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

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018 042 890



<p>Counsel For The State Bar</p> <p>Kimberly J. Belvedere State Bar of California 1149 S. Hill St. Los Angeles, CA 90015 (213) 765-1162</p> <p>Bar # 251334</p>	<p>Case Number (s)</p> <p>09-O-10706 09-O-12919 09-O-13213 09-O-14525 09-O-17077 09-O-18132</p>	<p>(for Court's use)</p> <p><b>FILED</b></p> <p>APR 01 2011 <i>AC</i></p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> <p><b>PUBLIC MATTER</b></p>
<p>In Pro Per Respondent</p> <p>John J. Leonard 8721 Santa Monica Blvd. #416 West Hollywood, CA 90069 (310)845-6510 jleonard@lojl.com</p> <p>Bar # 232040</p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter Of: John J. Leonard</p> <p>Bar # 232040</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 September 20, 2004.
- (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 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
  - (b)  Date prior discipline effective
  - (c)  Rules of Professional Conduct/ State Bar Act violations:
  - (d)  Degree of prior discipline
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.
- (2)  **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4)  **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice. See attachment at page 12.
- (5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6)  **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.

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- (7)  **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. See attachment at page 12.
- (8)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

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

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

**Additional mitigating circumstances**

(Stipulation form approved by SBC Executive Committee 10/16/00. Revised 12/16/2004; 12/13/2006.)

Actual Suspension

See attachment at page 12.

**D. Discipline:**

(1)  **Stayed Suspension:**

(a)  Respondent must be suspended from the practice of law for a period of 3 (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 3 (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 30 (thirty) 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 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.

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- (4)  Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5)  Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

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

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

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

- (1)  **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**

No MPRE recommended. Reason:

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- (2)  **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule **9.20**, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
  
- (3)  **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule **9.20**, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
  
- (4)  **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
  
- (5)  **Other Conditions:**

(Do not write above this line.)

In the Matter of: JOHN J. LEONARD, No. 232040	Case Number(s): 09-O-10706; 09-O-12919; 09-O-13213; 09-O-14525; 09-O-17077; 09-O-18312
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### Medical Conditions

- a.  Unless Respondent has been terminated from the Lawyer Assistance Program ("LAP") prior to respondent's successful completion of the LAP, respondent must comply with all provisions and conditions of respondent's Participation Agreement with the LAP and must provide an appropriate waiver authorizing the LAP to provide the Office of Probation and this court with information regarding the terms and conditions of respondent's participation in the LAP and respondent's compliance or non-compliance with LAP requirements. Revocation of the written waiver for release of LAP information is a violation of this condition. However, if respondent has successfully completed the LAP, respondent need not comply with this condition.
- b.  Respondent must obtain psychiatric or psychological help/treatment from a duly licensed psychiatrist, psychologist, or clinical social worker at respondent's own expense a minimum of \_\_\_\_\_ times per month and must furnish evidence to the Office of Probation that respondent is so complying with each quarterly report. Help/treatment should commence immediately, and in any event, no later than thirty (30) days after the effective date of the discipline in this matter. Treatment must continue for \_\_\_\_\_ days or \_\_\_\_\_ months or \_\_\_\_\_ years or, the period of probation or until a motion to modify this condition is granted and that ruling becomes final.

If the treating psychiatrist, psychologist, or clinical social worker determines that there has been a substantial change in respondent's condition, respondent or Office of the Chief Trial Counsel may file a motion for modification of this condition with the Hearing Department of the State Bar Court, pursuant to rule 5.300 of the Rules of Procedure of the State Bar. The motion must be supported by a written statement from the psychiatrist, psychologist, or clinical social worker, by affidavit or under penalty of perjury, in support of the proposed modification.

- c.  Upon the request of the Office of Probation, respondent must provide the Office of Probation with medical waivers and access to all of respondent's medical records. Revocation of any medical waiver is a violation of this condition. Any medical records obtained by the Office of Probation are confidential and no information concerning them or their contents will be given to anyone except members of the Office of Probation, Office of the Chief Trial Counsel, and the State Bar Court, who are directly involved with maintaining, enforcing or adjudicating this condition.

Other:

Respondent has had multiple sessions per month with a clinical psychologist since October 2009. Respondent must continue therapy and treatment from any duly licensed psychiatrist, psychologist, or clinical social worker ("therapist") at Respondent's own expense at least two times per month throughout his probationary period until Respondent's treating therapist consents to a lesser frequency, or until a motion to modify this condition is granted and that ruling becomes final.

