

(Do not write above this line.)

<b>State Bar Court of California</b> Hearing Department Los Angeles		
<p style="font-size: 2em; font-weight: bold; text-align: center;">PUBLIC MATTER</p> <p>Counsel For The State Bar</p> <p><b>Jean Cha</b>                      Deputy Trial Counsel                      1149 S. Hill Street                      Los Angeles, CA 90015                      (213) 765-1000</p> <p>Bar # 228137</p>	<p>Case Number (s)                      08-H-12290-RAP</p>	<p>(for Court's use)</p> <div style="text-align: center;"> <p style="font-size: 1.5em; font-weight: bold;">FILED</p> <p>APR 02 2009</p> <p>STATE BAR COURT                      CLERK'S OFFICE                      LOS ANGELES</p> </div>
<p>In Pro Per Respondent</p> <p><b>James J. Mazzeo</b>                      6735 Edmonton Ave                      San Diego, CA 92122</p> <p>Bar # 108077</p>	<p>Submitted to: <b>Assigned Judge</b></p>	
<p>In the Matter Of:  <b>James Joseph Mazzeo</b></p> <p>Bar # 108077</p> <p>A Member of the State Bar of California                      (Respondent)</p>	<p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND                      DISPOSITION AND ORDER APPROVING</p> <p><b>STAYED SUSPENSION; NO ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</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 **June 3, 1983**.
- (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."



(Do not write above this line.)

- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- costs added to membership fee for calendar year following effective date of discipline.
  - costs to be paid in equal amounts prior to February 1 for the following membership years: **2 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 **06-O-11475**
  - (b)  Date prior discipline effective **March 8, 2007**
  - (c)  Rules of Professional Conduct/ State Bar Act violations:  
**Business and Professions Code §§ 6068(m) & 6068(i)**  
**and Rules of Professional Conduct rule 3-700(A)(2) in one client matter.**
  - (d)  Degree of prior discipline **Public Reprimand**
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."
- (2)  **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4)  **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6)  **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7)  **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.

- (8)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances**

N/A

**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. **Respondent has been candid and cooperative in these proceedings and with the Office of Probation.**
- (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. **Respondent has taken efforts to belatedly file his quarterly reports and take State Bar Ethics School.**
- (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**

**See Attachment Page 9 & 10.**

**D. Discipline:**

(1)  **Stayed Suspension:**

(a)  Respondent must be suspended from the practice of law for a period of **One Year**.

- I.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- ii.  and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii.  and until Respondent does the following:

The above-referenced suspension is stayed.

(2)  **Probation:**

Respondent is placed on probation for a period of **Two Years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court)

**E. Additional Conditions of Probation:**

- (1)  During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2)  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.
- (3)  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.
- (4)  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.

- (5)  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.

- (6)  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.
- (7)  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 State Bar Ethics School, and passage of the test given at the end of that session.
  - No Ethics School recommended. Reason: **Respondent attended Ethics School on February 5, 2009, and passed the test given at the end of the session. (See rule 290, Rules of Procedure of the State Bar of California).**
- (8)  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.
- (9)  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 within one year. **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:  
  
**In the event that Respondent provides sufficient proof to the Office of Probation that Respondent has taken and passed the March 2009, MPRE, Respondent will have satisfied this condition of his probation conditions. (See In the Matter of Trousil (Review Dept. 1990) 1 Cal.State Bar Ct. Rptr. 229, 244).**
- (2)  **Other Conditions:**

Attachment language (if any):

