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		<p align="center">State Bar Court of California Hearing Department Los Angeles</p> <p align="right">PUBLIC MATTER</p>	
<p>Counsel For The State Bar</p> <p>Jean Cha Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1000</p> <p>Bar # 228137</p>		<p>Case Number (s)</p> <p>08-O-10732 08-O-11543 08-C-11120</p>	<p>(for Court's use)</p> <p align="center">FILED</p> <p align="center">NOV 29 2010</p> <p align="center">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Arthur Margolis Margolis & Margolis LLP 2000 Riverside Drive Los Angeles, CA 90039 (323) 953-8996</p> <p>Bar # 57703</p>		<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p>	
<p>In the Matter Of: DANIEL EDOUARD CHIEN</p> <p>Bar # 190061</p> <p>A Member of the State Bar of California (Respondent)</p>		<p>ACTUAL SUSPENSION</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 November 25, 1997.
- (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 14 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".

- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 284, Rules of Procedure.
 - costs to be paid in equal amounts prior to February 1 for the following membership years: Costs to be paid in equal amounts prior to February 1 for the following three (3) 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 02-O-10358
 - (b) Date prior discipline effective August 17, 2003
 - (c) Rules of Professional Conduct/ State Bar Act violations: Rules of Professional Conduct rule 4-100(A) and Business and Professions Code section 6106.
 - (d) Degree of prior discipline One Year Stayed Suspension, One Year Probation, and 30-Days Actual Suspension
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below.

Three Years Stayed Suspension, Four Years Probation, and Two Years Actual Suspension, and until standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct is satisfied.
- (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.

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- (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. Respondent has agreed to discipline without requiring a hearing.
- (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. Respondent has provided character reference declarations from a cross-section of members in the legal and general community. These letters attest to his character, integrity and honesty even with the knowledge of the misconduct and belief that the conduct was aberrational. (Std. 1.2(e)(vi).)

- (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 been an effective contributor in his community through voluntarism. In December 2006, Respondent traveled to New Orleans to assist with the post-Katrina effort. He worked at the Musician's Village under Habitat for Humanity and assisted in building new homes. For the past three years, Respondent has assisted the Women's Cancer Research Foundation in fundraising activities. In 2009, Respondent served on the panel for Cal Alumni Scholarship interviews for incoming freshman to the University of California. Respondent regularly participates in feeding the homeless and the Boys' Hope/Girls' Hope charity.

D. Discipline:

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

(b) The above-referenced suspension is stayed.

(2) **Probation:**

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

(3) **Actual Suspension:**

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

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

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

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

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- No MPRE recommended. Reason:
- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule **9.20**, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule **9.20**, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:**

Attachment language begins here (if any):

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

IN THE MATTER OF: DANIEL EDOUARD CHIEN, 190061
CASE NUMBERS: 08-O-10732, 08-O-11543, 08-C-11120

Respondent Daniel Chien, admits the facts set forth in the stipulation are true and that he is culpable of violations of the specified statutes and Rules of Professional Conduct.

Case Number 08-O-10732 Ayala Matter

FACTS

1. In May 2004, Carlos Ayala ("Ayala") employed Respondent to represent him in a personal injury matter on a contingency basis arising out of an auto accident which occurred on January 7, 2004.
2. On August 5, 2004 Respondent opened a client trust account with Uniti Bank, account number ending in 0023 (the "Uniti CTA").
3. In April 2005, Respondent, with Ayala's consent, settled Ayala's personal injury claim with Lincoln General Insurance Company ("LGI") for \$5,500.00. Respondent provided LGI with a release signed by Ayala and dated May 10, 2005.
4. On May 25, 2005, Respondent deposited the settlement draft check dated May 13, 2005, payable to "Chien & Associates & Their Client Carlos Ayala," check number 0214187 in the amount of \$5,500.00 into his Uniti CTA. As of May 25, 2005, Respondent's Uniti CTA balance was \$23,591.87.
5. On July 19, 2005, Respondent provided Ayala with a contingency-fee settlement disbursement sheet that purported to show that \$1,834.00 was withheld for attorney fees, the chiropractor was paid \$1,833.00 and that Ayala would receive \$1,833.00.
6. On July 19, 2005, Ayala picked up Uniti CTA check number 11366 made payable to Carlos Ayala in the amount of \$1,833.00 and unsuccessfully attempted to negotiate Uniti CTA check number 11366. On August 8, 2005, although there were sufficient funds in Respondent's

account, the check did not clear and thereafter Ayala did not present the check for payment again.

7. In July 2005, Respondent failed to closely supervise an employee, Jae Chang, in the handling of the trust account. And his failure to closely supervise, allowed Chang to mishandle the funds. As a consequence, Respondent did not disburse funds to the chiropractor in the amount of \$1,833.00 on Ayala's behalf. From May 25, 2005 to October 2010, Respondent was required to maintain \$3,666.00 in his Uniti CTA on behalf of Ayala.

