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**State Bar Court of California  
Hearing Department  
Los Angeles**



<p>Counsel For The State Bar</p> <p>Michael J. Glass Deputy Trial Counsel 1149 South Hill Street Los Angeles, CA 90015-2299 (213) 765-1254</p> <p>Bar # 102700</p>	<p>Case Number (s) 08-C-13623; 09-C-11053; 09-C-11055; 09-C-11056; 09-C-11057; 09-C-11058; and 10-C-05914</p>	<p>(for Court's use)</p> <p align="center"><b>PUBLIC MATTER</b></p> <p align="center"><b>FILED</b></p> <p align="center">OCT 26 2010</p> <p align="center">STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>Counsel For Respondent</p> <p>Susan Margolis Margolis &amp; Margolis 2000 Riverside Drive Los Angeles, CA 90039 (323) 953-4740</p> <p>Bar # 104629</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: <b>MANSOUR SIG HADDAD</b></p> <p>Bar # 172061</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 2, 1994.
- (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 18 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".

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- (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: prior to February 1 in three billing cycles following the effective date of the discipline. (hardship, special circumstances or other relief apply per rule 284, Rules of Procedure)
  - costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
  - costs entirely waived

**B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.**

- (1)  **Prior record of discipline** [see standard 1.2(f)]
- (a)  State Bar Court case # of prior case
  - (b)  Date prior discipline effective
  - (c)  Rules of Professional Conduct/ State Bar Act violations:
  - (d)  Degree of prior discipline
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.
- (2)  **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4)  **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6)  **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.

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- (7)  **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. See Attachment Page 8 .
- (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 has no prior record of discipline.  
Also See Attachment Page 9.

**D. Discipline:**

(1)  **Stayed Suspension:**

(a)  Respondent must be suspended from the practice of law for a period of two (2) 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 two (2) years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3)  **Actual Suspension:**

(a)  Respondent must be actually suspended from the practice of law in the State of California for a period of six (6) 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:
- |   |   |
|---|---|
| <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 Pages 9-11 re Substance Abuse Conditions.

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Mansour Sig Haddad

CASE NUMBER(S): ET AL. 08-C-13623; 09-C-11053; 09-C-11055; 09-C-11056; 09-C-11057; 09-C-11058; 10-C-05914

**FACTS AND CONCLUSIONS OF LAW.**

Respondent Mansour Sig Haddad ("Respondent") admits that the following facts are true and that he is culpable of violation of the specified statutes and/or Rules of Professional Conduct.

Case No. 09-C-11055

1. On February 23, 2009, Respondent was convicted of one count of violating Penal Code section 647(f) (Public Intoxication), a misdemeanor.
2. In the underlying matter, on November 11, 2008, Respondent had been drinking and was sitting on a bench in front of a store. Respondent had previously been inside the store and made a female employee of the store uncomfortable. The store owner called the police. Respondent was arrested for violating Penal Code section 647(f) (Public Intoxication).
3. On February 23, 2009, Respondent was sentenced to 10 days in jail with credit for 8 days served. Respondent was also fined \$320.00 with credit for \$300.00 (\$50.00 per day times 6 days credit for time served) and \$20.00 of the fine suspended. Probation was denied.

Conclusions of Law

4. By being convicted of violating Penal Code section 647(f) (Public Intoxication), a misdemeanor, Respondent wilfully violated a law of this state in violation of Business and Professions Code section 6068(a).
5. Respondent's conviction for violating Penal Code section 647(f)(Public Intoxication), a misdemeanor, also constitutes conviction of a crime involving other misconduct warranting discipline.

Case No. 09-C-11056

1. On February 23, 2009, Respondent was convicted of one count of violating Penal Code section 647(f) (Public Intoxication), a misdemeanor.

