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State Bar Court of California Hearing Department Los Angeles REPROVAL		
Counsel For The State Bar Eli D. Morgenstern, DTC Office of the Chief Trial Counsel State Bar Court of California 1149 S. Hill Street Los Angeles, CA 90015-2299 Tel (213) 765-1334 Bar # 190560	Case Number(s): 07-O-12699	For Court use only <div style="text-align: center;"> FILED MAR 07 2011 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Counsel For Respondent James J. Little, Esq. J.J. Little & Associates 11500 W. Olympic Blvd., Suite 316 Los Angeles, CA 90064 Tel (310) 622-9527 Bar # 123373	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING PUBLIC REPROVAL <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: EDWARD BRIAN JAMISON Bar # 214726 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 October 18, 2001.
- (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 10 pages, not including the order.

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- (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."
- (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):
- Costs are added to membership fee for calendar year following effective date of discipline (public reproof).
 - Case ineligible for costs (private reproof).
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.
- (9) The parties understand that:
- (a) A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
 - (b) A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
 - (c) A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

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:

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- (d) Degree of prior discipline
- (e) If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."
- (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. Respondent is entitled to mitigation for entering into this stipulation.
- (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.

(Effective January 1, 2011)

Reproval

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- (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) **Private reprovial (check applicable conditions, if any, below)**
- (a) Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b) Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).
- or
- (2) **Public reprovial (Check applicable conditions, if any, below)**

E. Conditions Attached to Reproval:

- (1) Respondent must comply with the conditions attached to the reproval for a period of one (1) year.
- (2) During the condition period attached to the reproval, 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.

(Effective January 1, 2011)

Reproval

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- (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 condition period attached to the reproof. 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 the reproof during the preceding calendar quarter. Respondent must also state in each report 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 (thirty) days, that report must be submitted on the next following 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 condition period and no later than the last day of the condition period.

- (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 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 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 conditions attached to the reproof.
- (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: Per the agreement reached at the ENEC, Respondent is not required to provide proof of attendance at a session of the Ethics School. See Section F re: Other Conditions Negotiated by the Parties.
- (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) 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 within one year of the effective date of the reproof.

No MPRE recommended. Reason: Per the agreement reached at the ENEC, Respondent is not required to provide proof of passage of the MPRE. See Section F re: Other Conditions Negotiated by the Parties.

- (11) 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:

Within one (1) year of the effective date of the discipline herein, Respondent must submit to the Office of Probation satisfactory evidence of no less than twelve (12) hours Minimum Continuing Legal Education

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(MCLE) approved courses in general legal ethics. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for the hours.

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF:
CASE NUMBER:

EDWARD BRIAN JAMISON
07-O-12699

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified Rules of Professional Conduct.

Facts

1. Donald ("Donald") and Merle ("Merle") Peterson (collectively, the "Petersons") were married for over 50 years. The Petersons had one son, Mark Peterson ("Mark"). The Petersons owned their home, which was located at 1914 Montgomery Road, Thousand Oaks, California (the "Peterson home").

2. On or about May 4, 1990, Donald and Merle settled the Peterson Living Trust ("Peterson Trust"), which named Donald and Merle as co-trustees, and their nephew, Craig Wood ("Wood"), as successor trustee. At all times relevant to the stipulated facts herein, the Peterson Trust held title to the Peterson home.

3. On or about March 6, 2002, Mark died. In or about May 2002, Donald was placed in an Alzheimer's facility and remained incapacitated until his death in October 2004.

4. Shortly after her son's death and her husband's move to the Alzheimer's facility, Merle met Patrick McComb ("McComb"), the son of a family friend. McComb convinced Peterson, in her capacity as co-trustee of the Peterson Trust, to obtain a \$250,000 loan secured by the Peterson home. McComb told Peterson that the money would be invested in a night club joint venture.

5. McComb contacted Respondent, who had performed credit repair services for him in the past, and stated to Respondent that he and his "aunt" were investing in a night club joint venture together, and that Merle wanted to borrow money in order to invest in the nightclub investment. McComb asked Respondent if he could help Merle find a lender. Respondent had no reason to, and did not question, McComb's alleged familial relationship with Merle.

6. Thereafter, Respondent performed services on behalf of McComb which were necessary in order to close the loan. These services included meeting with McComb and Merle at his office to discuss the financing of the nightclub investment; locating prospective lenders for the loan; discussing the loan with prospective lenders; gathering the documents needed to close the loan; communicating with the lender and title company; reviewing the documents; and attending the closing with McComb and Merle.

7. Although Respondent performed services on behalf of McComb which were necessary to close the loan, Respondent acted under a good faith, but unfounded, belief that he did not have an attorney client relationship with either McComb or Merle and was merely assisting McComb in

obtaining a loan for Merle. Respondent's conduct created an attorney-client relationship with McComb and, by implication, Merle, which Respondent did not anticipate or perceive.

8. On October 3, 2002, Merle, in her capacity as trustee of the Peterson trust, borrowed \$250,000 from Investment Management Company ("IMC"). The loan bore interest at an annual percentage rate of 18.41% and was secured by the Peterson home. Respondent received a \$4,000 referral fee from IMC from the loan proceeds. Respondent also received an additional \$10,000 from the loan proceeds as repayment of a loan Respondent had previously made to McComb. Pursuant to the escrow instructions (in which the payments to Respondent were disclosed), the net proceeds of the loan (after deducting fees, expenses, and closing costs) were distributed directly to McComb.