Respondent must provide with each quarterly probationary report a verification from his treating therapist that Respondent is continuing treatment and is complying with all recommendations of his treating therapist. The verification must specify the dates on which Respondent sought treatment during the quarterly period. Should Respondent not provide such a report or should the report indicate that Respondent is not complying with his treatment as recommended by his therapist, Respondent will be in violation of this condition.

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Upon request of the Office of Probation, Respondent must provide the Office of Probation with medical waivers and access to Respondent's medical records relating to his treatment with his therapist throughout the duration of the probationary period for the purposes of determining compliance with this condition.

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

In the Matter of:        JOHN J. LEONARD, Bar No. 232040

Case Nos.:                09-O-10706; 09-O-12919; 09-O-13213; 09-O-14525; 09-O-17077; 09-O-18132

### **WAIVER OF VARIANCE**

The parties waive any variance between the Notice of Disciplinary Charges (“NDC”) filed on October 6, 2010, and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

### **FACTS AND CONCLUSIONS OF LAW**

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct:

#### **Case Nos. 09-O-17077 (Mangine matter) & 09-O-14525 (Gold matter)**

#### **Statement of Facts:**

1. On December 9, 2008, Respondent was employed by Marie Mangine (“Mangine”) to represent her in a civil matter against Shizue Akahoshi.
2. On December 23, 2008, Respondent noticed an Ex-Parte Application to continue trial, and the hearing was set for December 24, 2008. Defendant also filed an Ex Parte Application to Dismiss the Complaint. On December 24, 2008, Respondent appeared in court for the hearing on both ex-parte applications. The court denied the ex-parte motion to continue the trial, and did not rule on the ex-parte application to dismiss the complaint. The Court set an Order to Show Cause re: why sanctions should not be imposed against Respondent and plaintiff for January 5, 2009 (“OSC”). Respondent received notice of the Order.
3. On January 5, 2009, Respondent appeared in court for a status conference telephonically via “courtcall,” and claimed personal emergency and illness. The court continued the hearing on the OSC to January 7, 2009.
4. On January 7, 2009, Respondent failed to appear for the hearing and failed to file any declarations or other documents in response to the OSC. Respondent called the court late claiming illness, and the court continued the hearing and jury trial until January 13, 2009. The court also ordered Respondent to respond by providing a declaration of counsel and healthcare provider. On January 8, 2009, the court sent a copy of the Notice of Ruling on the OSC continuing the hearing to Respondent. Respondent received the Order.

5. On January 13, 2009, Respondent failed to appear for jury trial and the OSC. Respondent had not filed any documents with the court, and had not had any communication with the court since the January 7, 2009 court appearance. The court dismissed Mangine's action against Akahoshi with prejudice, due to Respondent's failure to appear or oppose the motion to dismiss.

6. On January 21, 2009, counsel for Akahoshi filed a Memorandum of Costs, and served it on Respondent. Respondent did not oppose the Memorandum of Costs.

7. On March 3, 2009, counsel for Akahoshi filed a Motion to Determine Prevailing Part and for Attorney Fees. The hearing date was set for April 29, 2009. Respondent received the motion. Respondent did not oppose the motion.

8. On April 29, 2009, Respondent called the court to appear telephonically via "courtcall" for the hearing on Akahoshi's Motion to Determine Prevailing Part and for Attorney Fees, but the court denied Respondent's request to appear telephonically. Thereafter, Respondent failed to appear in court and the judge granted Akahoshi's motion, in part.

9. On April 29, 2009, Respondent filed a Motion for Relief from Dismissal pursuant to section 473(b) of the Cal. Code. Civ. Procedure, declaring that plaintiff should be relieved from dismissal on the grounds that the dismissal stemmed solely from Respondent's malfeasance, and not the plaintiff's conduct. The hearing was set for June 18, 2009.

10. On June 18, 2009, Respondent appeared in court to argue plaintiff's Motion for Relief from Dismissal, which was granted. The court ordered Respondent to pay to Akahoshi and her attorney, Paul Gold, \$2,100.00 in sanctions within 20 days. The court also imposed an additional \$1,000.00 fine payable to the State Bar Client Security Fund within 20 days. The court reset the matter for trial on August 3, 2009. Respondent had notice of the trial date.

