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<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b>		
Counsel For The State Bar  <b>HUGH G. RADIGAN</b> 1149 S. Hill St. Los Angeles, CA 90015 (213) 765-1206  Bar # 94251	Case Number (s) <b>08-O-10164</b>	(for Court's use)  <div style="text-align: center;"> <b>FILED</b>  <b>JUN - 6 2011</b> <i>Yre</i>  <b>STATE BAR COURT</b>  <b>CLERK'S OFFICE</b>  <b>LOS ANGELES</b> </div> <div style="text-align: center; margin-top: 20px;"> <b>PUBLIC MATTER</b> </div>
In Pro Per Respondent  <b>Steven Phillip Haskett</b> 701 B St., #1190 San Diego, CA 92101 (619) 231-3737  Bar # 66144	Submitted to: <b>Assigned Judge</b>	
In the Matter Of: <b>Steven Phillip Haskett</b>  Bar # 66144  A Member of the State Bar of California (Respondent)	STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>PUBLIC REPROVAL</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

**Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.**

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted **December 16, 1975**.
- (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 **9** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."



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- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- costs added to membership fee for calendar year following effective date of discipline (public reproof)
  - case ineligible for costs (private reproof)
  - costs to be paid in equal amounts for the following membership years:  
(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
  - costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
  - costs entirely waived
- (9) The parties understand that:
- (a)  A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
  - (b)  A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
  - (c)  A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

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

- (1)  **Prior record of discipline** [see standard 1.2(f)]
- (a)  State Bar Court case # of prior case **03-O-03903**
  - (b)  Date prior discipline effective **March 23, 2004**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Rule 4-100(B)(4), Rules of Professional Conduct**
  - (d)  Degree of prior discipline **Private reproof**
  - (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.

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- (3)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4)  **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6)  **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7)  **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.**

- (1)  **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2)  **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3)  **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4)  **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5)  **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6)  **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7)  **Good Faith:** Respondent acted in good faith.
- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9)  **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.

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- (10)  **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11)  **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12)  **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances:**

**At the time of the misconduct, Respondent was suffering from stress related to a business he sold in February 2007. Respondent's stress contributed to his failure to respond to Sullivan's status requests and to the State Bar's letters. Respondent demonstrated recognition of wrongdoing by entering into this stipulation, thereby saving the resources of the State Bar.**

**D. Discipline:**

- (1)  **Private reproof (check applicable conditions, if any, below)**
- (a)  Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b)  Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

- (2)  **Public reproof (Check applicable conditions, if any, below)**

**E. Conditions Attached to Reproval:**

- (1)  Respondent must comply with the conditions attached to the reproval for a period of **one year**.
- (2)  During the condition period attached to the reproval, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3)  Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4)  Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5)  Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the condition period attached to the reproval. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of the reproval during the preceding calendar quarter. Respondent must also state in each report whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 (thirty) days, that report must be submitted on the next following quarter date, and cover the extended period.

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In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the condition period and no later than the last day of the condition period.

- (6)  Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the monitor.
- (7)  Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the conditions attached to the reproof.
- (8)  Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
- No Ethics School recommended. Reason: \_\_\_\_\_
- (9)  Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10)  Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year of the effective date of the reproof.
- No MPRE recommended. Reason: \_\_\_\_\_
- (11)  The following conditions are attached hereto and incorporated:
- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input type="checkbox"/> Financial Conditions             |

**F. Other Conditions Negotiated by the Parties:**

None.

**G. Supporting Authorities:**

Culpability of a member of wilfully failing to perform services in an individual matter or matters not demonstrating a pattern of misconduct or culpability of a member of wilfully failing to communicate with a client shall result in reproof or suspension depending upon the misconduct and the degree of harm to the client. (Standard 2.4(b), Standards for Attorney Sanctions for Professional Misconduct.) Culpability of a member of a violation of Business and Professions Code section 6068(i) shall result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3. (Standard 2.6.)