9. Potential conflicts were created by Respondent's representation of McComb and, by implication, Merle, in connection with the loan transaction. McComb was not a party to the loan and only Merle was liable to repay it; however, the net proceeds of the loan were distributed directly to McComb without Merle having any control over the funds to ensure that they were used for the joint venture. Also, the fact that McComb's debt to Respondent was paid from the loan proceeds provided no benefit to Merle who was solely liable to repay the loan. Because Respondent never believed that he had formed an attorney-client relationship with either McComb or Merle, he did not inform either McComb or Merle of the potential conflict inherent in representing both of them and did not obtain their written consent to the potentially conflicting representation.

10. Before the first Loan payment was due, Merle died and the executor of her Estate never made one payment.

11. On May 7, 2003, Wood, as successor trustee of the Peterson Trust and executor of the estate, brought a civil action against Respondent, McComb, IMC, and others in the Ventura County Superior Court, case number SC036168 (the "Peterson Trust action"). The trial court stayed IMC's foreclosure proceedings pending the outcome of the case. Wood and IMC settled the foreclosure case prior to trial. IMC reconveyed the mortgage in exchange for a payment of the interest on the loan. The court approved the settlement as entered in good faith. The Peterson Trust action proceeded to a court trial against Respondent. On October 24, 2006, a judgment was entered against Respondent. On September 30, 2008, the California Court of Appeal affirmed the judgment.

12. On September 28, 2009, Respondent negotiated a settlement with Wood, in his capacity as successor trustee of the Peterson Trust, as a full and final satisfaction of the Peterson Trust action. Respondent thereafter secured a settlement in his favor in the case he filed against his former attorney for malpractice.

Conclusions of Law

By forming an attorney-client relationship with McComb and, by implication, with Merle, in connection with the loan transaction with IMC, Respondent accepted representation of more than one client in a matter in which the interests of the clients potentially conflicted in violation of rule 3-310(C)(1) of the Rules of Professional Conduct.

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was February 9, 2011.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of January 27, 2011, the prosecution costs in this matter are \$2,050.12. 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.

OTHER FACTORS IN CONSIDERATION.

Respondent was in the first year of his practice as an attorney at the time that he failed to anticipate or perceive the conflict described herein. Also, at all times relevant to the stipulated facts herein, Respondent's primary legal practice was credit repair. Respondent did not practice banking and/or lending law.

AUTHORITIES SUPPORTING DISCIPLINE.

1. Standards

Standard 1.3 of the Standards for Attorney Sanctions for Professional Misconduct ("Standards") provides in pertinent part that, "[T]he 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." (Std 1.3.)

There is no standard specifically applicable to a violation of rule 3-310(C)(1) of the Rules of Professional Conduct. Accordingly, the applicable standard is Standard 2.10. Standard 2.10 provides in pertinent part that, "[C]ulpability of a member . . . of a willful violation of any Rule of Professional Conduct not specified in these standards shall result in reproof or suspension according to the gravity of offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3."


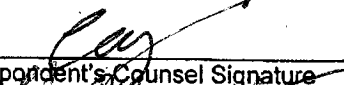
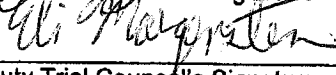
The parties submit that the intent and goals of the Standards are met in this matter by the imposition of a public reproof.

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In the Matter of: EDWARD BRIAN JAMISON	Case number(s): 07-O-12699
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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 Facts, Conclusions of Law, and Disposition.

<u>02/24/11</u> Date	<u></u> Respondent's Signature	<u>James J. Little</u> Print Name
<u>02/22/11</u> Date	<u></u> Respondent's Counsel Signature	<u>Edward Brian Jamison</u> Print Name
<u>2/25/11</u> Date	<u></u> Deputy Trial Counsel's Signature	<u>Eli D. Morgenstern</u> Print Name

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In the Matter of: EDWARD BRIAN JAMISON	Case Number(s): 07-O-12699
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REPROVAL ORDER

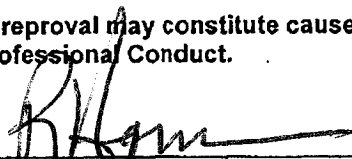
Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- All court dates in the Hearing Department 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 5.58(E) & (F), Rules of Procedure.) Otherwise the stipulation shall be effective 15 days after service of this order.

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

3-3-11
Date


Judge of the State Bar Court
RICHARD A. FOURNIER

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 March 7, 2011, 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:

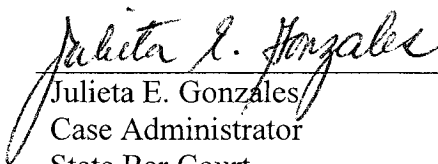
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

JAMES J LITTLE ESQ
JJ LITTLE & ASSOCIATES
11500 W OLYMPIC BLVD STE 316
LOS ANGELES, CA 90064

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

Eli D. Morgenstern, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on March 7, 2011.



Julieta E. Gonzales
Case Administrator
State Bar Court