11. On August 3, 2009, the court found that jury fees had not been paid in the case by the defense, and ordered a bench trial to proceed. Respondent informed the court that he was anticipating a jury trial and ordered Respondent to call his first witness. Respondent informed the court that he was not prepared to go ahead with the first witness and requested a one-day continuance. The court denied Respondent's request for a continuance. Counsel for Akahoshi made an oral motion for a non-suit, which the court granted.

12. Respondent did not report the court ordered sanctions to the State Bar within 30 days of June 18, 2009.

13. To date, Respondent has not paid any of the \$3,100.00 in sanctions to Akahoshi or Paul Gold, and has not paid any of the \$1,000.00 fine to the client security fund.

Conclusions of Law:

14. By failing to appear for the OSC hearing or file any opposition on January 7, 2009; failing to appear for the trial on January 13, 2009; failing to file any oppositions to Akahoshi's March 3, 2009 Motion to Determine Prevailing Part and for Attorney Fees; and by declaring that he was unprepared to proceed

with trial on August 3, 2009 resulting in dismissal of Mangine's case, Respondent willfully, recklessly, and repeatedly failed to competently represent his client in violation of rule 3-110(A) of the Rules of Professional Conduct.

15. Respondent has not paid any of the court ordered sanctions to Gold, Akahoshi or the Client Security fund in wilful violation of section 6103 of the Business and Professions Code.

16. Respondent willfully violated Business and Professions Code, section 6068(o)(3), by failing to report to the agency charged with attorney discipline, in writing, within 30 days of the time Respondent had knowledge of the imposition of any judicial sanctions against Respondent.

**Case No. 09-O-18132 (Massalas matter)**

Statement of Facts

17. In October 2008, Valorie Massalas ("Massalas") employed Respondent to represent her in a civil matter entitled *Massalas vs. Steier et. al.* [Los Angeles Superior Court Case No. BC378125].

18. On May 29, 2009, the defense filed a motion for summary adjudication. Respondent received the motion. The hearing on the motion was set for June 25, 2009.

19. On June 25, 2009, Respondent failed to appear at the hearing on the defense motion for summary adjudication and the motion was granted as to the fourth cause of action.

20. On June 26, 2009, the court set a final status conference for June 29, 2009. Respondent received notice of the final status conference.

21. On June 29, 2009, Respondent telephoned the court to inform the court that he was running late. The court called the matter at its appointed time. Respondent was not present. The court set an Order to Show Cause re: Respondent's failure to appear and sanctions for July 2, 2009 ("OSC"). Respondent received notice of the OSC.

22. On July 2, 2009, Respondent appeared for the OSC and the matter was set for trial on July 6, 2009.

23. On July 6, 2009, Respondent appeared at for trial and informed the court that he was unprepared to proceed to trial. The defense made a motion to dismiss the case, which was granted.

24. On September 17, 2009, Massalas, in pro per, filed a Motion for Relief from Dismissal pursuant to section 473(b) of the Cal. Code. Civ. Procedure. The court denied the motion.

Conclusions of Law

25. By failing to make several appearances in Massalas's case and not being prepared for trial resulting in the dismissal of Massalas's case, Respondent wilfully and recklessly failed to provide competent legal services to Massalas in violation of rule 3-110 of the Rules of Professional Conduct.

### **AGGRAVATING CIRCUMSTANCES**

Multiple acts of wrongdoing/pattern of misconduct [Standard 1.2(b)(ii)]: There are several separate client matters involved here, each of which involves at least two or more instances of misconduct.

Significant harm to the client, public, or administration of justice [Standard 1.2(b)(iv)]. Respondent's misconduct resulted in the Massalas case being dismissed. Respondent's misconduct also resulted in dismissal of Mangine's action against Akahoshi. Respondent's failures to appear in court in the Mangine and Massalas cases also caused harm to the administration of justice to the extent that his failures resulted in an undue consumption of the court's time and extended the litigation process.

### **MITIGATING CIRCUMSTANCES**

Candor/Cooperation. Respondent's willingness to enter into this stipulation is entitled to mitigation.

### **ADDITIONAL MITIGATING CIRCUMSTANCES**

Respondent has no prior record of discipline since he was admitted to the practice of law in 2004.

Respondent reports that he experienced a period of depression beginning in October 2008 and continuing throughout the period of his misconduct. Respondent has been in continuing treatment with a clinical psychologist since October 2009 and continues to be treated for his depression by a clinical psychologist.