If a member is found culpable of professional conduct in any proceeding in which discipline may be imposed and the member has a record of one prior imposition of discipline as defined by standard 1.2(f), the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding unless the prior

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discipline imposed was so remote in time to the current proceeding and the offense for which it was imposed was so minimal in severity that imposing greater discipline in the current proceeding would be manifestly unjust. (Standard 1.7(a).)

However, the standards, while entitled to great weight, do not mandate a specific discipline. The court is "not bound to follow the standards in talismanic fashion. . .," but the Supreme Court is ". . . permitted to temper the letter of the law with considerations peculiar to the offense and the offender." [Citations.] ". . . [A]lthough the standards were established as guidelines, ultimately, the proper recommendation of discipline rest[s] on a balanced consideration of the unique factors in each case. [Citations.]" (In the Matter of VanSickle (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 980, 994.)

Here, the mitigating factors outweigh the aggravating factor present such that a public reproof is appropriate.

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Attachment language (if any):

Respondent admits that the following facts are true and that he is culpable of the following violations:

**Case No. 08-O-10164**

**I. A. FACTS:**

1. In November 2005, Reginald Sullivan ("Sullivan") employed Respondent to pursue claims against the estate of Sullivan's mother, Isabella Sullivan ("Isabella"). On February 7, 2006, Respondent filed a petition to determine title and to require the transfer of certain property of Isabella's estate, and a complaint for elder abuse on behalf of Sullivan in the probate division of the San Diego County Superior Court entitled, *In re the Estate of Isabella Sullivan, Reginald Sullivan v. Elizabeth Lewis*, case number PN29089.

2. On March 10, 2006, the probate court held a hearing on the petition. Respondent appeared for the hearing on behalf of Sullivan. The court found that the complaint of elder abuse based upon the Elder Abuse and Dependent Adult Civil Protection Act was improperly filed with the probate court as there was no conservatorship over Isabella. The court directed the matter to be filed in the civil court pursuant to Welfare and Institutions Code section 15657.3. The court continued the hearing to April 21, 2006. The court further requested proof of 30 days personal service of the notice of the hearing and of the petition on Isabella's children, Neal Sullivan ("Neal") and John Sullivan ("John"), and on Isabella's niece, Elizabeth Lewis ("Lewis").

3. On April 21, 2006, the probate court held a hearing on the petition. Respondent appeared for the hearing on behalf of Sullivan. Again, the court found that the complaint of elder abuse based upon the Elder Abuse and Dependent Adult Civil Protection Act was improperly filed with the probate court as there was no conservatorship over Isabella. The court directed the matter to be filed in the civil court pursuant to Welfare and Institutions Code section 15657.3. The court continued the hearing to June 9, 2006. The court further requested proof of 30 days personal service of the notice of the hearing and of the petition on Neal, John and Lewis.

4. On June 9, 2006, the probate court held a hearing on the petition. Respondent did not appear for the hearing on behalf of Sullivan. Lewis's attorney, Mary Cataldo ("Cataldo"), appeared for the hearing. Again, the court found that the complaint of elder abuse based upon the Elder Abuse and Dependent Adult Civil Protection Act was improperly filed with the probate court as there was no conservatorship over Isabella. The court directed the matter to be filed in the civil court pursuant to Welfare and Institutions Code section 15657.3. The court took the petition off calendar without prejudice. The court further requested proof of 30 days personal service of the notice of the hearing and of the petition on Neal, John and Lewis. On or about June 9, 2006, Cataldo mailed Respondent a letter regarding the court's findings and actions. Respondent received the letter.

5. On June 15, 2006, Respondent sent a letter to Sullivan proposing that Sullivan drop his claims against the estate, as he would incur legal expenses in an amount greater than the potential recovery for the claims. Respondent also asked Sullivan to retain other counsel if he wanted to pursue the claims.

