

(Do not write above this line.)

State Bar Court of California
Hearing Department
Los Angeles

Counsel For The State Bar	Case Number (s)	(for Court's use)
Hugh G. Radigan Deputy Trial Counsel 1149 S. Hill St. Los Angeles, Ca. 90015 213-765-1206	07-O-13898 07-O-10141(inv)	PUBLIC MATTER
Bar # 94251		FILED
In Pro Per Respondent		JUN 03 2010
Robert H. Sack 1635 13th Street Los Osos, California 93402		STATE BAR COURT CLERK'S OFFICE LOS ANGELES
Bar # 165033	Submitted to: Settlement Judge	
In the Matter Of: Robert H. Sack	STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING	
Bar # 165033	ACTUAL SUSPENSION	
A Member of the State Bar of California (Respondent)	<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 15, 1993.
- (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 13 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."

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



- (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: four 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 00-O-13349
 - (b) ☒ Date prior discipline effective February 17, 2007
 - (c) ☒ Rules of Professional Conduct/ State Bar Act violations: Rules of Professional Conduct, rule 3-700(D)(2), rule 3-310(C)(1), rule 3-110(A)(two counts), rule 4-100(B)(1)(four counts), rule 4-100(A)(five counts) and Business and Professions Code section 6090.5(a)(2)(two counts), and section 6106, section 6068(m)(four counts).
 - (d) ☒ Degree of prior discipline two years actual suspension and three years probation.
 - (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. Respondent's unauthorized practice of law during his period of actual suspension, his refusal to advise either his client or opposing counsel of his suspended status and his false representation to the State Bar that he had not practiced law by participating and appearing at the subject depositions, constitutes bad faith behavior, overreaching and dishonesty.
- (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~~ ²⁵ a client, the public or the administration of justice. Respondent's failure to advise either his client or opposing counsel of his suspended status while appearing and participating at two successive depositions caused harm to the client and the administration of justice.

- (5) ☒ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct. Respondent's conduct evidences a lack of understanding of the gravity of the earlier misconduct and the import of the State Bar's regulatory function.
- (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. Throughout the course of this matter Respondent has been candid and cooperative with 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.
- (5) ☐ **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) ☐ **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) ☐ **Good Faith:** Respondent acted in good faith.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) ☐ **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) ☐ **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.

- (11) ☐ **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) ☐ **No mitigating circumstances** are involved.

Additional mitigating circumstances

D. Discipline:

- (1) ☒ **Stayed Suspension:**
- (a) ☒ Respondent must be suspended from the practice of law for a period of three years.
- i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.
- ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. ☐ and until Respondent does the following:

- (b) ☒ The above-referenced suspension is stayed.

- (2) ☒ **Probation:**

Respondent must be placed on probation for a period of four 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 two years and six months.
- i. ☒ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
- ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. ☐ and until Respondent does the following:

E. Additional Conditions of Probation:

- (1) ☒ If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.

- (2) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (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 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- ☐ No MPRE recommended. Reason:
- (2) ☒ **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (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:**

NOLO CONTENDERE PLEA TO STIPULATION AS TO FACTS, CONCLUSIONS OF LAW AND DISPOSITION

Bus. & Prof. Code § 6085.5 Disciplinary Charges; Pleas to Allegations

There are three kinds of pleas to the allegations of a Notice of Disciplinary Charges or other pleading which initiates a disciplinary proceeding against a member:

- (a) Admission of culpability.
- (b) Denial of culpability.
- (c) **Nolo contendere, subject to the approval of the State Bar Court. The court shall ascertain whether the member completely understands that a plea of nolo contendere shall be considered the same as an admission of culpability and that, upon a plea of nolo contendere, the court shall find the member culpable. The legal effect of such a plea shall be the same as that of an admission of culpability for all purposes, except that the plea and any admission required by the court during any inquiry it makes as to the voluntariness of, or the factual basis for, the pleas, may not be used against the member as an admission in any civil suit based upon or growing out of the act upon which the disciplinary proceeding is based. (Added by Stats. 1996, ch. 1104.) (emphasis supplied)**

Rule 133, Rules of Procedure of the State Bar of California **STIPULATION AS TO FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

- (a) A proposed stipulation as to facts, conclusions of law, and disposition must set forth each of the following:

- (5) a statement that Respondent either
 - (i) admits the facts set forth in the stipulation are true and that he or she is culpable of violations of the specified statutes and/or Rules of Professional Conduct or
 - (ii) **pleads nolo contendere to those facts and violations. If the Respondent pleads nolo contendere, the stipulation shall include each of the following:**
 - (a) **an acknowledgement that the Respondent completely understands that the plea of nolo contendere shall be considered the same as an admission of the stipulated facts and of his or her culpability of the statutes and/or Rules of Professional Conduct specified in the stipulation; and**
 - (b) **if requested by the Court, a statement by the Deputy Trial Counsel that the factual stipulations are supported by evidence obtained in the State Bar investigation of the matter (emphasis supplied)**

I, the Respondent in this matter, have read the applicable provisions of Bus. & Prof. Code § 6085.5 and rule 133(a)(5) of the Rules of Procedure of the State Bar of California. I plead nolo contendere to the charges set forth in this stipulation and I completely understand that my plea must be considered the same as an admission of culpability except as state in Business and Professions Code section 6085.5(c).