IN THE MATTER OF JAMES JOSEPH MAZZEO

CASE NUMBER 08-H-12290

**FACTS.**

1. On January 24, 2007, Respondent entered into a Stipulation Re Facts, Conclusions of Law and Disposition (“Stipulation”) with the State Bar of California in case number 06-O-11475.
2. On February 15, 2007, the Hearing Department of the State Bar Court filed an Order approving the Stipulation and imposing upon Respondent a public reproof with conditions (the “reproof order”).
3. On February 17, 2007, Respondent received the reproof order.
4. On March 8, 2007, the reproof order and public reproof became effective.
5. The reproof order required Respondent to:
  - Comply with the conditions attached to the reproof for a period of one year;
  - Comply with the provisions of the State Bar Act and Rules of Professional Conduct During the condition-period attached to the reproof;
  - Contact the Office of Probation and schedule a meeting with Respondent’s assigned probation deputy to discuss the terms and conditions of probation, within 30 days from the effective date of discipline. Upon the direction of the Office of Probation, Respondent was required to meet with the probation deputy either in person or by telephone. During the period of probation, Respondent was required to promptly meet with the probation deputy as directed and upon request;
  - Submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10 and October 10 of the condition-period attached to the reproof. Under penalty of perjury, Respondent was required to state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of the reproof during the preceding calendar quarter. Respondent was required to also state in each report whether there are any proceedings pending against him in the State Bar Court. If the first report covered less than 30 days, that report was to be submitted on the next following quarter date and over the extended period. In addition to all quarterly reports, a final report, containing the same information, was due no earlier than 20 days before the last day of the condition period and no later than the last day of the condition period;

- Answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which were directed to Respondent personally or in writing relating to whether Respondent was complying or complied with the conditions attached to the reproof, subject to assertion of applicable privileges;
  - Provide to the Office of Probation satisfactory proof of attendance of State Bar Ethics School and passage of the test given at the end of that session within one year of the effective date of the reproof;
  - Provide to the Office of Probation satisfactory proof of passage of the Multistate Professional Responsibility Examination (“MPRE”), administered by the National Conference of Bar Examiners within one year of the effective date of the reproof;
  - Develop a law office management/organization plan, approved by the Office of Probation within 60 days of the effective date of the reproof; and
  - Submit to the Office of Probation satisfactory evidence of completion of no less than 6 hours of Minimum Continuing Legal Education (“MCLE”) approved courses in law office management, within one year of the effective date of the reproof, Respondent must s.
6. On March 29, 2007, a Probation Deputy of the Office of Probation sent a letter to Respondent in which the assigned Probation Deputy reminded Respondent of the terms and conditions of his reproof imposed pursuant to the reproof order. Respondent received the letter.
7. In the March 29, 2007 letter, the Probation Deputy specifically informed Respondent regarding his obligations to file quarterly reports commencing April 10, 2007, to comply with a Law Office Management Plan condition by May 7, 2007, to attend State Bar Ethics School by March 8, 2008, and to obtain 6 credits of MCLE by March 8, 2008.
8. Enclosed with the March 29, 2007 letter to Respondent were, among other things, a copy of the relevant portion of the Stipulation setting forth the conditions of Respondent’s reproof, an MPRE schedule/information sheet, information regarding creating a Law Office Management Plan, a quarterly report instruction sheet, a quarterly report form specifically tailored for Respondent to use in submitting his quarterly reports, and information regarding State Bar Ethics School. Respondent received the March 29, 2007 letter sent by the Office of Probation shortly thereafter.
9. On April 3, 2007, during a telephone meeting between Respondent and his assigned Probation Deputy, Respondent verified that he had received the initial probation letter dated March 29, 2007 and

supporting documents. Respondent and his assigned Probation Deputy discussed the conditions of the reprobation order and Respondent's reporting schedule and requirements.

10. On July 6, 2007, Respondent delinquently submitted and the Office of Probation approved Respondent's Law Office Management Plan, which had to be approved by the Office of Probation by May 7, 2007.

11. On March 5, 2008, a Probation Deputy of the Office of Probation wrote a letter to Respondent in which the Probation Deputy reminded Respondent of his October 10, 2007 and January 10, 2008 quarterly report obligations and informed Respondent that he was not in compliance with the conditions of his reprobation. Respondent received the March 5, 2008 letter sent by the Office of Probation shortly thereafter.

12. The public reprobation period of one year ended on March 8, 2008.

13. On January 20, 2009, Respondent delinquently submitted his March 8, 2008 final report to the Office of Probation.

14. On January 30, 2009, Respondent delinquently submitted his October 10, 2007 quarterly report to the Office of Probation.

15. On February 5, 2009, Respondent provided belated satisfactory proof of attendance and passage of Ethics School to the Office of Probation, which was due by March 8, 2008.

16. On March 9, 2009, Respondent delinquently submitted his January 10, 2008 quarterly report to the Office of Probation.

17. On March 9, 2009, Respondent delinquently provided evidence of completion of MCLE approved courses in law office management to the Office of Probation, which were due by March 8, 2008.

