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State Bar Court of California
Hearing Department
Los Angeles
ACTUAL SUSPENSION

PUBLIC MATTER

<p>Counsel For The State Bar</p> <p>Erin McKeown Joyce Deputy Trial Counsel State Bar of California 1149 South Hill Street Los Angeles, CA 90015-2299 Telephone: (213) 765-1356 Facsimile: (213) 765-1319</p> <p>Bar # 149946</p>	<p>Case Number(s): 08-O-12676 08-O-14737 09-O-10095 09-O-10382 10-O-03290 10-O-04753 10-O-08355</p>	<p>For Court use only</p> <p>FILED</p> <p>MAR 03 2011</p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>David A. Clare 444 West Ocean Boulevard Suite 800 Long Beach, California 90802 Telephone: (562) 624-2837 Facsimile: (562) 624-2838</p> <p>Bar # 44971</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of:</p> <p>MICHAEL THOMAS STOLLER</p> <p>Bar # 120241</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 10, 1985.
- (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.



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- (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 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: two years following the effective date of the Supreme Court order of discipline. (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are 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 09-J-11153
 - (b) Date prior discipline effective February 21, 2010
 - (c) Rules of Professional Conduct/ State Bar Act violations: Rule of Professional Conduct 3-110(A)
 - (d) Degree of prior discipline two years stayed suspension
 - (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.
- (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. Throughout this proceeding, Respondent cooperated fully with the State Bar, answered the questions that were posed by the State Bar, and entered into this comprehensive stipulation acknowledging her misconduct and settling this case prefilling.
- (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 was admitted to practice in 1985 and had over twenty three years of discipline-free practice prior to the onset of the misconduct.

D. Discipline:

- (1) **Stayed Suspension:**
 - (a) Respondent must be suspended from the practice of law for a period of three (3) years.
 - i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.
 - ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
 - iii. and until Respondent does the following:
 - (b) The above-referenced suspension is stayed.

- (2) **Probation:**

Respondent must be placed on probation for a period of 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 sixty (60) days.
 - i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
 - ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
 - iii. and until Respondent does the following:

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in the 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: Ethics School attendance was a condition in Case No. 09-J-11153.
- (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 5.162(A) & (E), Rules of Procedure.**
- No MPRE recommended. Reason: Successful passage of the MPRE was a condition in Case No. 09-J-11153.
- (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:** Before the expiration of each year of his probation, Respondent must provide to the Office of Probation satisfactory proof of attendance and completion of five (5) hours of participatory live instruction courses in attorney/client relations or Ethics, for a total of 10 hours.

The Attachment to the Stipulation re Facts, Conclusions of Law and Disposition comprises pages 7 to 13.

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

In the Matter of Michael Stoller

**Case Nos. 08-O-12676, 08-O-14737, 09-O-10095, 09-O-10382, 10-O-03290,
10-O-04753 and 10-O-08355**

PENDING PROCEEDINGS:

The disclosure date referred to on page two, paragraph A.(7), was February 11, 2011.

FACTS AND CONCLUSIONS OF LAW

Respondent admits that the following facts are true and that he is culpable of violations of the specified Rules of Professional Conduct and Business and Professions Code sections.

Case No 08-O-12676

FACTS

1. On October 23, 2007, Christian hired Respondent for a loan modification and Chapter 13 bankruptcy. Christian paid Respondent \$3,000.
2. On January 15, 2008, Respondent filed a Chapter 13 Petition on behalf of Christian, but did not file a Schedule I Employee Income form as required. Respondent never made any court appearances in the Christian bankruptcy.
3. Pursuant to the requirements for filing the Chapter 13 Petition, Respondent was required to meet personally with Christian. Respondent never met with Christian personally to review the Chapter 13 Petition.
4. On April 16, 2008, Respondent sent Christian a refund of \$2,000.

CONCLUSIONS OF LAW

By failing to meet personally with Christian and failing to file the required Schedule I Employee Income form, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in wilful violation of Rule of Professional Conduct 3-110(A).