Date

MAY 25 '02

Signature

Robert H. Sack

Print Name

Robert H. Sack

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Robert H. Sack

CASE NUMBER(S): 07-O-13898 and 07-O-10141(inv)

FACTS AND CONCLUSIONS OF LAW.

Respondent pleads nolo contendere to the following facts and violations of the specified statutes and/or Rules of Professional Conduct. Respondent acknowledges that he completely understands that the plea of nolo contendere shall be considered the same as an admission of the stipulated facts and of his culpability of the violation of the statutes and/or rules of Professional Conduct specified in the stipulation.

The parties additionally agree and stipulate that they mutually waive their respective rights to withdraw or modify this stipulation pursuant to rule 135(b) of the Rules of Procedure of the State Bar of California.

Case No. 07-O-13898:

1. On January 18, 2007, the California Supreme Court filed and properly served its disciplinary order number S147606, in State Bar Case Number 00-O-13349 (the "Supreme Court order") on Respondent, ordering among other things that Respondent be actually suspended from the practice of law in the State of California for a period of two (2) years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct and until he makes restitution as outlined in the Supreme Court order. The Supreme Court order became effective thirty (30) days after the date of filing, to wit, on February 17, 2007. Respondent received a copy of the Supreme Court order.

2. On May 15, 2007, while suspended from the practice of law, Respondent appeared in two separate depositions in In the Matter of the Arbitration between Ramicka Smith, GAL and Doug Smith vs. Permanente Medical Group, et al., Arbitration Number 7210. The two deponents, Mellanie Burkhart and Channon Clagg, were sisters of the plaintiff, Ramika Smith, client of the law firm where

Respondent was then employed. At the depositions, Respondent appeared as attorney for the plaintiff, gave each deponent legal advice on the record, and asserted objections on behalf of each deponent.

3. Pursuant to the Supreme Court order, Respondent was required to file Quarterly Reports with the Office of Probation of the State Bar of California ("Office of Probation") during the period of his suspension and probation, including a Quarterly Report for the calendar quarter ending July 15, 2007.

4. In his July 2007 Quarterly Report, Respondent averred: "During the preceding calendar quarter I have complied with all provisions of the State Bar Act and Rules of Professional Conduct."

5. In his July 2007 Quarterly Report, Respondent further averred: "I did not practice law during the preceding quarter or applicable part thereof during which I was suspended pursuant to the Supreme Court order in this case.

6. Respondent signed his July 2007 Quarterly Report under penalty of perjury, declaring that all of the information provided in the report was true and accurate.

7. Respondent's averments, in his July 2007 Quarterly Report, that he had complied with all provisions of the State Bar Act during the preceding calendar quarter, and that he had not practiced law during the preceding calendar quarter were false.

8. Respondent knew or was grossly negligent in not knowing that these statements in his July 2007 Quarterly Report were false and a material misrepresentation to the Office of Probation.

Legal Conclusion:

9. By appearing at and participating at the two successive depositions conducted on May 15, 2007, as described in paragraph 2, above, Respondent willfully engaged in the unauthorized practice of law when he knew he was not entitled to do so in violation of Business and Professions Code sections 6125 and 6126, thereby violating section 6068(a). Respondent wilfully violated Business and Professions Code, section 6106, by committing an act involving moral turpitude, dishonesty or corruption, by holding himself out as entitled to practice law, and practicing law, when he knew or was grossly negligent in not knowing that he was not entitled to do. Additionally, by performing the legal services on May 15, 2007 as described in paragraph 2, above, Respondent wilfully misrepresented to the Office of Probation within his July 2007 quarterly report that he was in compliance with all provisions

of the State Bar Act during the preceding quarter, in violation of Business and Professions Code section 6106.

Case No. 07-O-10141:

10. On January 18, 2007, the California Supreme Court filed and properly served its disciplinary order number S147606, in State Bar Case Number 00-O-13349 (the "Supreme Court order") on Respondent, ordering among other things that Respondent be actually suspended from the practice of law in the State of California for a period of two (2) years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct and until he makes restitution as outlined in the Supreme Court order. The Supreme Court order became effective thirty (30) days after the date of filing, to wit, on February 17, 2007. Respondent received a copy of the Supreme Court order.

11. On July 30, 2007, the Law Offices of Gerald Sugarman filed suit against his former client, Jacque Leonard and others in the San Luis Obispo Superior Court, Case No. CV070649, seeking damages sounding in breach of contract, fraud, conspiracy and intentional interference with contractual relations. At the time of this filing and during the process of a number of successive demurrer proceedings challenging the charging allegations, Respondent was ostensibly employed by Sugarman as a paralegal.

