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

<p>Counsel For The State Bar</p> <p>Tammy M. Albertsen-Murray 180 Howard Street San Francisco, CA 94105 (415) 538-2527</p> <p>Bar # 154248</p>	<p>Case Number (s) 07-O-14008-LMA</p>	<p>(for Court's use)</p> <p align="center"><b>PUBLIC MATTER</b></p> <p align="center"><b>FILED</b> <i>[Signature]</i></p> <p align="center">NOV 18 2009</p> <p align="center">STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>Counsel For Respondent</p> <p>Jonathan I. Arons 221 Main Street, Suite 740 San Francisco, CA 94105 (415) 957-1818</p> <p>Bar # 111257</p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter Of: JUSTIN M. GINGERY</p> <p>Bar # 204217</p> <p>A Member of the State Bar of California (Respondent)</p>		

**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 8, 1999.
- (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 (2) billing cycles following the effective date of the Supreme Court order herein.  
(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 03-O-01775 [S150592]
  - (b)  Date prior discipline effective May 27, 2007
  - (c)  Rules of Professional Conduct/ State Bar Act violations: Rules of Professional Conduct, rules 4-100(A) and 1-300(A)
  - (d)  Degree of prior discipline Two years' suspension, stayed; 90 days actual suspension & until provides proof of rehabilitation pursuant to rule 1.4c(ii), stayed; 2 years probation with conditions; MPRE within one year; comply with rule 9.20
  - (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.

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- (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.
- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances**

Respondent agreed to the imposition of discipline without requiring a hearing. [Standard 1.2(e)(v)]

**D. Discipline:**

(1)  **Stayed Suspension:**

(a)  Respondent must be suspended from the practice of law for a period of three (3) 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 three (3) 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 120 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.

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- (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: Respondent took Ethics School on November 2, 2006 in connection with State Bar case number 03-O-01775 .
- (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 attachment, page 11-12.

**ATTACHMENT TO**

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

IN THE MATTER OF: JUSTIN M. GINGERY

CASE NUMBER: 07-O-14008-LMA

**FACTS AND CONCLUSIONS OF LAW.**

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

**Facts.**

**Case No. 07-O-14008, Count One (A), Rules of Professional Conduct, Rule 1-300(A) [Aiding the Unauthorized Practice of Law]**

From April 2004 through May 2007, respondent was a founding member and partner with two other attorneys ("respondent's partners") in respondent's Sacramento law firm. At all relevant times, respondent mainly practiced personal injury law at respondent's law firm.

From at least December 2005 through May 2007, respondent and respondent's partners employed respondent's father, non-attorney Richard Gingery, Sr. ("Richard Gingery"), as an "Administrator" in respondent's law firm.

From at least December 2005 through May 2007, respondent and respondent's partners permitted Richard Gingery to handle all of the pre-litigation personal injury matters in respondent's law firm with little or no supervision by respondent or respondent's partners.

Despite the fact that respondent stipulated to discipline, effective May 25, 2007, for misconduct which included aiding and abetting the unauthorized practice of law of his non-attorney father, Richard Gingery, Sr., respondent failed to take reasonable steps to prevent Richard Gingery from practicing law. Respondent did not terminate Richard Gingery's employment with his firm. Respondent did not terminate his own association with partners that did not want to terminate Richard Gingery. Having acquiesced to Richard Gingery's continued employment, respondent stood idly by and did nothing while Richard Gingery continued openly and wantonly to practice law.

From at least December 2005 through May 2007 until respondent's first discipline became effective, respondent and respondent's partners permitted Richard Gingery, with no meaningful supervision by respondent or respondent's partners and with full knowledge of Richard Gingery's past practice of unlawful practice of law, to 1) provide legal advice to clients; 2) negotiate settlements with insurance companies; and 3) discuss settlement with clients.

Tammy Toms

Between June, 2006 and approximately January, 2009, Ms. Toms was a client of respondent's

law firm.

Richard Gingery, Sr. was assigned the handling of Ms. Toms' case. File documents reflect that during the course of Gingery, Sr.'s involvement in the handling of Ms. Toms' case, Gingery, Sr. gave Ms. Toms legal advice about her case, advised her regarding insurance coverage issues, advised her regarding the legal status of her employment. At no time did Gingery, Sr. inform Ms. Toms on his non-attorney status.

Respondent and his then-partners failed to supervise non-attorney Richard Gingery, Sr.'s work on Ms. Toms' case. Neither respondent nor his then-partners informed Ms. Toms that Richard Gingery, Sr. was not an attorney.