8. On August 30, 2007, Respondent closed his Uniti CTA, when the remaining balance was \$2,543.62, without disbursing any of the funds to Ayala or to anyone on his behalf.

9. In October 2010, Respondent made full restitution to Ayala in the amount of \$5,556.00.

CONCLUSION OF LAW

10. Respondent failed to maintain \$3,666.00 in his Uniti CTA in wilful violation of Rules of Professional Conduct, rule 4-100(A), by failing to maintain the balance of funds received for the benefit of a client and deposited in a bank account labeled "Trust Account."

Case Number 08-O-11543 Sawyer Matter

FACTS

11. In May 2004, Chris Sawyer ("Sawyer") employed Respondent to represent him in a personal injury matter on a contingency basis arising out of an auto accident which occurred on January 7, 2004.

12. On November 17, 2003, Respondent opened a client trust account with Hanmi Bank, account number ending in 0034 (the "Hanmi CTA").

13. In August 2004, Respondent settled Sawyer's personal injury claim with Lincoln General Insurance Company ("LGI") for \$4,500.00.

14. On August 23, 2004, LGI issued settlement check number 0176170 payable to "Chien & Associates & Their Client Chris Sawyer," in the amount of \$4,500.00.

15. On August 25, 2004, Respondent deposited the LGI settlement check into his Hanmi CTA. As of August 25, 2004, Respondent's Hanmi CTA balance was \$13,636.54.

16. On September 7, 2004, Respondent provided Sawyer with a contingency-fee settlement disbursement sheet that purported to show \$1,500.00 was withheld for attorney fees, \$200.00 was withheld for investigative costs, \$1,300 would go to Sawyer, and \$1,500.00 was withheld for the chiropractor.

17. On September 7, 2004, Sawyer picked up Hanmi CTA check number 10589 made payable to Sawyer in the amount of \$1,300.00. Sawyer deposited check number 10589 into his personal account on September 8, 2004.

18. In October 2004, Respondent failed to closely supervise an employee, Jae Chang, in the handling of the trust account. And his failure to closely supervise, allowed Chang to mishandle the funds. As a consequence, Respondent did not to disburse \$1,500.00 to the chiropractor on Sawyer's behalf and therefore, from August 25, 2004 to November 2010, Respondent was required to maintain \$1,500.00 in his Hanmi CTA.

19. On October 4, 2004, Respondent closed his Hanmi CTA when the remaining balance was \$140.24 without disbursing any funds to Sawyer or to anyone on his behalf.

20. In November 2010, Respondent made full restitution to Sawyer.

CONCLUSION OF LAW

21. Respondent failed to maintain \$1,500.00 in his Hanmi CTA in wilful violation of Rules of Professional Conduct, rule 4-100(A), by failing to maintain the balance of funds received for the benefit of a client and deposited in a bank account labeled "Trust Account."

Case Number 08-C-11120 Conviction Referral Matter

FACTS

22. On July 30, 2009, Respondent was convicted in a matter entitled *State v. Daniel Chien*, Los Angeles County Superior Court Case Number BA336892, for a violation of

Insurance Code § 750(a) – unlawful offer or receipt of consideration for referral of clients, one count misdemeanor.

23. On April 23, 2010, the Review Department filed an order referring the matter to the hearing department for a determination of whether the conviction, a violation of Insurance Code § 750(a) (capping) involved moral turpitude or other misconduct warranting discipline.

24. In 2002, Respondent opened a satellite office in Los Angeles. Respondent split his time between his already existing office in Irvine and the Los Angeles office. In so doing, Respondent failed to adequately supervise his staff in the Los Angeles office.

25. Respondent's involvement was limited to his failure to supervise a rogue employee who engaged in unlawful behavior by paying for the referral to the firm of a personal injury case. Due to Respondent's negligent failure to closely supervise the employee during the period from September 2002 through November 2003, Respondent did not detect the employee's unlawful behavior. Respondent's conduct and level of participation in regard to the facts and circumstances surrounding the conviction did not include moral turpitude per se but did involve other misconduct warranting discipline.

SUPPORTING AUTHORITY

The purpose of State Bar disciplinary proceedings is not to punish the attorney, but to protect the public, to preserve public confidence in the profession, and to maintain the highest possible professional standards for attorneys. (*Chadwick v. State Bar* (1989) 49 Cal.3d 103, 111; *Cooper v. State Bar* (1987) 43 Cal.3d 1016, 1025; Std. 1.3.)

Standard 2.2(b) of the Standards for Attorney Sanctions for Professional Misconduct, Rules Proc. Of State Bar, Title IV, provides that a violation of rule 4-100 shall result in at least a three-month suspension, irrespective of mitigation circumstances.

Standard 3.4 provides for a sanction that is proportionate to the conviction.

Standard 1.7(b) provides for disbarment unless the most compelling mitigating circumstances clearly predominate.

