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**State Bar Court of California
Hearing Department
San Francisco
ACTUAL SUSPENSION**

Counsel For The State Bar Susan I. Kagan Deputy Trial Counsel 180 Howard Street San Francisco, CA 94105 (415) 538-2037 Bar # 214209	Case Number(s): 09-O-16809 [10-C-10971; 10-C-07588; 11-C-10122]	For Court use only PUBLIC MATTER FILED <i>JK</i> MAY 11 2011 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In Pro Per Respondent Paul E. Vallone 900 Roanoke Dr Apt 64 Martinez, CA 94553 Bar # 168395	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: Paul E. Vallone Bar # 168395 A Member of the State Bar of California (Respondent)		

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 14, 1993.
- (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."

(Effective January 1, 2011)



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- (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: 2012, 2013, 2014, 2015 and 2016. (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
 - (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.
- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

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- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) **No aggravating circumstances** are involved. See page 10.

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. See page 10.
- (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. See page 10.
- (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. See page 10.
- (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.

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(13) No mitigating circumstances are involved.

Additional mitigating circumstances:

D. Discipline:

(1) **Stayed Suspension:**

(a) Respondent must be suspended from the practice of law for a period of two (2) years.

i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.

ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii. and until Respondent does the following:

(b) The above-referenced suspension is stayed.

(2) **Probation:**

Respondent must be placed on probation for a period of three (3) 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 thirty (30) 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

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information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

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

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

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (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.**

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- No MPRE recommended. Reason:
- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:**

Attachment language (if any):

FACTS AND CONCLUSIONS OF LAW

Case No. 09-O-16809

Facts

1. Prior to July 6, 2009, respondent and his wife had an argument and respondent's wife left the marital home with the couple's two children. On July 6, 2009, respondent, in pro per, filed a petition for legal separation in the matter, Vallone v. Bhasin, Contra Costa Superior Court Case No. D09-03227 ("family law matter").
2. On July 6, 2009, respondent attempted to file documents entitled "Petitioner's Ex Parte Application for Return of His Children" ("Application") and "Proposed Order Granting Ex Parte Application for Return of Plaintiff's Children" ("Proposed Order") in the family law matter. On July 6, 2009, the Court in the family law matter stamped Case No. D09-03227 on the Application and Proposed Order, but rejected the documents for filing. On the same date, the respondent received the rejected Application and Proposed Order.
3. Thereafter, on July 6, 2009, respondent falsified the Proposed Order as follows:
 - On page 1, respondent crossed out the word "Proposed"
 - On page 1, respondent crossed out the words "Time" and "Dept" and wrote "no hearing"
 - On page 2, respondent forged a judge's signature
4. On July 6, 2009, respondent sent a copy of the falsified Proposed Order (hereinafter "False Order") to his wife in order to coerce her into returning home with the children.
5. On July 10, 2009, respondent attempted to file the False Order. Having no record of an application or order being filed in the family law matter, and failing to recognize the signature on the False Order, the Court in the family law matter issued an order to show cause requiring respondent to appear for an Order To Show Cause ("OSC") hearing on August 7, 2009, and to show cause how the False Order came to be created and signed. The Court also ordered respondent to produce a copy of the Ex Parte Application he purportedly filed in the family law matter. Soon thereafter, respondent received a copy of the Court's July 10, 2009 order. Respondent was later notified that the OSC hearing was rescheduled to take place on or about October 8, 2009.
6. On October 8, 2009, an OSC hearing was held in the family law matter. Respondent appeared at the OSC hearing. At the hearing, respondent, through his counsel, falsely stated to the Court that respondent did not sign the False Order and did not know how it came to be signed. In truth and in fact, respondent knew that he created and forged the False Order. At the time respondent made the false statements to the Court, he knew them to be false.

Conclusions of Law

1. By creating and forging the name of a judge on the False Order, by sending the False Order to his wife to coerce her to return with the children, by attempting to file the False Order in the family law matter and by making knowingly false statements to the Court at the OSC Hearing, respondent intentionally or by gross negligence, committed an act or acts involving moral turpitude, dishonesty or corruption, in willful violation of section 6106 of the Business and Professions Code.
2. By creating and forging the name of a judge on the False Order, by attempting to file the False Order in the family law matter and by making knowingly false statements to the Court at the OSC Hearing respondent sought to mislead the judge or judicial officer by an artifice or false statement of fact or law in willful violation of section 6068(d) of the Business and Professions Code.

Case No. 10-C-10971

Facts

1. On December 21, 2003, respondent was arrested for driving under the influence.
2. On January 26, 2004, respondent was charged with violations of Vehicle Code sections 23152(a) and 23152(b).
3. On February 4, 2004, respondent entered a plea of no contest as to count one, a violation of Vehicle Code section 23152(a). Count two of the criminal complaint was dismissed. On February 4, 2004, respondent was convicted of violating Vehicle Code section 23152(a).
4. On January 25, 2011, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department on the following issues: for a hearing and decision recommending the discipline to be imposed in the event that the hearing department finds that the facts and circumstances surrounding the misdemeanor violation of Vehicle Code section 23152(a) involved moral turpitude or other misconduct warranting discipline.