2. In the underlying matter, on November 5, 2008, Respondent was parked and slumped over in the driver's seat of his vehicle. Respondent had a bottle of wine between his legs. Respondent was asked by a police officer to exit the vehicle. Respondent smelled of alcohol, stumbled, and had slurred speech. Respondent was arrested for violating Penal Code section 647(f) (Public Intoxication).
3. On February 23, 2009, Respondent was sentenced to 10 days in jail with credit for 8 days served. Respondent was also fined \$320.00 with credit for \$300.00 (\$50.00 per day times 6 days credit for time served) and \$20.00 of the fine suspended. Probation was denied.

#### Conclusions of Law

4. By being convicted of violating Penal Code section 647(f) (Public Intoxication), a misdemeanor, Respondent wilfully violated a law of this state in violation of Business and Professions Code section 6068(a).
5. Respondent's conviction for violating Penal Code section 647(f)(Public Intoxication), a misdemeanor, also constitutes conviction of a crime involving other misconduct warranting discipline.

#### Case No. 09-C-11057

1. On February 23, 2009, Respondent was convicted of one count of violating Vehicle Code section 23152(a) (Driving Under the Influence). A second count of violating Vehicle Code section 23152(b) (Driving a Vehicle with a Blood Alcohol Level of 0.08% or More) was dismissed as part of a plea bargain. The Criminal Complaint also alleged that within ten years of the aforementioned offense, Respondent committed a violation of Vehicle Code section 23152(a) on January 10, 2008, and was duly convicted thereof on February 20, 2008, in the San Luis Obispo Superior Court. (See Case No. 09-C-11058, infra. Page 9(Attachment Page 3) ).
2. In the underlying matter, on January 3, 2009, Respondent was involved a non-injury automobile accident, in which Respondent's vehicle rear ended a vehicle driven by Arturo Tabueunca. Respondent's Blood Alcohol Concentration was 0.36.
3. On September 9, 2009, Respondent was sentenced to 3 years probation, 30 days in jail, completion of a Second Offender Program, and a \$2100 fine.

#### Conclusions of Law

4. By being convicted of violating Vehicle Code section 23152(a) (Driving Under the Influence), a misdemeanor, Respondent willfully violated a law of this state in violation of Business and Professions Code section 6068(a).
5. Respondent's conviction for violating Vehicle Code section 23152(a) (Driving Under



the Influence), a misdemeanor, also constitutes conviction of a crime involving other misconduct warranting discipline.

Case No. 09-C-11058

1. On February 20, 2008, Respondent was convicted of one count of violating Vehicle Code section 23152(a) (Driving Under the Influence). A second count of violating Vehicle Code section 23152(b) (Driving a Vehicle with a Blood Alcohol Level of 0.08% or More) was dismissed as part of a plea bargain.
2. In the underlying matter, on January 10, 2008, Respondent was driving a 2008 Toyota Corolla which was involved in a one vehicle accident on northbound Orcutt Road near Biddle Ranch Road in San Luis Obispo County. Respondent's vehicle approached a curve in the road and spun out striking a wooden sign post and a utility pole. Respondent's Blood Alcohol Concentration was 0.32.
3. On February 20, 2008, Respondent was sentenced to 3 years probation, 8 days in jail, a 9 month first alcohol offender program, a \$1,755.00 fine and various fees.
4. On February 23, 2009, Respondent admitted to a violation of his probation due to Respondent's failure to obey all laws during the period of his probation.
5. On September 9, 2009, Respondent's probation was modified and reinstated. Respondent was also sentenced to 62 days in County Jail, with credit for time served of 42 days.

Conclusions of Law

6. By being convicted of violating Vehicle Code section 23152(a) (Driving Under the Influence), a misdemeanor, and violating his probation, Respondent willfully violated a law of this state in violation of Business and Professions Code section 6068(a).
7. Respondent's conviction for violating Vehicle Code section 23152(a) (Driving Under the Influence), a misdemeanor, and violating his probation, also constitutes conviction of a crime involving other misconduct warranting discipline.