The standards are guidelines (*Drociak v. State Bar* (1991) 52 Cal.3d 1085, 1090; *In the Matter of Koehler* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 615, 628) and afforded great weight (*In re Silvertown* (2005) 36 Cal.4th 81, 91-92), but they are not applied in a talismanic fashion (*In the Matter of Van Sickle* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 980, 994).

Case law supports a range of 6 months actual suspension (*In the Matter of Duxbury* (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 67) to disbarment where moral turpitude is found for a misdemeanor capping violation (*Kitsis v. State Bar*, 23 Cal.3d 857).

The misconduct in the conviction referral matter and the majority of the misconduct in the two client matters overlaps in time with the misconduct in Respondent's prior disciplinary proceeding. (*In the Matter of Sklar* (Review Dept. 1993) 2 Cal.State Bar Ct. Rptr. 602.)

In review of the chronology of events, (*In the Matter of Hagen* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 153, 171; *In the Matter of Miller* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 131, 136) nature and extent of the facts and circumstances surrounding the misconduct and balancing the compelling mitigation with aggravation, two years actual suspension is adequate to satisfy the purposes of attorney discipline. (Std. 1.6(b); *Segal v. State Bar* (1988) 44 Cal.3d 1077, 1089; *Snyder v. State Bar* (1990) 49 Cal.3d 1302, 1310-1311.)

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(7), was October 22, 2010.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of October 22, 2010, the estimated prosecution costs in this matter are approximately \$2,955.00. 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)). Should this stipulation be rejected or relief from the stipulation be granted, the costs in this matter may increase due to further proceedings. 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.

STATE BAR ETHICS SCHOOL.

Because Respondent has agreed to attend State Bar Ethics School as part of this stipulation, Respondent will receive Minimum Continuing Legal Education credit upon the satisfactory completion of State Bar Ethics School.

In the Matter of
DANIEL EDOUARD CHIEN

Case number(s):
08-O-10732, 08-O-11543 & 08-C-11120

A Member of the State Bar

Financial Conditions

a. Restitution

- Respondent must pay restitution (including the principal amount, plus interest of 10% per annum) to the payee(s) listed below. If the Client Security Fund ("CSF") has reimbursed one or more of the payee(s) for all or any portion of the principal amount(s) listed below, Respondent must also pay restitution to CSF in the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than

b. Installment Restitution Payments

- Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of reprobation), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

c. Client Funds Certificate

1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
- a. Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";

- b. Respondent has kept and maintained the following:
- i. A written ledger for each client on whose behalf funds are held that sets forth:
 1. the name of such client;
 2. the date, amount and source of all funds received on behalf of such client;
 3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
 4. the current balance for such client.
 - ii. a written journal for each client trust fund account that sets forth:
 1. the name of such account;
 2. the date, amount and client affected by each debit and credit; and,
 3. the current balance in such account.
 - iii. all bank statements and cancelled checks for each client trust account; and,
 - iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.
- c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:
- i. each item of security and property held;
 - ii. the person on whose behalf the security or property is held;
 - iii. the date of receipt of the security or property;
 - iv. the date of distribution of the security or property; and,
 - v. the person to whom the security or property was distributed.
2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.
3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

d. Client Trust Accounting School

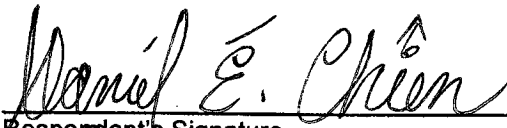
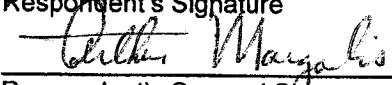
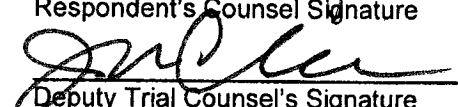
- Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

(Do not write above this line.)

In the Matter of DANIEL EDOUARD CHIEN	Case number(s): 08-O-10732, 08-O-11543 & 08-C-11120
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SIGNATURE OF THE PARTIES

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

<u>Nov 3rd '10</u> Date	<u></u> Respondent's Signature	<u>Daniel Chien</u> Print Name
<u>November 4, 2010</u> Date	<u></u> Respondent's Counsel Signature	<u>Arthur Margolis</u> Print Name
<u>11/4/2010</u> Date	<u></u> Deputy Trial Counsel's Signature	<u>Jean Cha</u> Print Name

(Do not write above this line.)

In the Matter Of DANIEL EDOUARD CHIEN	Case Number(s): 08-O-10732, 08-O-11543 & 08-C-11120
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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.)**

Date

11/29/10

Judge of the State Bar Court


RICHARD A. HONN

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 November 29, 2010, I deposited a true copy of the following document(s):

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

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

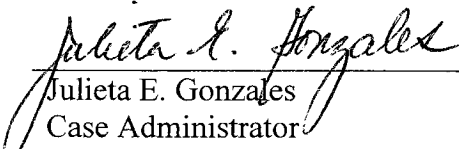
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ARTHUR L MARGOLIS ESQ
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:

Jean H. Cha, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 29, 2010.



Julieta E. Gonzales
Case Administrator
State Bar Court