Case No. 08-O-14737

FACTS

1. On February 19, 2008, Keith Hardesty hired Respondent for a Chapter 7 bankruptcy. Hardesty paid \$2,599 in advanced attorney fees for Respondent to file the Chapter 7 Petition on Hardesty's behalf.

2. Respondent did not file a Chapter 7 Petition for Hardesty.
3. On October 17, 2008, Hardesty sent a certified letter to Respondent, terminating Respondent's employment and requesting a full refund. Respondent received the request.
4. On November 3, 2008, Respondent refunded \$1,300 to Hardesty.
5. It was not until the State Bar contacted Respondent that Respondent refunded the remainder of the unearned fees to Hardesty.

CONCLUSIONS OF LAW

By failing to file a Chapter 7 Petition on the behalf of Hardesty, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in wilful violation of Rule of Professional Conduct 3-110(A).

Case No 09-O-10095

FACTS

1. On March 6, 2008, Evangelina Rodriguez hired Respondent to file a Chapter 13 Petition on her behalf. Rodriguez paid Respondent \$2,400 in installments.
2. On May 23, 2008, Respondent filed a Chapter 13 Petition for Rodriguez.
3. On May 27, 2008, the court issued a Notice of Incomplete Filing, listing several missing documents related to the Rodriguez Chapter 13 Petition.
4. Between July 1, 2008 and August 26, 2008, Respondent failed to appear at four 341(a) meetings to represent Rodriguez.
5. On August 18, 2008, the court sanctioned Respondent \$2,000 for his failures to appear. Respondent paid the sanctions.
6. Respondent never reported the sanctions order in the Rodriguez bankruptcy to the State Bar.

CONCLUSIONS OF LAW

By failing to report the August 18, 2008 sanctions order to the State Bar, Respondent failed to report to the agency charged with attorney discipline, in writing, within thirty days of the time the attorney has knowledge of the imposition of judicial sanctions against the attorney, in wilful violation of Business and Professions Code section 6068(o)(3).

Case No 09-O-10382

FACTS

1. On January 17, 2008, Joseph Stevens hired Respondent to file a Chapter 13 Petition on his behalf.
2. On March 31, 2008, Stevens paid Respondent \$2,699 in advanced fees through a wire transfer to Respondent.
3. Respondent never filed a Chapter 13 Petition for Stevens. After doing some preliminary research, Respondent determined Stevens did not qualify for a Chapter 13 Petition.
4. On April 19, 2009, Respondent contacted Stevens and asked Stevens if he were interested in pursuing a Chapter 7 Petition for a reduced fee. Stevens agreed.
5. On August 1, 2009, Respondent provided Stevens with a partial refund of \$1,300, but he never filed a Chapter 7 Petition.
6. It was not until the State Bar contacted Respondent that Respondent refunded the remainder of the unearned fees to Stevens.

CONCLUSIONS OF LAW

By failing to file a bankruptcy petition on Stevens' behalf, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in wilful violation of Rule of Professional Conduct 3-110(A).

Case No. 10-O-03290

FACTS

1. Respondent and J.D. Wells represented opposing parties in a marital dissolution matter, Los Angeles Superior Court Case No. LD041441.
2. On August 15, 2009, Respondent telephoned J.D. Wells' client without Wells' knowledge, consent, or presence. Respondent was aware that the client was represented by counsel at that time.
3. On August 27, 2009 Respondent emailed Wells' client directly without Wells' knowledge or consent.

CONCLUSIONS OF LAW

By contacting Wells' client on two occasions while he know that opposing party was represented by counsel, Respondent communicated directly about the subject of the representation with a party the member knew to be represented by another lawyer in the

matter, without the consent of the other lawyer, in wilful violation of Rule of Professional Conduct 2-100.

Case No. 10-O-04753

FACTS

1. Michael Atherton employed Respondent for a personal injury matter resulting from a car accident. The case resulted in a judgment against Atherton.

2. On October 16, 2009, Atherton acquired new counsel, Brandon Krueger, and Krueger requested the client's file from Respondent.

3. On October 19, 2009, Respondent telephoned Krueger stating that he would assemble and deliver the original file. Respondent failed to do so.