### **AUTHORITIES SUPPORTING DISCIPLINE**

Standard 1.6(a) provides that where two or more acts of professional misconduct are found or acknowledged in a single disciplinary proceeding, and different sanctions are prescribed by the Standards, the sanctions imposed shall be the most severe of the different applicable sanctions.

Standard 2.4(b) provides that if there is a pattern of willfully failing to perform services, then disbarment should be the appropriate disposition. For all other matters where a pattern is not shown, the appropriate disposition should be a reproof or suspension depending on the extent of the misconduct and the degree of harm to the client.

Standard 2.6 provides that culpability for a violation of any sections 6068 and 6103 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 sanctions for professional misconduct as delineated in Standard 1.3.

### **DISMISSALS**

The parties request that the Court dismiss the following alleged violations in the interest of justice:

Case No. 09-O-10706 (Ekstra matter)

Count One [rule 3-310(E) (Conflict of Interest)]

Count Two [section 6103 of the Business and Professions Code (Failure to Obey Court Order)]

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Case No. 09-O-12919 (Lam matter)

Count Three [rule 3-110(A) (Failure to Perform with Competence)]

Count Four [rule 4-100(B)(3) (Failure to Render Accounts of Client Funds)]

Count Five [rule 3-700(D)(2) (Failure to Refund Unearned Fees)]

Count Six [section 6068(m) of the Business and Professions Code (Failure to Respond to Client Inquiries)]

Case No. 09-O-13213 (Haynes matter)

Count Seven [rule 3-110(A) (Failure to Perform with Competence

Count Eight [rule 3-700(D)(1) (Failure to Release File)]

Count Nine [rule 3-700(D)(2) (Failure to Refund Unearned Fees)]

Case No. 09-O-17077 (Mangine matter)

Count Eleven [rule 3-700(D)(1) (Failure to Release File)]

**PENDING PROCEEDINGS**

The disclosure date referred to on page 2, paragraph A(7), was March 15, 2011.

**ESTIMATED COSTS OF PROCEEDINGS TO DATE**

Respondent acknowledges that the Office of Chief Trial Counsel has informed him that, as of March 15, 2011, the prosecution costs in this matter are estimated to be \$3,654.00. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase.

/// END OF ATTACHMENT ///

(Do not write above this line.)

In the Matter of: JOHN J. LEONARD, No. 232040	Case number(s): 09-O-10706; 09-O-12919; 09-O-13213; 09-O-14525; 09-O-17077; 09-O-18132
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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.

March 16, 2011  
Date

John Leonard  
Respondent's Signature

John J. Leonard  
Print Name

March 17, 2011  
Date

Kimberly J. Belvedere  
Deputy Trial Counsel's Signature

Kimberly J. Belvedere  
Print Name

(Do not write above this line.)

In the Matter of: JOHN J. LEONARD, No. 232040	Case Number(s): 09-O-10706; 09-O-12919; 09-O-13213; 09-O-14525; 09-O-17077; 09-O-18132
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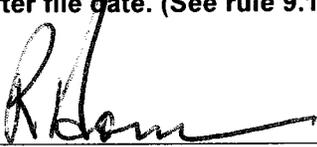
### ACTUAL SUSPENSION ORDER

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.)**

3-22-11  
Date

  
Judge of the State Bar Court  
**RICHARD A. HONN**

**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 April 1, 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:

JOHN J LEONARD  
LOJL-LAW OFC OF JOHN J LEONARD  
8721 SANTA MONICA BLVD #416  
WEST HOLLYWOOD CA 90069

by certified mail, No. \_\_\_\_\_, with return receipt requested, through the United States Postal Service at \_\_\_\_\_, California, addressed as follows:

by overnight mail at \_\_\_\_\_, California, addressed as follows:

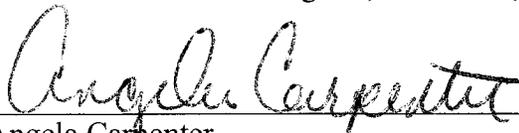
by fax transmission, at fax number \_\_\_\_\_. No error was reported by the fax machine that I used.

By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

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

KIMBERLY BELVEDERE, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on April 1, 2011.

  
\_\_\_\_\_  
Angela Carpenter  
Case Administrator  
State Bar Court