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State Bar Court of California Hearing Department Los Angeles DISBARMENT		
<p>Counsel For The State Bar</p> <p>Kimberly J. Belvedere Deputy Trial Counsel Office of the Chief Trial Counsel State Bar of California 1149 S. Hill Street Los Angeles, CA 90015-2299 (213)765-1162</p> <p>Bar # 251334</p>	<p>Case Number(s):</p> <p>09-O-13742 09-O-13637 09-O-14373 09-O-14885 09-O-15011 09-O-15233 09-O-15377 09-O-15378 09-O-15379 09-O-15380 09-O-15493 09-O-15499 09-O-15816 09-O-15817</p>	<p>For Court use only</p> <p style="text-align: center; font-size: 1.2em;">FILED <i>VJC</i></p> <p style="text-align: center;">JUL 29 2011</p> <p style="text-align: center;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> <p style="text-align: center; font-size: 1.5em; font-weight: bold;">PUBLIC MATTER</p>
<p>In Pro Per Respondent</p> <p>Christian M. Dillon 33691 Blue Lantern St., Apt. D Dana Point, CA 92629-1733 (949)374-7592</p> <p>Bar # 89376</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT</p> <p>DISBARMENT</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: Christian M. Dillon</p> <p>Bar # 89376</p> <p>A Member of the State Bar of California (Respondent)</p>	<div style="text-align: right;"> <p>kwiktag[®] 018 036 051</p>  </div>	

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 29, 1979.
- (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 resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of (12) pages, not including the order.

- (4) A statement of acts or omissions acknowledged by respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- Costs to be awarded to the State Bar.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.
- (9) ORDER OF INACTIVE ENROLLMENT:
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 5.111(D)(1).

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**
- (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:

See Attachment to Stipulation re: Facts, Conclusions of Law and Disposition ("Attachment") at p. 9-10.
- (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 p. 10

- (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. See Attachment at p. 10.
- (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. S
- (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.

(Do not write above this line.)

- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

See Attachment at p. 10.

D. Discipline: Disbarment.

E. Additional Requirements:

- (1) **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.
- (2) **Restitution:** Respondent must make restitution to _____ in the amount of \$ _____ plus 10 percent interest per year from _____. If the Client Security Fund has reimbursed _____ for all or any portion of the principal amount, respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5. Respondent must pay the above restitution and furnish satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles no later than _____ days from the effective date of the Supreme Court order in this case.
- (3) **Other:** See Attachment at p. 10-11 for Financial Conditions

(Do not write above this line.)

In the Matter of: CHRISTIAN M. DILLON, No. 89376	Case Number(s): 9-O-13742; 09-O-13637; 09-O-14373; 09-O-14885 09-O-15011; 09-O-15233; 09-O-15377; 09-O-15378; 09-O-15379; 09-O-15380; 09-O-15493; 09-O-15499; 09-O-15816; 09-O-15817
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Nolo Contendere Plea Stipulations to Facts, Conclusions of Law, and Disposition

The terms of pleading nolo contendere are set forth in the Business and Professions Code and the Rules of Procedures of the State Bar. The applicable provisions are set forth below:

Business and Professions Code § 6085.5 Disciplinary Charges; Pleas to Allegations

There are three kinds of pleas to the allegations of a notice of disciplinary charges or other pleading which initiates a disciplinary proceeding against a member:

- (a) Admission of culpability.
- (b) Denial of culpability.
- (c) Nolo contendere, subject to the approval of the State Bar Court. The court shall ascertain whether the member completely understands that a plea of nolo contendere will be considered the same as an admission of culpability and that, upon a plea of nolo contendere, the court will find the member culpable. The legal effect of such a plea will be the same as that of an admission of culpability for all purposes, except that the plea and any admissions required by the court during any inquiry it makes as to the voluntariness of, or the factual basis for, the pleas, may not be used against the member as an admission in any civil suit based upon or growing out of the act upon which the disciplinary proceeding is based.