4. It was not until the State Bar contacted Respondent that Respondent provided the file to Atherton's new attorney.

CONCLUSIONS OF LAW

By failing to turn over Atherton's file to Krueger when he was initially contacted to do so, Respondent failed to promptly release to the client, at the request of the client, all the client papers and property, in wilful violation of Rule of Professional Conduct 3-700(D)(1).

Case No. 10-O-08355

FACTS

1. Respondent, who is not a member of the Bar in Arizona, opened a "multi-state practice" in Arizona to handle bankruptcy matters.

2. Respondent was not admitted in the Federal District Court for the District of Arizona at the time he filed several bankruptcy petitions in Arizona for Arizona residents.

CONCLUSIONS OF LAW

By filing several bankruptcy petitions in Bankruptcy court in the Federal District Court for the District of Arizona, while not admitted before that court or in the State of Arizona, Respondent practiced law in a jurisdiction where to do so would be in violation of regulations of the profession in that jurisdiction in wilful violation of Rule of Professional Conduct 1-300(B).

AUTHORITIES SUPPORTING DISCIPLINE

STANDARDS FOR ATTORNEY SANCTIONS

To determine the appropriate level of discipline, the standards provide guidance. *Drociak v. State Bar* (1991) 52 Cal.3d 1085; *In the Matter of Sampson*, 3 Cal. State Bar Ct. Rptr. 119. A disciplinary recommendation must be consistent with the discipline in similar proceedings. See *Snyder v. State Bar* (1990) 49 Cal.3d 1302. Moreover, the recommended discipline must rest upon a balanced consideration of relevant factors. *In the Matter of Sampson*, 3 Cal. State Bar Ct. Rptr. 119.

Pursuant to Standard 1.3 of the Standards for Attorney Sanctions for Professional Misconduct:

The primary purposes of disciplinary proceedings conducted by the State Bar of California and of sanctions imposed upon a finding or acknowledgment of a member's 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. Rehabilitation of a member is a permissible object of a sanction imposed upon the member but only if the imposition of rehabilitative sanctions is consistent with the above-stated primary purposes of sanctions for professional misconduct.

Pursuant to Standard 1.5 of the Standards for Attorney Sanctions for Professional Misconduct:

Reasonable duties or conditions fairly related to the acts of professional misconduct and surrounding circumstances found or acknowledged by the member may be added to a recommendation or suspension or, pursuant to rule 9.19, California Rules of Court, to a reproof. Said duties may include, but are not limited to, any of the following:

1.5(b): a requirement that the member take and pass an examination in professional responsibility;

1.5(d): a requirement that the member undertake educational or rehabilitative work at his or her own expense regarding one or more fields of substantive law or law office management;

1.5(f): any other duty or condition consistent with the purposes of imposing a sanction for professional misconduct as set forth in standard 1.3.

Pursuant to Standard 1.6(a) of the Standards for Attorney Sanctions for Professional Misconduct:

The appropriate sanction for an act of professional misconduct shall be that set forth in the following standards for the particular act of misconduct found or acknowledged. If two or more acts of professional misconduct are found or acknowledged in a single disciplinary proceeding, and different sanctions are

prescribed by these standards for said acts, the sanction imposed shall be the more or most severe of the different applicable sanctions.

Pursuant to Standard 2.4(b) of the Standards for Attorney Sanctions for Professional Misconduct:

Culpability of a member of willfully failing to perform services in an individual matter or matters not demonstrating a pattern of misconduct or culpability of a member of willfully failing to communicate with a client shall result in reproof or suspension depending upon the extent of the misconduct and the degree of harm to the client.

Pursuant to Standard 2.6 of the Standards for Attorney Sanctions for Professional Misconduct:

Culpability of a member of a violation of any of the following provisions of the Business and Professions code shall result in disbarment or suspension depending on the gravity of the offense or harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.

(a) Sections 6067 and 6068;

(b) Sections 6103 through 6105; ...