#### Linda Villanueva

Between December 2005 and May 2007, Linda Villanueva was a client of respondent's law firm in relation to a personal injury matter stemming from a motor vehicle accident.

Richard Gingery, Sr. was assigned the handling of Ms. Villanueva's case. File documents reflect that during the course of Gingery, Sr.'s involvement in the handling of Ms. Villanueva's case, Gingery, Sr. held settlement negotiations with an insurance adjuster, including issuing a demand for settlement, rejecting a settlement offer, issuing a counter-offer and ultimately accepting a settlement offer on Ms. Villanueva's behalf. Documents reflect that Gingery, Sr. gave the impression to the insurance adjuster that he is an attorney. At no time did Gingery, Sr. inform Ms. Villanueva or the insurance adjuster of his non-attorney status.

Respondent and his then-partners failed to supervise non-attorney Richard Gingery, Sr.'s work on Ms. Villanueva's case. Neither respondent nor his then-partners informed Ms. Villanueva that Richard Gingery, Sr. was not an attorney.

#### Lourdes Smith

Between January 2006 and December 2006, Lourdes Smith was a client of respondent's law firm in relation to a personal injury matter stemming from a motor vehicle accident.

Richard Gingery, Sr. was assigned the handling of Ms. Smith's case. File documents reflect that during the course of Gingery, Sr.'s involvement in the handling of Ms. Smith's case, Gingery, Sr. held settlement negotiations with an insurance adjuster. Documents reflect that Gingery, Sr. gave the impression to the insurance adjuster that he is an attorney. At no time did Gingery, Sr. inform Ms. Smith or the insurance adjuster of his non-attorney status. File documents further reflect that Richard Gingery affirmatively told Ms. Smith that he was an attorney.

Respondent and his then-partners failed to supervise non-attorney Richard Gingery, Sr.'s work on Ms. Villanueva's case. Neither respondent nor his then-partners informed Ms. Villanueva that Richard Gingery, Sr. was not an attorney.

#### Stephanie Birket

Between January 2007 and at least May 2007, Stephanie Birket was a client of respondent's law



firm in relation to a personal injury matter stemming from a motor vehicle accident. Ms. Birket was a minor at the time of the accident; Malissa Birket is Stephanie Birket's mother.

Richard Gingery, Sr. was assigned the handling of Ms. Birket's case. File documents reflect that during the course of Gingery, Sr.'s involvement in the handling of Ms. Birket's case, Gingery, Sr. gave Malissa and/or Stephanie Birket legal advice about Stephanie's case, advised them regarding insurance coverage issues and engaged in settlement negotiations on Stephanie Birket's behalf. At no time did Gingery, Sr. inform Malissa or Stephanie Birket of his non-attorney status. Documents further reflect that in January 2007, Richard Gingery affirmatively told Malissa Birket that he was an attorney.

Respondent and his then-partners failed to supervise non-attorney Richard Gingery, Sr.'s work on Ms. Birket's case. Neither respondent nor his then-partners informed Malissa and Stephanie that Richard Gingery, Sr. was not an attorney.

#### Elizabeth Contreras

Between October 2006 and April 2007, Elizabeth Contreras was a client of respondent's law firm in relation to a personal injury matter stemming from a motor vehicle accident.

Richard Gingery, Sr. was assigned the handling of Ms. Contreras' case. File documents reflect that during the course of Gingery, Sr.'s involvement in the handling of Ms. Contreras' case, Gingery, Sr. held settlement negotiations with an insurance adjuster. Documents reflect that Gingery, Sr. gave the impression to the insurance adjuster that he is an attorney. At no time did Gingery, Sr. inform Ms. Contreras or the insurance adjuster of his non-attorney status.

Respondent and his then-partners failed to supervise non-attorney Richard Gingery, Sr.'s work on Ms. Contreras' case. Neither respondent nor his then-partners informed Ms. Contreras that Richard Gingery, Sr. was not an attorney.

#### **Conclusion of Law.**

Particularly because of respondent's recent prior discipline involving, in part, respondent's allowing his father's unauthorized practice of law ("UPL"), respondent knew or should have known that his father, Richard Gingery, would attempt to continue to engage in UPL and that he (Richard Gingery) must therefore be carefully monitored and closely supervised to prevent his continued UPL. By allowing Richard Gingery, a non-attorney, to hold himself out as an attorney and provide legal advice to clients, negotiate settlements with insurance companies and discuss settlement with clients, all with little or no supervision by respondent or respondent's partners, respondent aided and abetted Richard Gingery in the unauthorized practice of law, in willful violation of Rules of Professional Conduct, rule 1-300.