Case No. 10-O-05914

1. On July 19, 2010, Respondent was convicted on one count of violating Vehicle Code Section 23152(b) (Driving With a Blood Alcohol Content of 0.08% or higher), with priors, a misdemeanor. Respondent also admitted a violation of his probation from his February 20, 2008, conviction for violating Vehicle Code section 23152(a) (Driving Under the Influence) (Case No. 09-C-11058) and his February 23, 2009, conviction for violating Vehicle Code section 23152(a) (Driving Under the Influence) (Case No. 09-O-11057).

2. In the underlying matter, on May 1, 2010, Respondent was driving a 2008 BMW northbound on Chorro Street in San Luis Obispo. A university police officer observed Respondent's car swerving to the left and right, crossing over the double yellow lines in the center of the road as well as the white lines on the right side of the road. The officer initiated a traffic stop and arrested Respondent after failed field sobriety tests. Respondent's Blood Alcohol concentration was 0.27.
3. On August 23, 2010, Respondent was sentenced to 180 days in custody, a five year suspended sentence, with a stay of execution until October 25, 2010, so that Respondent can apply for home detention, a \$2,190 fine, completion of a second offender program, driving privilege revoked for 3 years, and Respondent was designated a habitual traffic offender. Respondent's probation was reinstated in his February 20, 2008, conviction for violating Vehicle Code section 23152(a) (Driving Under the Influence) (Case No. 09-C-11058) and his February 23, 2009, conviction for violating Vehicle Code section 23152(a) (Driving Under the Influence) (Case No. 09-O-11057).

#### Conclusions of Law

4. By being convicted of violating one count of Vehicle Code section 23152(b) (Driving With a Blood Alcohol Content of 0.08% or Higher), with priors, a misdemeanor, and by violating the terms of his probation in connection with his prior DUI's, Respondent wilfully violated a law of this state in violation of Business and Professions Code section 6068(a).
5. Respondent's conviction for violating Vehicle Code section 23152(b) (Driving With a Blood Alcohol Content of 0.08% or Higher), with priors, a misdemeanor, and by violating the terms of his probation in connection with his prior DUI's, also constitutes conviction of a crime involving other misconduct warranting discipline.

#### **PENDING PROCEEDINGS.**

The disclosure date referred to, on page 2, paragraph A(6), was August 31, 2010.

**DISMISSALS.**

The parties respectfully request the Court dismiss the following conviction referral matters in the interest of justice:

<u>Case No.</u>	<u>Underlying Charges Dismissed</u>
08-C-13623	Respondent's February 23, 2009, conviction of one count of violating Health and Safety Code section 11350(a)(Possession of a Controlled Substance), a felony, was dismissed on February 23, 2010, pursuant to Penal Code section 1210.1(e)(1), following Respondent's successful completion of the Proposition 36 (Penal Code section 1210.1) Program.
09-C-11053	Respondent's March 4, 2009, conviction of one count of violating Health and Safety Code section 11550(a)(Under the influence of a Controlled Substance), a misdemeanor, was dismissed on February 23, 2010, pursuant to Penal Code section 1210.1(e)(1), following Respondent's successful completion of the Proposition 36 (Penal Code section 1210.1) Program.

**COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of August 31, 2010, the prosecution costs in this matter are \$13,346.00. 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.

**PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING.**

**Case No. 09-C-11055**

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On February 23, 2009, respondent was convicted of violating Penal Code section 647(f) (Public Intoxication), a misdemeanor.
3. On September 10, 2009, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department on the following issues: For a hearing and

decision recommending the discipline to be imposed in the event that the hearing department finds that the facts and circumstances surrounding the violation of Penal Code section 647, subdivision f, of which respondent was convicted, involved moral turpitude or other misconduct warranting discipline.

**Case No. 09-C-11056**

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On February 23, 2009, respondent was convicted of violating Penal Code section 647(f) (Public Intoxication), a misdemeanor.
3. On September 10, 2009, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department on the following issues: For a hearing and decision recommending the discipline to be imposed in the event that the hearing department finds that the facts and circumstances surrounding the violation of Penal Code section 647, subdivision f, of which respondent was convicted, involved moral turpitude or other misconduct warranting discipline.

