



(Do not write above this line.)

**State Bar Court of California  
Hearing Department  
San Francisco**

<b>Counsel For The State Bar</b>  <b>Treva R. Stewart</b> <b>180 Howard Street</b> <b>San Francisco, California 94105</b> <b>(415) 538-2452</b>	<b>Case Number (s)</b> <b>07-O-12917</b>	(for Court's use)  <div style="text-align: center;"> <b>FILED</b>    <b>SEP 09 2009</b>   <b>STATE BAR COURT CLERK'S OFFICE</b>  <b>SAN FRANCISCO</b>   <b>PUBLIC MATTER</b> </div>
<b>Bar # 239829</b> <b>Counsel For Respondent</b>  <b>Jonathan I. Arons</b> <b>221 Main street, Suite 740</b> <b>San Francisco, California 94105</b>		
<b>Bar # 111257</b>  <b>In the Matter Of:</b> <b>Peter Remington Crane</b>  <b>Bar # 196967</b>  <b>A Member of the State Bar of California</b> <b>(Respondent)</b>	<b>Submitted to: Assigned Judge</b>  <b>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</b>  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> <b>PREVIOUS STIPULATION REJECTED</b>	

**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 1, 1998**.
- (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."
- (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 billings 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
- (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. **The State Bar has not received any other complaints re respondent.**
- (13) ☐ **No mitigating circumstances are involved.**

**Additional mitigating circumstances**

**Respondent suffered the loss of his father during the relevant time period. Also, he experienced a period of unemployment following his termination approximately seven months prior to filing**

**bankruptcy.**

**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 **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 **60 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:
- |                                                     |                                                           |
|-----------------------------------------------------|-----------------------------------------------------------|
| <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:

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- (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.
- (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 Stipulation Attachment**

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

IN THE MATTER OF:      Peter Remington Crane

CASE NUMBER:            07-O-12917

**FACTS AND CONCLUSIONS OF LAW.**

**Facts**

1.      On August 16, 1999, respondent's employment as an attorney was terminated by his employer. On that same day, respondent contacted an attorney ("the employment attorney") to discuss whether he had been terminated wrongfully.

2.      On September 16, 1999, respondent signed a fee agreement with the employment attorney but told her not to actively pursue the matter at that time.

3.      Respondent began searching for a new job in September 1999. During his period of unemployment, respondent's savings were substantially depleted, and he began receiving calls from creditors who were threatening to sue him for unpaid debts.

4.      On February 1, 2000, respondent received a job offer from a law firm for \$95,500 per year. He was initially scheduled to begin work on March 6, 2000. On February 26, 2000, respondent's father suddenly passed away, so he postponed his start date to April 2000 in order to emotionally support his mother and help handle her affairs.

5.      On March 7, 2000, respondent repaid a loan to his mother in the amount of \$4,317. At this time, respondent decided he wanted to end calls from creditors, and obtain a fresh start by filing for bankruptcy protection.

6.      On March 8, 2000, respondent hired attorney an experienced consumer bankruptcy attorney ("bankruptcy attorney"), to file a bankruptcy petition on respondent's behalf.

7.      On March 9, 2000, respondent signed, under penalty of perjury for each, the Bankruptcy Petition, Declaration Concerning Debtor's Schedule, Statement of Financial Affairs,

1 and Verification of Creditors' Matrix, and they were filed by the bankruptcy attorney on March  
2 10, 2000.

3 8. In the filings associated with his petition for bankruptcy, respondent failed to  
4 disclose the loan repaid to his mother, and all of his assets, including his cause of action against  
5 his former employer, and rental income from a roommate.

6 9. On April 12, 2000, there was a meeting of creditors regarding respondent's  
7 pending bankruptcy petition. At this meeting, respondent testified under oath that he believed  
8 his new job paid about \$6,000 per month gross. In fact, respondent's annual salary was \$95,500  
9 or approximately \$7,958 per month.

10 10. Also at the meeting of creditors, respondent testified that he had listed all of his  
11 assets in the Schedules. In fact, respondent had several assets that he failed to identify in the  
12 Schedules, including his cause of action against his former employer, and rental income from a  
13 roommate.

14 11. On June 13, 2000, the bankruptcy discharge was granted, and respondent was  
15 notified by mail on June 15, 2000.

16 12. On June 19, 2000, with respondent's consent, the employment attorney sent a  
17 letter to respondent's former employer, claiming the firm had wrongfully discharged respondent  
18 and informing it that respondent was seeking damages.

19 13. On August 7, 2000, respondent filed a complaint against his former employer,  
20 seeking damages for religious discrimination, failure to accommodate religious practices,  
21 intentional infliction of emotional distress, and wrongful termination in violation of public  
22 policy.

23 14. The minimum value of respondent's claim for wrongful termination was \$22,500,  
24 the amount for which the Bankruptcy Trustee settled the claim with his former employer.

25 15. On April 12, 2001, the United States Trustee learned of respondent's failure to list  
26 several assets and properly disclose his income on his bankruptcy documents.

27 16. On May 24, 2001, the United States Trustee filed an adversary proceeding in  
28 Bankruptcy Court to revoke the discharge that had been granted to respondent in June 2000.



1           18.     On April 30, 2002, a trial was held in the adversary proceeding in Bankruptcy  
2 Court. Respondent's bankruptcy attorney either refused, or was not called by respondent, to  
3 testify at the trial.