18. Respondent did not provide the Office of Probation with satisfactory proof of passage of the MPRE by March 8, 2008.

#### **CONCLUSION OF LAW.**

19. By failing to submit timely quarterly reports to the Office of Probation by October 10, 2007, January 10, 2008, and March 8, 2008; failing to provide satisfactory proof of attendance and passage of Ethics School by March 8, 2008; failing to provide satisfactory proof of passage of the MPRE by March 8, 2008; failing to provide evidence of completion of MCLE approved courses in law office management by March 8, 2008; and failing to develop a Law Office Management Plan, which had to be approved by the Office of

Probation by May 7, 2007; Respondent failed to comply with the terms and conditions of the February 15, 2007 reprobation order in willful violation of Rules of Professional Conduct, rule 1-110.

### **WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CULPABILITY.**

The parties waive any variance between the Notice of Disciplinary Charges filed on September 17, 2008 and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

### **PENDING PROCEEDINGS.**

The disclosure date referred to, on page one, paragraph A.(7), was March 17, 2009.

### **COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of March 17, 2009, the estimated prosecution costs in this matter are approximately \$1,636.00. Respondent acknowledges that this figure is an estimate only and that it might not include State Bar Court costs that will be included in any final cost assessment (see Bus. & Prof. Code section 6068.10(c)) or taxable costs (see C.C.P. section 1033.5(a)), which will be included in any final cost assessment. 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. It is also noted that if Respondent fails to pay any installment of disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision(c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

### **MITIGATING CIRCUMSTANCES.**

Respondent has been candid and cooperative. (Std. 1.2(e)(v); *Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079; *Pineda v. State Bar* (1989) 49 Cal.3d 753, 760.) In his 25 years of practice, Respondent served clients and scaled down fees as well as performed pro bono work. He was a Judge Pro Tem in the small claims division of San Diego County Superior Court for 8 years. (*Calvert v. State Bar* (1991) 54 Cal.3d 765, 785.)

From September 18, 2006 through November 12, 2008, Respondent was administratively enrolled inactive and was not able to practice law during that period of time. Respondent did not attend Ethics School or take and pass the Multistate Professional Responsibility Examination as was required by his reprobation conditions. Respondent did not seek relief or extensions of time to comply with his reprobation conditions. Respondent was under the mistaken and unreasonable belief that to file quarterly reports to the Office of Probation without completing Ethics School and the MPRE, first, was an exercise in futility. (*Rose v. State Bar* (1989)

49 Cal.3d 646.) Respondent has a newfound understanding for the purposes of disciplinary proceedings, and now appreciates the remedial and rehabilitative qualities of Ethics School and the MPRE. Respondent is remorseful and did not fail to file quarterly reports out of any maleficent intent. (Std. 1.2(e)(vii); *In the Matter of Johnson* (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179.) Concerted, though recent, efforts to satisfy conditions, albeit late, are better than utter non-compliance.

#### **AUTHORITIES SUPPORTING DISCIPLINE.**

The purposes of imposing sanctions for professional misconduct are the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys; and the preservation of public confidence in the legal profession. (Std. 1.3; *In re Morse* (1995) 11 Cal.4th 184, 205, Std. 1.3; *Tarver v. State Bar* (1984) 37 Cal.3d 122, 133, 207 Cal.Rptr. 302, 688 P.2d 911; *Chadwick v. State Bar* (1989) 49 Cal.3d 103, 111.) In order to properly fulfill the purposes of lawyer discipline, we must review the nature and extent of the facts and circumstances surrounding the misconduct. The determination of discipline involves an analysis of the standards and on balance with any mitigation and aggravation. (Std. 1.6(b). *Segal v. State Bar* (1988) 44 Cal.3d 1077, 1089; *Snyder v. State Bar* (1990) 49 Cal.3d 1302, 1310-11.)

Because Respondent has a prior record of discipline, the discipline in the present proceeding shall be greater than that imposed in the prior proceeding. (Std. 1.7(a).) A violation of Rules of Professional Conduct, rule 1-110 shall result in suspension. (Std. 2.9.)

