

(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles			PUBLIC MATTER	
Counsel For The State Bar Ell D. Morgenstern Deputy Trial Counsel The State Bar of California 1149 South Hill Street Los Angeles, CA 90015-2299		Case Number (s) 07-O-13354-RAP; Investigation Case No.: 07-O-11739		(for Court's use) <div style="text-align: center;"> FILED FEB 18 2009 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Bar # 190560 Counsel For Respondent James I. Ham, Esq. Pansky Markle Ham 1010 Sycamore Avenue, Suite 101 South Pasadena, CA 91030		Submitted to: Assigned Judge		
Bar # 100849 In the Matter Of: Keith Scott Walker		STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING		
Bar # 73047 A Member of the State Bar of California (Respondent)		PUBLIC REPROVAL <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 December 22, 1976.
- (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):

- ☐ costs added to membership fee for calendar year following effective date of discipline (public reproof)
- ☐ case ineligible for costs (private reproof)
- ☒ costs to be paid in equal amounts for the following membership years prior to February 1 for three (3) billing cycles following the effective date of the discipline herein. For a further discussion concerning costs, please see page 10.
(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

- (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:
- (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.
- (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.

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- (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:

Although the instant misconduct cannot be deemed "not serious," Respondent has been a member of the State Bar of California since December 22, 1976, and has no prior discipline.

D. Discipline:

- (1) ☐ **Private reproof (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 reproof (Check applicable conditions, if any, below)**

E. Conditions Attached to Reproval:

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

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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 reprobation.
- (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) ☒ 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 reprobation.
- ☐ No MPRE recommended. Reason: .
- (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:

IN THE MATTER OF: KEITH SCOTT WALKER
CASE NUMBER(S): ET AL. 07-O-13354-RAP
Investigation Case No. 08-O-11739

Attachment Page 6

8. On January 17, 2006, Respondent wrote Kubinski a letter stating that he would immediately mail the petition to determine succession of real property to Hawkins for her signature.

9. Between on or about January 17, 2006, and February 20, 2006, Kubinski left several messages with Respondent's office inquiring about the status of the petition to determine succession of real property. Respondent received the messages; however, he did not return the calls or otherwise communicate with Kubinski or Hawkins.

10. On February 20, 2006, April 3, 2006, May 1, 2006, and June 1, 2006, Kubinski wrote Respondent a letter inquiring about the status of the petition to determine succession of real property. Respondent received the letters; however, he did not respond to them or otherwise communicate with Kubinski or Hawkins.

11. On July 21, 2006, Kubinski sent another letter to Respondent on behalf of Hawkins terminating Respondent's employment and requesting that he return all of the documents that had been provided to Respondent in connection with the matter, which included: (i) an affidavit of death of joint tenant; (ii) the last will and testament of Rena Weerman; (iii) a certified certificate of death dated February 8, 2005; and (iv) a 1994 tax bill on the subject property. Respondent received the letter; however, he did not respond to it or otherwise communicate with Kubinski or Hawkins.

12. On October 10, 2006, Kubinski sent another letter to Respondent indicating that neither he nor Hawkins had received a response to the July 21, 2006 letter and again requested that Respondent return all of the documents that had been provided to him. Respondent received the letter; however, he did not respond to it or otherwise communicate with Kubinski or Hawkins.

13. There have been no further communications from Respondent to Kubinski or Hawkins since Respondent's January 17, 2006 letter to Kubinski.

14. On February 28, 2007, after Hawkins employed new counsel, Hawkins obtained an Order Determining Succession to Real Property.

Conclusions of Law

By failing to file a petition to determine succession of real property on behalf of Hawkins, Respondent intentionally, recklessly, or repeatedly failed to perform competently in violation of rule 3-110(A) of the Rules of Professional Conduct.

By failing to respond to Kubinski's several messages between January 17, 2006, and February 20, 2006, in which he inquired about the status of Hawkins' case on her behalf, and by failing to respond to Kubinski's February 20, 2006, April 3, 2006, May 1, 2006, and June 1, 2006 letters, in which he inquired about the status of Hawkins' case on her behalf, Respondent failed to respond to the reasonable status inquiries of a client, in wilful violation of Business and Professions Code section 6068(m).

By failing to return all of Hawkins' documents to her, Respondent failed to return all client papers to his client in wilful violation of rule 3-700(D)(1) of the Rules of Professional Conduct.

