduct is similar to that found in *Matter of McKiernan*. However, in this matter, the aggravating and mitigating circumstances differ significantly than those found in *Matter of McKiernan*.

Respondent's misconduct in this matter, as discussed above, had fewer aggravating factors than those found in *Matter of McKiernan*. In *McKiernan*, the court found the following aggravating factors: a) multiple acts of wrongdoing; and b) harm to the client, the public, the courts and the administration of justice. However, in this matter there is only one factor, two prior records of discipline. More significantly, and as discussed above, there are three factors in mitigation, no harm to a client, candor and cooperation and remorse.

Therefore, with several factors in mitigation including, as discussed above, the inappropriateness of applying Standard 1.7(b) in this matter, Respondent's actual suspension from the practice of law for ninety (90) days is a level of discipline consistent with the applicable standards and caselaw.

**D. PENDING PROCEEDINGS.**

The disclosure date referred to on page one, paragraph A. (7) was October 6, 2009.

**E. COSTS.**

Respondent acknowledges that the Office of Chief Trial Counsel has informed Respondent that as of October 6, 2009, the estimated prosecution costs in this matter are approximately \$5,510.75. Respondent acknowledges that this figure is an estimate only. 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.

If Respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6068.10, subdivision (c), the remaining balance of the costs is due and payable immediately and enforceable both as provided in *Business and Professions Code*, section 6140.7 and as a money judgment unless relief has been granted under rule 286 of the *Rules of Procedure of the State Bar of California*.

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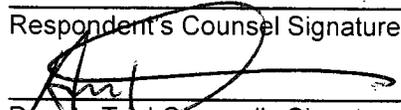
<sup>12</sup> *Id.* at 429.

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In the Matter of <b>MARTIN GEORGE CRUMBLISH</b>	Case number(s): <b>07-O-12295-DFM</b>
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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 Fact, Conclusions of Law and Disposition.

<u>10-08-2009</u> Date	 Respondent's Signature	<u>Martin George Crumblish</u> Print Name
<u>10/8/2009</u> Date	 Deputy Trial Counsel's Signature	<u>Ashod Mooradian</u> Print Name

(Do not write above this line.)

In the Matter Of <b>MARTIN GEORGE CRUMBLISH</b>	Case Number(s): <b>07-O-12295-DFM</b>
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**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.)**

10/20/09  
Date

Pat E. McElroy  
Pat E. McElroy  
Judge of the State Bar Court

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

**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 October 22, 2009, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION**

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:

**MARTIN GEORGE CRUMBLISH  
MACKEY & CRUMBLISH  
100 WILSHIRE BLVD STE 950  
SANTA MONICA, CA 90401**

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

**ASHOD MOORADIAN, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 22, 2009.



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Tammy Cleaver  
Case Administrator  
State Bar Court