Pursuant to Standard 2.10 of the Standards of Attorney Sanctions for Professional Misconduct:

Culpability of a member of a violation of any provision of the Business and Professions Code not specified in these standards or of a willful violation of any Rule of Professional Conduct not specified in these standards shall result in reproof or suspension according to 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.

The stipulated discipline in this matter of an actual suspension of 60 days is appropriate. When more than one act of professional misconduct is acknowledged in a single disciplinary proceeding, and different sanctions are prescribed by these standards for said acts, the sanction imposed shall be the most severe of the different applicable standards. Standard 1.6(a). Therefore, Standards 2.4(b), 2.6, and 2.10 are applicable to Respondent's admitted Rules of Professional Conduct 3-110(A) and 2-100, and Business and Professions Code section 6068(o)(3) violations.

Standards 2.4(b), 2.6, and 2.10 call for reproof or suspension depending on the extent of the misconduct and the degree of harm to the client. The stipulated discipline of a sixty day actual suspension will demonstrate to the public that Respondent's misconduct is unacceptable and is an appropriate deterrent to Respondent from repeating his misconduct.

Moreover, Respondent's prior discipline in Case No. 09-J-11153 should not be given much aggravating weight, since the misconduct in that matter was contemporaneous with the misconduct in these matters. The aggravating weight of prior discipline is diminished when the misconduct underlying the prior discipline occurred during the same time period as the misconduct in the present matters. Under such circumstances, the totality of the charges brought in all the cases should be considered in order to determine the appropriate discipline. *In the Matter of Fredyl* (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 349.

COSTS

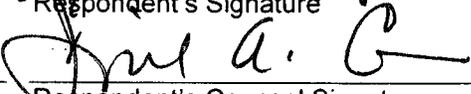
Respondent acknowledges that the Office of the Chief Trial Counsel has informed him that as of February 11, 2011, the estimated costs in this matter are \$8,565.47. Respondent further acknowledges that, should this Stipulation be rejected or should relief from the Stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

(Do not write above this line.)

In the Matter of: Michael Thomas Stoller	Case number(s): 08-O-12676, 08-O-14737, 09-O-10095, 09-O-10382, 10-O-03290, 10-O-04753, and 10-O-08355
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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.

2/11/11 Date	 Respondent's Signature	Michael Thomas Stoller Print Name
2/11/11 Date	 Respondent's Counsel Signature	David A. Clare Print Name
2-11-11 Date	 Deputy Trial Counsel's Signature	Erin McKeown Joyce Print Name

(Do not write above this line.)

In the Matter of: Michael Thomas Stoller	Case Number(s): 08-O-12676, 08-O-14737, 09-O-10095, 09-O-10382, 10-O-03290, 10-O-04753, and 10-O-08355
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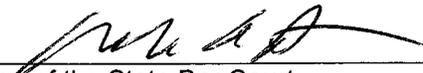
ACTUAL SUSPENSION ORDER

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 5.58(E) & (F), 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.)**

03-02-11
Date


Judge of the State Bar Court

RICHARD A. PLATEL

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 March 3, 2011, 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:

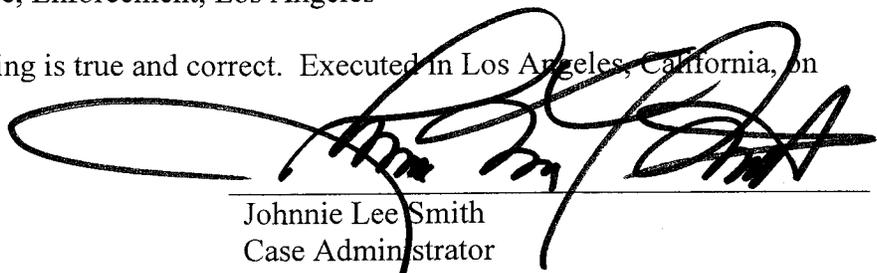
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

DAVID ALAN CLARE
DAVID A CLARE, ATTORNEY AT LAW
444 W OCEAN BLVD STE 800
LONG BEACH, CA 90802

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

Erin M. Joyce, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on March 3, 2011.



Johnnie Lee Smith
Case Administrator
State Bar Court