#### **PENDING PROCEEDINGS.**

The disclosure date referred to, on page 2, paragraph A(6), was October 14, 2009.

#### **DISMISSAL.**

The parties respectfully request that the Court dismiss the following alleged violation in the interest of justice:

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
07-O-14008	ONE(B)	Business and Professions Code, section 6106 [moral turpitude]

**COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of October 14, 1009, the prosecution costs in this matter are approximately \$4271.85, which includes 617.85 in taxable costs. 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 2.10;

*In the Matter of Jones* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 411, 415 [in which attorney received 6 months actual suspension for, among other things, abdicating “basic professional responsibilities and allow[ing] a non-lawyer almost free rein to perform such responsibilities in the lawyer’s name.”];

*Crawford v. State Bar* (1960) 54 Cal.2d 659, 666 [in which an attorney was disciplined for forming a partnership with a non-lawyer, his disbarred father, holding “unauthorized practice of law includes the mere holding out by a layman that he is . . . entitled to practice law.”]; and

*Farnham v. State Bar* (1976) 17 Cal.3d 605, 612 [in which an attorney was disciplined – including 6 months’ actual suspension – for a pattern of misconduct that included UPL while suspended. Court held that “While [Respondent] did not sign any legal documents or make a court appearance on [his client’s] behalf, in a larger sense, the practice of law includes legal advice and counsel and the mere preparation of legal instruments.”]

**OTHER CONDITION NEGOTIATED BY THE PARTIES.**

**LIMITATION OF ACTIVITIES OF RESPONDENT’S EMPLOYEES:**

Respondent agrees that he will not permit his non-attorney employees, agents or independent contractors to engage in the following conduct proscribed by Rules of Professional Conduct, Rule 1-311:

- (1) Render legal consultation or advice to clients;
- (2) Appear on behalf of a client in any hearing or proceeding or before any judicial officer,
- (3) arbitrator, mediator, court, public agency, referee, magistrate, commissioner, or hearing officer;

(4) Appear as a representative of the client at a deposition or other discovery matter;

(5) In any other manner not otherwise identified above, allow any non-attorney over whom respondent has supervisory or other authority to practice law.

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<b>In the Matter of</b> <b>JUSTIN M. GINGERY</b>	<b>Case number(s):</b> <b>07-O-14008-LMA</b>
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**SIGNATURE OF THE PARTIES**

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Fact, Conclusions of Law and Disposition.

11/16/09  
Date

  
Respondent's Signature

Justin M. Gingery  
Print Name

Nov 16, 2009  
Date

  
Respondent's Counsel Signature

Jonathan I. Arons  
Print Name

NOVEMBER 16, 2009  
Date

  
Deputy Trial Counsel's Signature

Tammy M. Albertsen-Murray  
Print Name

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In the Matter Of <b>JUSTIN M. GINGERY</b>	Case Number(s): <b>07-O-14008-LMA</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.
1. p. 2, item B(1)(b): effective date of prior discipline is May 25, 2007;
  2. P. 2, item B(1)(d): degree of prior discipline, in relevant part, is: stayed suspension for two years and until respondent complies with standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct (hereafter "standard or std.");
  3. p. 4, item D(3)(i): delete the recommendation for compliance with standard 1.4(c)(ii) as that is normally recommended for actual suspensions of two years or more in duration. (Std. 1.4(c)(ii).); and
  4. p. 5, item E(8): Insert "x" in box recommending compliance with Ethics School requirement and delete the "x" and language regarding not recommending same. (Rule 290(a), Rules Proc. of State Bar.)

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.)**

Nov. 18, 2009  
Date

Pat McElroy  
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 San Francisco, on November 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:

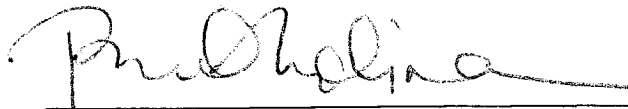
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

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

- by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:
- by overnight mail at , California, addressed as follows:
- by fax transmission, at fax number . No error was reported by the fax machine that I used.
- By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

**TAMMY A. ALBERTSEN-MURRAY**, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on November 18, 2009.



Bernadette C.O. Molina  
Case Administrator  
State Bar Court