6. In December 2006, Respondent informed Sullivan that he would reconsider the potential for a recovery on his claims.

7. From January 2 through June 27, 2007, Sullivan left several telephone messages for Respondent in which he requested the status of his matter. On February 25 and July 26, 2007, Sullivan also mailed letters to Respondent in which he requested the status of his matter. Respondent did not respond to Sullivan's requests for the status of his matter.

8. By March 2007, Respondent again concluded that Sullivan should not pursue his claims. Respondent attempted to but did not effectively communicate to Sullivan that Respondent was no longer pursuing the claim on behalf of Sullivan.

**I. B. CONCLUSION OF LAW:**

By not responding to Sullivan's status requests, Respondent failed to respond promptly to reasonable status inquiries of a client, in wilful violation of section 6068(m) of the Business and Professions Code.

**II. A. FACTS:**

1. Paragraphs I.A. 1. through I.A. 8. are incorporated by reference.
2. On January 8, 2008, the State Bar of California ("State Bar") opened an investigation identified as case number 08-O-10164 concerning a complaint submitted by Sullivan against Respondent.
3. On or about February 15, 2008, a State Bar investigator mailed a letter to Respondent regarding its investigation of Sullivan's complaint at his membership records address. Respondent received the letter.
4. In the February 15, 2008 letter, the investigator requested a written response to the allegations raised by Sullivan's complaint by February 29, 2008. Respondent did not provide the State Bar with a written response to the allegations raised by Sullivan's complaint.
5. On or about March 3, 2008, a State Bar investigator mailed a letter to Respondent regarding its investigation of Sullivan's complaint at his membership records address. Respondent received the letter.
6. In the March 3, 2008 letter, the investigator requested a written response to the allegations raised by Sullivan's complaint by March 14, 2008. Respondent did not provide the State Bar with a written response to the allegations raised by Sullivan's complaint.

**II. B. CONCLUSION OF LAW:**

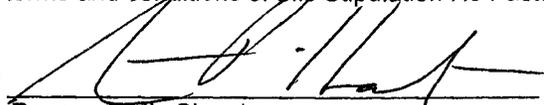
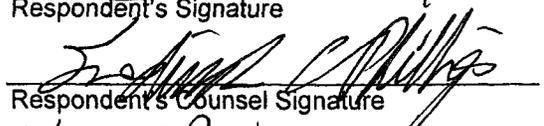
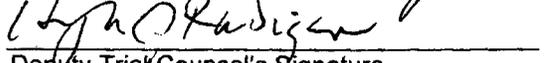
By not providing the State Bar with a written response to the allegations raised by Sullivan's complaint, Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent, in wilful violation of section 6068(i) of the Business and Professions Code.

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In the Matter of: STEVEN P. HASKETT	Case number(s): 08-O-10164
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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 Facts, Conclusions of Law, and Disposition.

<u>MAY 25, 2011</u> Date	 Respondent's Signature	<u>Steven P. Haskett</u> Print Name
<u>5/25/11</u> Date	 Respondent's Counsel Signature	<u>Frederick C. Phillips</u> Print Name
<u>May 19 '11</u> Date	 Deputy Trial Counsel's Signature	<u>Hugh G. Radigan</u> Print Name

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In the Matter of: STEVEN P. HASKETT	Case Number(s): 08-O-10164
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### REPROVAL ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- All court dates in the Hearing Department are vacated.

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 5.58(E) & (F), Rules of Procedure.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

**Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.**

Date

6/6/11

Judge of the State Bar Court



**DONALD F. MILES**

**CERTIFICATE OF SERVICE**

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on June 6, 2011, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING PUBLIC REPROVAL**

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:

**STEVEN PHILLIP HASKETT  
PHILLIPS HASKETT & ING WALSON  
701 B ST #1190  
SAN DIEGO, CA 92101**

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

**HUGH RADIGAN, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 6, 2011.

  
\_\_\_\_\_  
Tammy Cleaver  
Case Administrator  
State Bar Court