4           19.     On May 17, 2002, United States Bankruptcy Judge Thomas E. Carlson rendered  
5 his findings of fact, conclusions of law, and judgment revoking the discharge of respondent.

6           19.     Thereafter, respondent filed a Motion to Amend Judgment and for a New Trial.  
7 Included in respondent's motion was a declaration from his bankruptcy attorney.

8           20.     On October 11, 2002, respondent's Motion to Amend Judgment and for a New  
9 Trial was denied.

10          21.     On October 21, 2002, respondent filed an appeal with the United States Court of  
11 Appeals for the Ninth Circuit challenging the revocation of the discharge granted in his  
12 bankruptcy.

13          22.     On May 19, 2005, the Ninth Circuit issued its opinion upholding the United States  
14 Bankruptcy Court's decision.

15          23.     On or about July 13, 2007, the Ninth Circuit opinion was brought to the State  
16 Bar's attention by respondent's former employer.

17 Conclusion of Law

18           By failing to disclose all of his assets in his bankruptcy filings and at the meeting of  
19 creditors, respondent failed to support the Constitution and the laws of the United States and of  
20 this state.

21 **PENDING PROCEEDINGS.**

22           The disclosure date referred to on page one, paragraph A.(7), was August 26, 2009.

23 **COSTS OF DISCIPLINARY PROCEEDINGS.**

24           Respondent acknowledges that the Office of the Chief Trial Counsel has informed  
25 respondent that as of August 26, 2009, the costs in this matter are approximately \$6,431.69.  
26 Respondent further acknowledges that should this stipulation be rejected or should relief from  
27 the stipulation be granted, the costs in this matter may increase due to the cost of further  
28 proceedings.

1 **AUTHORITIES SUPPORTING DISCIPLINE.**

2  
3 Subdivision (a) of standard 2.6 of the Standards for Attorney Sanctions for Professional  
4 Misconduct provides that culpability of a member of a violation of Business and Professions  
5 Code section 6068 shall result in disbarment or suspension depending upon the gravity of the  
6 offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline.

7 In *In the Matter of Maloney & Virsik* (Review Dept. 2005) 4 State Bar Ct. Rptr. 774, the  
8 attorneys made multiple misrepresentations (both passive and active) to a superior court for  
9 which they were sanctioned. Maloney, the employer, received a 90-day suspension; Virsik, his  
10 employee, received a 60-day suspension. "Respondents' misconduct was compounded when  
11 they signed many of their pleadings under penalty of perjury, which gave the additional  
12 imprimatur of veracity to their misstatements and should have put reasonable persons on notice  
13 to take care that their pleadings were accurate, complete and true." (*Id.*, at 786)

14 In *McMahon v. State Bar* (1952) 39 Cal.2d 367, the attorney filed a declaration with  
15 probate court that a will did not exist when he had reason to know that a will had existed. The  
16 Court found a violation of, among other sections, Business and Professions Code section 6068,  
17 and imposed a 60-day suspension.

18 **STATE BAR ETHICS SCHOOL.**

19 Because respondent has agreed to attend State Bar Ethics School as part of this  
20 stipulation, respondent may receive Minimum Continuing Legal Education credit upon the  
21 satisfactory completion of State Bar Ethics School.

22 **RESTRICTIONS WHILE ON ACTUAL SUSPENSION.**

- 23 1. During the period of actual suspension, respondent shall not:
- 24 (A) Render legal consultation or advice to a client;
- 25 (B) Appear on behalf of a client in any hearing or proceeding or before any judicial
- 26 officer, arbitrator, mediator, court, public agency, referee, magistrate,  
commissioner, or hearing officer;
- 27 (C) Appear as a representative of a client at a deposition or other discovery matter;
- 28 (D) Negotiate or transact any matter for or on behalf of a client with third parties;

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(E) Receive, disburse, or otherwise handle a client's funds; or

(F) Engage in activities which constitute the practice of law.

Advertise or hold himself out as entitled to practice law in any way, including,  
but not limited to, signage, use of letterhead, and internet communication.

2. Respondent shall declare under penalty of perjury that he has complied with this  
provision in any quarterly report required to be filed with the Office of Probation, pertaining to  
periods in which the respondent was actually suspended from the practice of law.

(Do not write above this line.)

In the Matter of  
Peter R. Crane

Case number(s):  
07-O-12917

### 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.

8-30-09

Date

8/30/09

Date

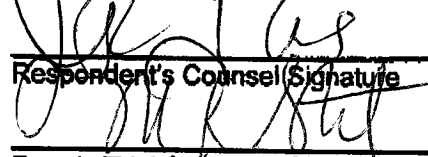
8/30/09

Date



Respondent's Signature

Peter R. Crane  
Print Name



Respondent's Counsel Signature

Jonathan I. Arons  
Print Name



Deputy Trial Counsel's Signature

Treva R. Stewart  
Print Name

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In the Matter Of <b>Peter R. Crane</b>	Case Number(s): <b>07-O-12917</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.)**

Date

Sept 9, 2009

Judge of the State Bar Court

Lucy Armandariz

## 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 San Francisco, on September 9, 2009, 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 San Francisco, California, addressed as follows:

JONATHAN IRWIN ARONS  
LAW OFC JONATHAN I ARONS  
221 MAIN ST STE 740  
SAN FRANCISCO, CA 94105

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

TREVA STEWART, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on September 9, 2009.



Laine Silber  
Case Administrator  
State Bar Court