**Case No. 09-C-11057**

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On February 23, 2009, respondent was convicted of violating Vehicle Code section 23152(a) (Driving Under the Influence), a misdemeanor.
3. On September 10, 2009, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department on the following issues: For a hearing and decision recommending the discipline to be imposed in the event that the hearing department finds that the facts and circumstances surrounding the misdemeanor violation of Vehicle Code section 23152, subdivision (a), of which respondent was convicted, involved moral turpitude or other misconduct warranting discipline.

**Case No. 09-C-11058**

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On February 20, 2008, respondent was convicted of violating Vehicle Code section 23152(a)(Driving Under the Influence), a misdemeanor.

3. On January 8, 2010, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department on the following issues: For a hearing and decision recommending the discipline to be imposed in the event that the hearing department finds that the facts and circumstances surrounding the misdemeanor violation of Vehicle Code section 23152, subdivision (a)(driving under the influence), of which respondent was convicted, involved moral turpitude or other misconduct warranting discipline.

**Case No. 10-C-05914**

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.

2. On July 19, 2010, respondent was convicted of violating Vehicle Code Section 23152(b) (Driving With a Blood Alcohol Content of 0.08% or higher), with priors, a misdemeanor. Respondent also admitted a violation of his probation from his February 20, 2008, conviction for violating Vehicle Code section 23152(a) (Driving Under the Influence) (Case No. 09-C-11058) and his February 23, 2009, conviction for violating Vehicle Code section 23152(a) (Driving Under the Influence) (Case No. 09-O-11057).

3. On October 14, 2010, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department on the following issues: For a hearing and decision recommending the discipline to be imposed in the event the hearing department finds that the facts and circumstances surrounding the violation of Vehicle Code section 23152, subdivision (b) (driving with blood alcohol level of 0.08% or more), of which respondent was convicted, involved moral turpitude or other misconduct warranting discipline.

**AUTHORITIES SUPPORTING DISCIPLINE.**

Standard 3.4 provides that “Final conviction of a member of a crime which does not involve moral turpitude inherently or in the facts and circumstances surrounding the crime’s commission but which does involve other misconduct warranting discipline shall result in a sanction as prescribed under part B of these standards appropriate to the nature and extent of the misconduct found to have been committed by the member.”

*In re Kelley* (1990) 52 Cal. 3d 487-While Respondent was on probation for a prior April 1984 DUI conviction, in November 1986 Respondent received a second DUI conviction. The Supreme Court imposed discipline consisting of a public reproof and three years probation with conditions. In aggravation the court found that Respondent made no attempts to show rehabilitative efforts and maintained she had no alcohol abuse problem.

*In re Carr* (1988) 46 Cal. 3d 1089-Respondent pled nolo contendere to two counts of violating Vehicle Code sections 23152(a)(DUI) with one incident in 1983 and the other in 1984. The Supreme Court imposed discipline consisting of a 2 year stayed suspension, 5 years probation with conditions including a 6 month actual suspension and until Respondent complied with standard 1.4(c)(ii).

*In the Matter of Carr* (1992) 2 Cal. State Bar Ct. Rptr. 108-Respondent received three criminal convictions, not involving moral turpitude, consisting of an August 1985 conviction for driving with a suspended license due to a prior DUI conviction, a January 1986 conviction for being under the influence of PCP, and an August 1986 conviction for driving with knowledge of a suspended license. The Review Department recommended discipline consisting of a 2 year stayed suspension, 2 years probation with conditions including a 6 month actual suspension and until Respondent complies with standard 1.4(c)(ii).

## **AGGRAVATING CIRCUMSTANCES.**

### **FACTS SUPPORTING AGGRAVATING CIRCUMSTANCES.**

Under standard 1.2(b)(ii), Respondent's current misconduct evidences multiple acts of wrongdoing as in Case No. 09-C-11055, on February 23, 2009, Respondent was convicted of violating Penal Code section 647(f) (Public Intoxication), a misdemeanor, with the underlying offense occurring on November 11, 2008.