In *Conroy v. State Bar* (1990) 51 Cal.3d 799, the attorney failed to comply with the PRE condition of his reproof. The attorney's failure to participate in the State Bar Court proceeding and lack of remorse and failure to acknowledge the wrongfulness of his actions were aggravating factors. The attorney's late passage of the PRE was a mitigating circumstance. The court found a one year stayed suspension, one year probation, with 60 days actual suspension was appropriate.

Here, Respondent's misconduct was not as egregious as the attorney in *Conroy*, Respondent's prior involved one client matter rather than three and Respondent candidly participating and made full recognition and acknowledgement for his actions. Respondent also had extreme financial hardship during the time period of the misconduct. His financial stress caused delays in his compliance and respondent now understands he should have taken measures to seek an extension of time to comply rather than presume his hands were tied. No actual suspension is necessary to protect the public. A one-year stayed suspension is sufficient to ensure Respondent's misconduct will not recur.

In *In the Matter of Posthuma* (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 813, the attorney had a single instance of failing to comply with his reproof conditions. Here, Respondent had several independent instances of noncompliance with his reproof conditions. The attorney in *Posthuma* had a prior private reproof and was sanctioned with a public reproof. (Std. 1.7(a).) The court in *Posthuma* did not follow Std. 2.9 strictly because of the extensive mitigation involved and saw fit to deviate from suspension. (*Gary v. State Bar* (1988) 44 Cal.3d 820, 828; *Boehme v. State Bar* (1988) 47 Cal.3d 448, 454.)

Here, Respondent had many more instances of non compliance and his belated efforts to submit quarterly reports extended for periods much greater than the 3 month delay in *Posthuma*. Another reproof would be inconsistent with the purposes of attorney discipline. (Std. 1.3.) The standards are guidelines for imposing

(Do not write above this line.)

---

discipline and departure is appropriate only when there is a compelling reason to do so. (*In the Matter of Bouyer* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 404, 419.) Here, Respondent made a decision when opting not to file quarterly reports.

A one-year stayed suspension with probation conditions is sufficient to protect the public. (Std. 1.2(e); *In the Matter of Bouyer* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 404.)

///

///

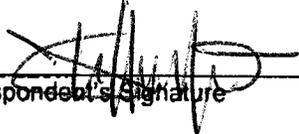
(Do not write above this line.)

In the Matter of James Joseph Mazzeo	Case number(s): 08-H-12290-RAP
---	-----------------------------------

**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.

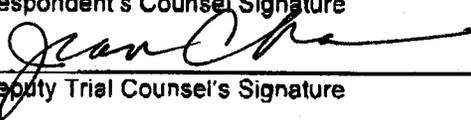
3-19-09  
Date

  
Respondent's Signature

James J. Mazzeo  
Print Name

3/30/2009  
Date

Respondent's Counsel Signature

  
Deputy Trial Counsel's Signature

Jean Cha  
Print Name

(Do not write above this line.)

In the Matter Of <b>James Joseph Mazzeo</b>	Case Number(s): <b>08-H-12290-RAP</b>
--	--

**ORDER**

Finding the stipulation to be fair to the parties and that it adequately protects the public, *RAP*  
IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without *4-1-09*  
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.)**

04-01-09  
Date

  
Judge of the State Bar Court

**RICHARD A. PLATEL**

**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 April 2, 2009, I deposited a true copy of the following document(s):

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

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

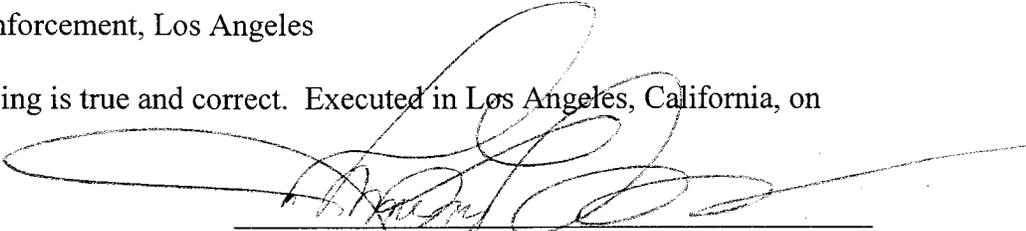
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

JAMES JOSEPH MAZZEO  
6735 EDMONTON AVE  
SAN DIEGO, CA 92122

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

JEAN CHA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on April 2, 2009.



---

Johnnie Lee Smith  
Case Administrator  
State Bar Court