Rules of Procedure of the State Bar, rule 5.56. Stipulations to Facts, Conclusions of Law, and Disposition

“(A) **Contents.** A proposed stipulation to facts, conclusions of law, and disposition must comprise:

[¶] . . . [¶]

(5) a statement that the member either:

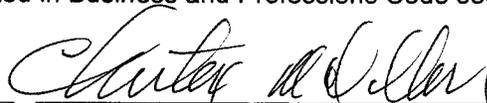
- (a) admits the truth of the facts comprising the stipulation and admits culpability for misconduct; or
- (b) pleads nolo contendere to those facts and misconduct;

[¶] . . . [¶]

(B) **Plea of Nolo Contendere.** If the member pleads nolo contendere, the stipulation must also show that the member understands that the plea is treated as an admission of the stipulated facts and an admission of culpability.”

I, the Respondent in this matter, have read the applicable provisions of Business and Professions Code section 6085.5 and rule 5.56 of the Rules of Procedure of the State Bar. I plead nolo contendere to the charges set forth in this stipulation and I completely understand that my plea will be considered the same as an admission of culpability except as stated in Business and Professions Code section 6085.5(c).

7/22/11
Date


Respondent's Signature

CHRISTIAN M. DILLON
Print Name

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

In the Matter of: CHRISTIAN M. DILLON, Bar No. 89376

Case Nos.: 9-O-13742; 09-O-13637; 09-O-14373; 09-O-14885; 09-O-15011;
09-O-15233; 09-O-15377; 09-O-15378; 09-O-15379; 09-O-15380;
09-O-15493; 09-O-15499; 09-O-15816; 09-O-15817

FACTS AND CONCLUSIONS OF LAW

Respondent pleads *nolo contendere* to the following facts and violations. Respondent understands that the plea of *nolo contendere* shall be considered the same as an admission of culpability for all purposes, except as set forth in the "Nolo Contendere Plea Stipulations to Facts, Conclusions of Law, and Disposition" form attached hereto.

Statement of Facts:

1. In October 2008, Respondent expanded his law practice to include clients seeking residential loan modifications.
2. In October 2008, Respondent contracted with certain entities staffed by non-attorneys to process the loan modifications for which Respondent was responsible ("processing entities," collectively). Respondent did not train or supervise the non-attorney staff at any of the processing entities with respect to the offering or processing of loan modification files for which Respondent was responsible. Respondent left the day to day management of the processing entities to the non-attorney staff.
3. In October 2008, Respondent also began advertising nationally on television for loan modification clients in California, Hawaii, Tennessee, and New York. Respondent is not, and never has been, licensed to practice law in Hawaii, Tennessee or New York.
4. Between October 2008 and August 2009, Respondent was employed by each of the following individuals for legal services in connection with negotiating and obtaining a home mortgage loan modification in California:

Case No.	Client	Date employed	Advanced fees paid
09-O-13742	Mona Keene	04/02/09	\$2,995
09-O-15011	Isaac Matalon	07/16/09	\$2,299
09-O-15816	Susan Silva	11/19/08	\$3,495
09-O-15233	Donna Brumette	12/11/08	\$3,495
09-O-15499	Max Gonzalez	01/15/09	\$2,995
09-O-15377	Justina Matisima	05/26/09	\$2,500
09-O-15493	Luis Alvarez	03/10/09	\$3,950
09-O-14885	Nikki Trammel	07/08/09	\$1,500

5. Respondent failed to negotiate and obtain a loan modification for the clients listed in paragraph 4, and failed to perform any other legal services of value for the clients listed in paragraph 4. Respondent did not earn the legal fees paid in advance by any of clients listed in paragraph 4.
6. Following the date of hire for each of the clients listed in paragraph 4, each client made multiple calls to Respondent's office to request a status update regarding their loan modifications. On each occasion, the clients never spoke with Respondent and were only permitted to speak to the non-attorney staff at the various processing entities. The clients were not provided a status update, and if a message was left, nobody ever responded to the status inquiries.
7. Between October 2008 and August 2009, Respondent was employed by each of the following out-of-state individuals for legal services in connection with negotiating and obtaining a home mortgage loan modification:

Case No.	Client	Date employed	Client's State of Residence and Location of Client's Property	Advanced fees paid
09-O-13637	Betty Doss	03/06/09	Tennessee	\$3,795
09-O-14373	Irineo Hilario	02/24/09	Hawaii	\$2,500
09-O-15817	Jeanne Murasso	12/01/08	New York	\$3,950
09-O-15378	Jose Florencia	07/03/09	Hawaii	\$2,500
09-O-15379	Vick Howard	07/09/09	Hawaii	\$2,500
09-O-15380	Rodolfo Medina	05/20/09	Hawaii	\$2,500

8. Respondent charged and collected the fees listed in paragraph 7 and entered into a contract for legal services in connection with negotiating and obtaining a home mortgage loan modification for the clients listed in paragraph 7 notwithstanding the fact that he was not licensed to practice law in those jurisdictions.
9. Respondent failed to, prior to the charging and collecting of the fees for legal services he undertook to provide to the clients listed in paragraph 7, adequately research the applicable rules of professional conduct and statutes governing the practice of law and defining the unauthorized practice of law in those jurisdictions.
10. On August 4, 2009, Respondent resigned from the State Bar of California and became ineligible to practice law in this state, thereby constructively terminating his employment with each of the clients identified in paragraphs 4 and 7.
11. After August 4, 2009, the clients listed in paragraphs 4 and 7 began calling Respondent's office to demand a refund of advanced fees, however, Respondent's phone lines were disconnected.
12. To date, Respondent has failed to refund unearned advanced legal fees paid by the clients listed in paragraphs 4 and 7.

Conclusions of Law:

13. By failing to obtain loan modifications or perform other legal services of value in the representation of the clients listed in paragraph 4, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of rule 3-110(A) of the Rules of Professional Conduct.
14. By failing to properly supervise and direct his non-attorney staff at the various processing entities who worked on cases involving loan modifications for clients that had contracted with Respondent for those legal services, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of rule 3-110(A) of the Rules of Professional Conduct.
15. By failing to obtain loan modifications for the clients listed in paragraph 4; failing to perform other legal services of value for the clients listed in paragraph 4; ceasing substantive communication with his clients; closing his offices; and resigning his membership from the State Bar of California; Respondent effectively terminated representation of his clients, and failed, upon termination of employment, to take reasonable steps to avoid reasonably foreseeable prejudice to his clients, thereby improperly withdrawing from representation and abandoning the clients listed in paragraph 4 in willful violation of rule 3-700(A)(2) of the Rules of Professional Conduct.
16. By failing to refund advanced fees despite a demand from each of the clients listed in paragraph 4 to do so, Respondent willfully failed to refund promptly any part of a fee paid in advance that he did not earn, in willful violation of rule 3-700(D)(2) of the Rules of Professional Conduct.
17. By failing to respond to his clients' repeated inquiries about the status of their loan modifications, Respondent repeatedly failed to adequately communicate with clients in willful violation of Business and Professions Code, section 6060(m).
18. By holding himself out as entitled to practice law in Hawaii, Tennessee, and New York, in violation of the regulations of the profession in those jurisdictions, Respondent willfully violated rule 1-300(B) of the Rules of Professional Conduct.
19. By entering into agreements for, charging and collecting advanced fees for legal services from the clients listed in paragraph 7 in jurisdictions where Respondent was not licensed to practice law, Respondent willfully violated rule 4-200(A) of the Rules of Professional Conduct.

AGGRAVATING CIRCUMSTANCES

Prior discipline. Respondent has two prior impositions of discipline as follows:

Supreme Court No. BM5061; Effective January 14, 1987; Based on Respondent's conviction on October 23, 1985 for failure to pay child support in violation of a court order for five months in 1984 and two months in 1985; Discipline: One year stayed suspension, one year probation.

State Bar Court Case No. 03-C-02050; Effective June 7, 2005; Based on Respondent's conviction on May 14, 2003 for a violation of Vehicle Code section 23152(A) [driving under the influence] and 23152(b) [.08% blood alcohol level concentration or above]; Discipline: Public reproof, three years probation.

Multiple/Pattern of misconduct. There are fourteen separate client matters which involve multiple instances of misconduct.