In Case No. 09-C-11056, on February 23, 2009, Respondent was convicted of violating Penal Code section 647(f) (Public Intoxication), a misdemeanor, with the underlying offense occurring on November 5, 2008.

In Case No. 09-C-11057, on February 23, 2009, Respondent was convicted of violating Vehicle Code section 23152(a) (Driving Under the Influence), a misdemeanor, with the underlying offense occurring on January 3, 2009.

In Case No. 09-C-11058, on February 20, 2008, Respondent was convicted of violating Vehicle Code section 23152(a) (Driving Under the Influence), a misdemeanor, with the underlying offense occurring on January 10, 2008. On February 23, 2009, Respondent admitted to a violation of his probation due to Respondent's failure to obey all laws during the period of his probation.

In Case No. 10-C-05914, on July 19, 2010, Respondent was convicted of violating Vehicle Code Section 23152(b) (Driving With a Blood Alcohol Content of 0.08% or higher), with priors, a misdemeanor. Respondent also admitted a violation of his probation from his February 20, 2008, conviction for violating Vehicle Code section 23152(a)(Driving Under the Influence)(Case No. 09-C-11058) and his February 23, 2009, conviction for violating Vehicle Code Section 23152(a)(Driving Under the Influence)(Case No. 09-O-11057).

**MITIGATING CIRCUMSTANCES.**

**ADDITIONAL MITIGATING CIRCUMSTANCES.**

Respondent has no prior record of discipline.

Respondent has met with several San Luis Obispo County Superior Court judges who hear criminal cases. Respondent has offered his services as a liason to any criminal defendants who want to get sober, but need assistance in doing so. Respondent is working with one such defendant right now, assisting his public defender by providing legal services on a pro bono basis and facilitating the defendant's access to AA meetings while the defendant is in jail.

Respondent has also spoken to inmates about recovery and about his own story, and plans to continue to do this 12-step outreach work in the future.

**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.

**OTHER CONDITIONS NEGOTIATED BY THE PARTIES.**

**SUBSTANCE ABUSE CONDITIONS**

**Abstinence:**

Respondent shall abstain from use of any alcoholic beverages, and shall not consume or possess any narcotics, dangerous or restricted drugs, controlled substances, marijuana, or associated paraphernalia, except with a valid prescription.

**Reporting Abstinence:**

Respondent shall report his compliance with this condition (i.e. Abstinence) by statement under penalty of perjury in each written quarterly report to the Office of Probation required pursuant to this order.

**Submit to Examination:**

Within thirty (30) days of the effective date of the discipline in this matter, if Respondent has not already done so, Respondent shall submit to a medical examination by Dr. Daniel M. Gordon, M.D., of San Luis Obispo, CA, or a doctor certified by the American Society of Addiction Medicine, to be mutually agreed upon by Respondent and the State Bar or as ordered by the Court. Dr. Gordon or the Doctor mutually agreed upon by Respondent and the State Bar

or as ordered by the Court ("Doctor") shall conduct an evaluation and issue a report to the Office of Probation and include/address the following:

1. Provide an evaluation, pursuant to DSM-IV-TR, to determine a diagnosis, if any, of Respondent's condition regarding alcohol;

The evaluation may include the performance of standardized tests in oral or written form; interviews with Respondent; review of records relating to his medical condition, criminal proceedings, criminal probation records, State Bar disciplinary records, alcohol treatment or recovery records; and other information provided by the State Bar and/or Respondent.

No physically invasive procedures may be performed without prior consent of Respondent or upon a court order. The Doctor will advise Respondent and/or the State Bar if any physically invasive procedure is required.

2. For any condition regarding alcohol which is diagnosed by the Doctor a determination should be made as to whether the Doctor recommends any treatment to address that condition, and the Doctor should state in specific terms the Doctors' recommendations for how Respondent should be tested, monitored, and/or treated.