Investigation Case No. 08-O-11739

Facts

1. Arizona attorney Wyatt Palmer ("Palmer") is the attorney for Tammy Davis ("Davis"), the personal representative of an Arizona Estate, Estate of Bettie Kinsey (the "Arizona Estate"). The Arizona Estate was the beneficiary of a California Estate, Estate of Michael Leroy McKee, Los Angeles County Superior Court Case No. BP 089507 (the "California Estate"). Clint Martz ("Martz") is the personal representative of the California Estate.
2. Pursuant to the Decree of Final Distribution ("Decree") filed on October 17, 2006, in the probate of the California Estate, Martz was to distribute to Davis, as the personal representative of the Arizona Estate, \$108,323.69.
3. However, after the Decree of Final Distribution was filed, Martz issued a check made payable to Davis in the sum of \$56,181.10 (the "check") and indicated to her that he was entitled to the remainder of the cash on hand in the California Estate based on a claim for compensation for other services.
4. In or about February 2007, Palmer employed Respondent to assist him in collecting from the California Estate the remaining amount owed to Davis pursuant to the Decree. Respondent's initial plan was to obtain the remaining amount owed to Davis pursuant to the Decree by seeking payment on a surety bond issued to Martz. Respondent never prepared a written retainer agreement.
5. Palmer provided Respondent with the check that Martz had issued, and which was allegedly not in compliance with the Decree. Palmer requested that Respondent not endorse or deposit the check. Respondent complied with Palmer's request and stored the check in a vault.
6. In September 2007, Respondent discovered that Kinsey had executed an indemnity agreement with the surety on Martz's bond. Therefore, any recovery on the bond would result in a corresponding liability on the part of Davis in favor of the surety. This made the originally contemplated legal action ineffective and not worth pursuing.
7. Respondent communicated with Palmer and explained that the original strategy of seeking recovery from the surety was no longer viable.
8. On September 16, 2007, Respondent wrote a letter to Palmer indicating that by the following week, he intended to file in the probate case of the California Estate an application for an order to show cause re contempt ("OSC") for Martz's failure to distribute \$108,323.69 to Davis as ordered in the Decree.
9. Between September 16, 2007, and December 20, 2007, Palmer left several messages with Respondent's office inquiring about the status of the OSC. Respondent received the messages; however, he did not return the calls or otherwise communicate with Palmer.
10. On December 20, 2007, Palmer wrote a letter to Respondent in which he stated, "Thank you for your assistance in the past and for what may occur in the future. However, due to the lack of contact or information on the progress of the case, I am concerned that not much progress is being made and/or that not much is expected from your office in the future." In the letter, Palmer also inquired about the

status of the OSC and the check. Finally, Palmer requested that the information be submitted as soon as possible, because he claimed that it may have had an affect on his work on the Arizona Estate. Respondent received the letter; however he did not respond to it or otherwise communicate with Respondent.

11. On April 16, 2008, Palmer wrote a letter addressed to Respondent's law firm advising the firm that Respondent had not responded to his numerous status report requests and held the check belonging to the Arizona Estate. The firm received the letter; however, neither Respondent nor the firm responded to it or otherwise communicated with Respondent.

12. At no time did Respondent file the OSC. At no time did he receive any compensation from the Arizona Estate.

13. Although Palmer inquired about the check, he made no specific request of the check even after he was contacted by Respondent's counsel. On October 2008 Respondent returned the original file and the check to Palmer.

Conclusions of Law

By failing to file the OSC in the probate case of the California Estate, Respondent intentionally, reckless, or repeatedly failed to perform competently in violation of rule 3-110(A) of the Rules of Professional Conduct.

By failing to respond to Palmer's status requests, Respondent failed to respond to the reasonable status inquiries of a client, in wilful violation of Business and Professions Code section 6068(m).

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(7), was January 23, 2009

DISMISSALS.

The parties respectfully request the Court to dismiss the following alleged violations in the interest of justice:

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
07-O-13354	FOUR	Rules of Professional Conduct, rule 3-700(D)(2)
07-O-13354	FIVE	Rules of Professional Conduct, rule 4-100(B)(3)

OTHER CONDITIONS NEGOTIATED BY THE PARTIES.

By no later than 30 days after the effective date of this reproof, Respondent must provide the Office of Probation with sufficient proof that he has reimbursed \$885 to Marianne Hawkins, the complaining witness in Case No. 07-O-13354. The amount represents the advance legal fees and costs received by Respondent (\$1000) minus the cost of the appraisal of the subject property (\$115).

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed him that as of January 23, 2009, the costs in this matter are \$2,960. The costs are to be paid in equal amounts prior to February 1 for the following three billing cycles following the effective date of the Supreme Court Order. Respondent 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 6086.10, 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 the Rules of Procedure of the State Bar of California. (Rules Proc. of State Bar, rule 286.)

MITIGATING CIRCUMSTANCES.