12. On December 21, 2007, Respondent left a voice message for defense counsel, Greg A. Coates, Esq., coordinating discovery obligations and granting a discovery extension on behalf of Sugarman. On January 7, 2008, Respondent left an additional voice message for Coates, negotiating the dismissal of several causes of action within the second amended complaint, which was then pending hearing on demurrer. On January 30, 2008, at the hearing of the demurrer to the second amended Sugarman complaint, Respondent appeared in Court, positioned himself at counsel table and commenced addressing the substantive issues of the demurrer to the Court, at which time defense counsel Coates advised the Court of Respondent's suspended status resulting in the Court advising Respondent to refrain from further direct involvement with the hearing process.

Legal Conclusion:

13. By interjecting himself into the substantive matters associated with discovery extensions and substantive determinations with respect to the second amended complaint and the pending demurrer to that same pleading, and by appearing at the hearing on the demurrer and addressing the merits of the proceeding to the Court on January 30, 2008, as described in paragraph 3, above, Respondent willfully engaged in the unauthorized practice of law when he knew he was not entitled to do so in violation of Business and Professions Code sections 6125 and 6126, thereby violating section 6068(a).

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was May 13, 2010.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of May 13, 2010, the prosecution costs in this matter are approximately \$5091.00 Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

AUTHORITIES SUPPORTING DISCIPLINE.

Standard 1.3 of the Standards For Attorney Sanctions For Professional Misconduct provides that the primary purpose of discipline is the protection of the public, the courts and the legal profession; maintenance of high professional standards; and the preservation of public confidence in the legal profession.

Standard 1.6(a) provides that where two or more acts of misconduct occur within a single proceeding, the more severe sanction is to be imposed.

Standard 2.3 provides for disbarment or actual suspension for those acts of moral turpitude depending upon the extent to which the victim of the act has been harmed and the magnitude of the act of misconduct.

Standard 2.6(a) provides for disbarment or suspension depending upon the gravity of the offense or harm for a violation of Business and Professions Code section 6068(a).

The Supreme Court gives the standards "great weight" and will reject a recommendation consistent with the standards only where the court entertains "grave doubts" as to its propriety. *In re Silvertown* (2005) 36 Cal 4th 81, 91, 92. Although the standards are not mandatory, they may be deviated from where there is a compelling, well-defined reason to do so. *In the Matter of Snyder* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 593, is instructive. There, the attorney perjured himself in his California Rules of Court, rule 955(c) (now rule 9.20) declaration of compliance; engaged in the unauthorized practice of law; did not return or account for unearned fees; and appeared for a client without the client's authority. Aggravating factors included one prior instance of discipline such that his current and prior

misconduct included six out of his ten years of practice; and lack of candor. Although Snyder presented mitigating evidence of family pressures and misfortune, good character, therapy, community service and compliance with probation conditions, it was found insufficient to avert disbarment after the court considered his additional serious misconduct and the need to protect the public.

A two and a half year actual suspension together with a three year stayed suspension, in conjunction with the probationary conditions set forth herein, is consistent with the above referred Standards. The compelling reason for deviation from the standards herein consists of the fact that Respondent's outstanding restitution obligation associated with his prior discipline effectively precludes him from restoration of his privilege to practice until such time as those restitution obligations are satisfied. The parties submit that given Respondent's outstanding restitution obligation, recognition of wrongdoing, continuous candor and cooperation throughout this matter, together with his belated remorse, that the stipulated discipline and probationary conditions in this matter are sufficient to assure that Respondent will conform his future conduct to ethical standards and therefore, protect the public, courts and legal profession.

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.



(Do not write above this line.)

In the Matter of
Robert H. Sack

Case number(s):
07-O-13898
07-O-10141(inv)

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>5-24-2010</u>		<u>Robert H. Sack</u>
Date	Respondent's Signature	Print Name
	<u>N/A</u>	
	Respondent's Counsel Signature	Print Name
<u>May 26 '10</u>		<u>Hugh G. Radigan</u>
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter Of Robert H. Sack	Case Number(s): 07-O-13898 07-O-10141(inv)
---	--

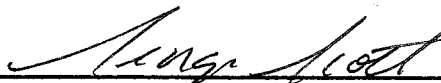
ORDER

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.)**

5-27-10
Date


Judge Pro Tem of the State Bar Court
George Scott

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 June 3, 2010, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND
ORDER APPROVING

in a sealed envelope for collection and mailing on that date as follows:



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

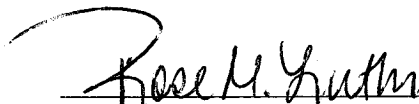
ROBERT H. SACK
LAW OFC ROBERT SACK
1635 13TH ST
LOS OSOS, CA 93402 - 2297



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

HUGH RADIGAN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 3, 2010.



Rose Luthi
Case Administrator
State Bar Court