#### **Compliance with Recommended Treatment:**

Respondent shall comply with all treatment conditions recommended by the Doctor, either as originally set forth or as may be modified thereafter.

Respondent shall report his compliance with these conditions by statement under penalty of perjury in each written quarterly report to the Office of Probation and he shall provide such satisfactory proof of his compliance as the Office of Probation may request.

#### **Random Blood/Urine Tests:**

Respondent must select a licensed medical laboratory approved by the Office of Probation. Respondent must furnish to the laboratory blood and/or urine samples as may be required to show that Respondent has abstained from alcohol and/or drugs. The samples must be furnished to the laboratory in such a manner as may be specified by the laboratory to ensure specimen integrity. Respondent must cause the laboratory to provide to the Office of Probation, at the Respondent's expense, a screening report on or before the tenth day of each month of the condition or probation period, containing an analysis of Respondent's blood and/or urine obtained not more than ten (10) days previously.

Respondent must maintain with the Office of Probation a current address and a current telephone number at which Respondent can be reached. Respondent must return any call from



the Office of Probation concerning testing of Respondent's blood or urine within twelve (12) hours. The Office of Probation may require Respondent to deliver Respondent's urine and/or blood sample(s) for additional reports to the laboratory described above no later than six hours after actual notice to Respondent that the Office of Probation requires an additional screening report.

**Consent for Release of Treatment and Recovery Information:**

Respondent shall provide a written consent to all alcohol or drug recovery or treatment providers, including testing facilities, who provide services as identified in these Substance Abuse Conditions to release information to the Office of Probation regarding his treatment, compliance, and status.

**Copy of this Stipulation to all Treatment Providers:**

Within thirty (30) days of the effective date of discipline in this matter, Respondent shall deliver a copy of this stipulation to all treatment providers who provide services to him described in these Substance Abuse Conditions.

**Reporting Consent and Delivery of Stipulation:**

Respondent shall report his compliance with the condition of providing consent to release treatment and recovery information and his delivering of this Stipulation to treatment providers, by statement under penalty of perjury in each written quarterly report to the Office of Probation required pursuant to this order and he shall provide to the Office of Probation satisfactory proof of his compliance if requested.

**Costs are Responsibility of Respondent:**

Respondent shall be responsible for the prompt and timely payment of all costs associated with these Substance Abuse Conditions, including, without limitation, the cost of examination(s), testing, treatment, or therapy, and any all other costs related to these Substance Abuse Conditions.

**Modification of Conditions:**

Modification of these conditions shall be pursuant to the Rules of Procedure of the State Bar of California, rule 550 et seq.

(Do not write above this line.)

In the Matter of  
Mansour Sig Haddad

Case number(s):  
08-C-13623; 09-C-11053; 09-C-11055; 09-C-11056; 09-C-11057;  
09-C-11058; and 10-C-05914

### 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.

9/8/2010  
Date

  
Respondent's Signature

Mansour Sig Haddad  
Print Name

9/9/10  
Date

  
Respondent's Counsel Signature

Susan Margolis  
Print Name

10/15/10  
Date

  
Deputy Trial Counsel's Signature

Michael Glass  
Print Name

(Do not write above this line.)

In the Matter Of <b>Mansour Sig Haddad</b>	Case Number(s): <b>08-C-13623; 09-C-11053; 09-C-11055; 09-C-11056; 09-C-11057; 09-C-11058; and 10-C-05914</b>
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**ORDER**

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 135(b), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

10/22/10  
Date

  
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 October 26, 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:

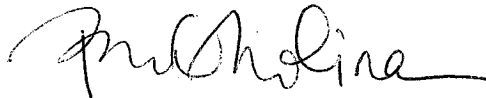
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

**SUSAN LYNN MARGOLIS  
MARGOLIS & MARGOLIS LLP  
2000 RIVERSIDE DR  
LOS ANGELES, CA 90039**

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

**MICHAEL J. GLASS**, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on October 26, 2010.



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Bernadette C.O. Molina  
Case Administrator  
State Bar Court