Respondent has provided the State Bar with a declaration from his primary care physician stating that the doctor has been Respondent's primary care physician since the early 1990's, and that during the time period that Respondent committed the misconduct described herein, Respondent was suffering from symptoms consistent with depression. The doctor further states that in the summer of 2008, Respondent experienced the symptoms of a more severe depression.

In the declaration, the doctor states that in September 2008, he prescribed medication to combat the depression that Respondent was experiencing. The doctor reports that he has been monitoring Respondent's treatment since September 2008, and that Respondent has shown continued improvement on the medication that he prescribed. The doctor most recently examined Respondent on December 14, 2008, and found him to be physically and emotionally stable and able to competently perform his duties as an attorney.

AUTHORITIES SUPPORTING DISCIPLINE.

Standards

Standard 2.6 states that culpability of a member of a wilful violation of Business and Professions Code section 6068(m) shall result in suspension or disbarment depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in Standard 1.3.

However, Standard 2.4(b) of the Standards For Attorney Sanctions For Professional Misconduct, Title IV of the Rules of Procedure ("Standards") provides, inter alia, that culpability of a member of wilfully failing failing to communicate with a client shall result in reproof or suspension depending upon the extent of the misconduct and the degree of harm to the client.

The appropriate level of discipline for a violation of rule 3-700(D)(1) is not specified by the Standards. Under Standard 2.10, the appropriate level of discipline for a violation of a rule not specified in the Standards is a reproof or suspension, according to the gravity of the offense or the harm, if any, to the victim, with due regard for the purposes of imposing discipline set forth in Standard 1.3.

In this matter, Respondent's clients were not irreparably harmed by his wilful failure to perform or communicate. As such, the imposition of a reproof in this matter remains consistent with the purposes for imposing discipline as set forth in Standard 1.3.

STATE BAR ETHICS SCHOOL.

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

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In the Matter of Keith S. Walker	Case number(s): 07-O-13354-RAP; Investigation Case No.: 07-O-11739
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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.

Date
FEB. 02, 2009
Date

Respondent's Signature


Respondent's Counsel Signature

Keith S. Walker
Print Name

James I. Ham
Print Name

Date

Deputy Trial Counsel's Signature

Eli D. Morgenstern
Print Name

(Do not write above this line.)

In the Matter of Keith S. Walker	Case number(s): 07-O-13364-RAP; Investigation Case No.: 07-O-11739
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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.

FEB - 6 2009

Date

FEB. 02, 2009

Date

2/10/09

Date



Respondent's Signature

Keith S. Walker

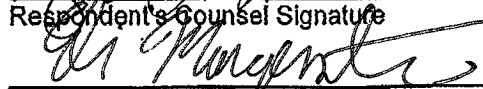
Print Name



Respondent's Counsel Signature

James I. Ham

Print Name



Deputy Trial Counsel's Signature

Eli D. Morgenstern

Print Name

(Do not write above this line.)

In the Matter Of
KEITH S. WALKER

Case Number(s):
07-O-13364
08-O-11739

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.

Page 1 and signature pages: The investigation number 07-O-11739 is corrected to read 08-O-11739

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 125(b), 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.

February 18, 2009

Date


Richard A. Platel
Judge of the State Bar Court

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 February 18, 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:

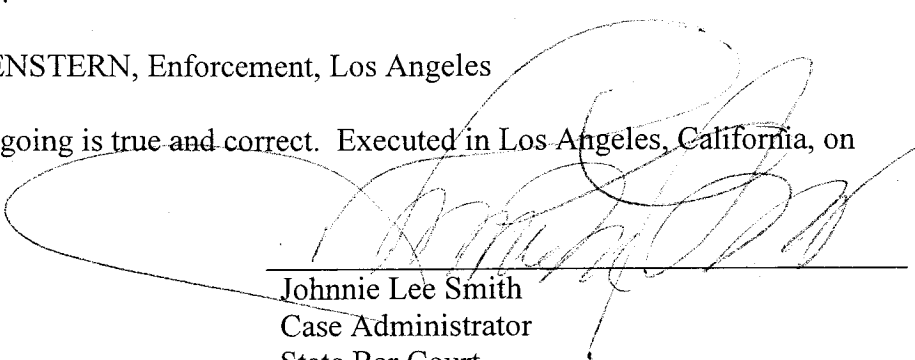
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ELLEN ANNE PANSKY
PANSKY MARKLE HAM LLP
1010 SYCAMORE AVE UNIT 101
SOUTH PASADENA, CA 91030

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

ELI MORGENSTERN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on February 18, 2009.



Johnnie Lee Smith
Case Administrator
State Bar Court