Harm. The individuals who hired Respondent for legal services in connection with loan modifications were already financially distressed and in danger of losing their homes. Respondent's misconduct caused a loss of use of the money that these individuals paid to Respondent for services that were not performed and in some cases, foreclosure on their homes. Further, with respect to the residents who were not located in California, Respondent's misconduct caused a loss of use of the money that these individuals paid to Respondent for legal services that Respondent was not even licensed to perform in Hawaii, New York, and Tennessee.

ADDITIONAL MITIGATING CIRCUMSTANCES

Candor/Cooperation. Respondent resigned from the State Bar with charges pending on August 4, 2009. The State Bar indicated that they would be compelled to recommend against acceptance based on the criteria set forth in rule 9.21(d) of the California Rules of Court. Following the rejection of his resignation by the Supreme Court, Respondent willingly entered into this stipulation, which entitles him to mitigation.

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.

Standard 2.6 states that disbarment or suspension is the appropriate discipline for violations of 6068(a), 6125 and 6126, depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in Standard 1.3, which is analogous to the 1-300(B) charges.

PENDING PROCEEDINGS

The disclosure date referred to on page 2, paragraph A(7), was July 22, 2011.

FINANCIAL CONDITIONS

Respondent must pay restitution to the clients listed in paragraphs 4 and 7, including the principal amounts plus 10 percent per annum calculated from the date the client paid Respondent. If any client has already received a refund from Respondent, no further restitution will be due with respect to that client. If the Client Security Fund ("CSF") reimburses any of the clients for all or any portion of the amounts listed above, Respondent must instead pay restitution to CSF in the amounts paid to the client by CSF.

ESTIMATED COSTS OF PROCEEDINGS TO DATE

Respondent acknowledges that the Office of Chief Trial Counsel has informed him that, as of July 22, 2011, the prosecution costs in this matter are estimated to be \$2,797.00. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase.

ORDER OF INACTIVE ENROLLMENT

The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision(c)(4) and Rules of Procedure of the State Bar Rule 5.111(D)(1).

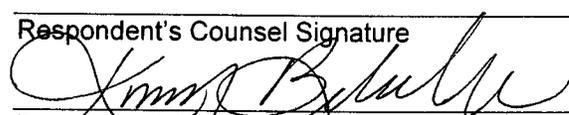
/// END OF ATTACHMENT ///

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In the Matter of: CHRISTIAN M. DILLON, No. 89376	Case number(s): 9-O-13742; 09-O-13637; 09-O-14373; 09-O-14885; 09-O-15011; 09-O-15233; 09-O-15377; 09-O-15378; 09-O-15379; 09-O-15380; 09-O-15493; 09-O-15499; 09-O-15816; 09-O-15817
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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.

7/22/11 Date	 Respondent's Signature	Christian M. Dillon Print Name
Date 7/22/11	 Deputy Trial Counsel's Signature	Print Name Kimberly J. Belvedere Print Name

In the Matter of: CHRISTIAN M. DILLON, No. 89376	Case Number(s): 9-O-13742; 09-O-13637; 09-O-14373; 09-O-14885; 09-O-15011; 09-O-15233; 09-O-15377; 09-O-15378; 09-O-15379; 09-O-15380; 09-O-15493; 09-O-15499; 09-O-15816; 09-O-15817
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DISBARMENT 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.

- (1) From the caption, delete case no. 09-O-15233 and insert instead 09-O-15833;
- (2) At p. 9, the effective date of discipline in BM 5061 is February 13, 1987;
- (3) At p. 10, add std. 1.7(b) to authorities supporting disbarment as the appropriate discipline.

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.)**

Respondent Dillon is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three (3) calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 5.111(D)(2) of the Rules of Procedure of the State Bar of California, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

7/29/11
Date

Wmaldt, Jr.
Judge of the State Bar Court

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 July 29, 2011, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING, ORDER OF INVOLUNTARY INACTIVE ENROLLMENT DISBARMENT

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:

**CHRISTIAN MICHAEL DILLON
34118 PACIFIC COAST HWY #5
DANA POINT, CA 92629**

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

MARGARET WARREN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 29, 2011.



Tammy Cleaver
Case Administrator
State Bar Court