Conclusions of Law

By violating Vehicle Code section 23152(a), respondent violated section 6068(a) of the Business and Professions Code. The facts and circumstances surrounding the above-described violation(s) do not involve moral turpitude but do involve other misconduct warranting discipline.

Case No. 11-C-10122

Facts

1. On April 15, 2005, respondent was arrested for driving under the influence.
2. On June 29, 2005, respondent was charged with violations of Vehicle Code section 23152(a), a prior conviction, special allegation of BAC over .20 percent, Vehicle Code section 23578, Vehicle Code section 23152(b), a prior conviction and a special allegation of BAC over .20 percent Vehicle Code section 23578.
3. On August 17, 2005 respondent entered a plea of no contest as to count one, a violation of Vehicle Code section 23152(a), admitted the prior conviction and the enhancement of Vehicle Code section 23578. Count two of the criminal complaint was dismissed. On August 17, 2005, respondent was convicted of violating Vehicle Code section 23152(a), with the admission of the prior conviction and enhancement of Vehicle Code section 23578.
4. On February 25, 2011, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department on the following issues: for a hearing and decision recommending the discipline to be imposed in the event that the hearing department finds that the facts and circumstances surrounding the misdemeanor violation of Vehicle Code section 23152(a) involved moral turpitude or other misconduct warranting discipline.

Conclusions of Law

By violating Vehicle Code section 23152(a), respondent violated section 6068(a) of the Business and Professions Code. The facts and circumstances surrounding the above-described violation(s) do not involve moral turpitude but do involve other misconduct warranting discipline.

Case No. 10-C-07588

Facts

1. On July 21, 2009 respondent was arrested for driving under the influence.
2. On September 21, 2009, respondent was charged with violations of Vehicle Code section 23152(a) and two prior convictions, and Vehicle Code section 23152(b) and two prior convictions.
3. On May 5, 2010, respondent entered a plea of no contest as to count two, a violation of Vehicle Code section 23152(b), admitted the two prior convictions. Count one of the criminal complaint was dismissed. On May 5, 2010, respondent was convicted of violating Vehicle Code section 23152(b).
4. On January 25, 2011, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department on the following issues: for a hearing and decision recommending the discipline to be imposed in the event that the hearing department finds that the facts and circumstances surrounding the misdemeanor violation of Vehicle Code section 23152(b) involved moral turpitude or other misconduct warranting discipline.

Conclusions Of Law

By violating Vehicle Code section 23152(b), respondent violated section 6068(a) of the Business and Professions Code. The facts and circumstances surrounding the above-described violation(s) do not involve moral turpitude but do involve other misconduct warranting discipline.

PENDING PROCEEDINGS

The disclosure date referred to on page two, paragraph A (7) was April 8, 2011.

STATE BAR ETHICS SCHOOL

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

COSTS OF DISCIPLINARY PROCEEDINGS

Respondent acknowledges that the State Bar has informed respondent that as of April 8, 2011, the estimated prosecution costs in this matter are approximately \$11,278.42. Respondent acknowledges that this figure is an estimate only and that it does not include State Bar Court costs which will be included in any final cost assessment. 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.

FACTS SUPPORTING AGGRAVATING AND MITIGATING CIRCUMSTANCES

AGGRAVATING CIRCUMSTANCES

There are no aggravating circumstances.

MITIGATING CIRCUMSTANCES

Standard 1.2(e)(i). Respondent has been practicing law since 1993, and has no prior record of discipline.

Standard 1.2(e)(v). Respondent displayed spontaneous candor and cooperation to the State Bar during the disciplinary proceedings.

Standard 1.2(e)(vii). Respondent displayed remorse for his misconduct.

SUPPORTING AUTHORITY

Standard 2.3 requires an actual suspension or disbarment for a respondent that has committed an act of moral turpitude.

Standard 2.6(a) requires that a violation of Business and Professions Code section 6068(d) 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 purpose of imposing discipline set forth in standard 1.3

Standard 3.4 provides that the final conviction of a member of a crime which does not involve moral turpitude inherently or in the facts and circumstances surrounding the crime's commission but which does involve other misconduct warranting discipline shall result in a sanction as prescribed under part B of these standards appropriate to the nature and extent of the misconduct found to have been committed by the member. The Supreme Court has held that convictions for driving under the influence do not per se establish moral turpitude, however, such convictions can constitute "other misconduct warranting discipline." (In re Anna Lou Kelley, (1990) 52 Cal 3d 487, 494.) The Court in Kelley reasoned that when the circumstances surrounding convictions for driving under the influence (DUI) indicate a substance abuse problem which affects the member's private life, the court can not merely wait until the effects of the substance abuse problem permeate into the member's practice of law. (Id. at p. 495.) The Court iterated that its task in disciplinary cases is preventative, protective and remedial, not punitive, and as such it has a duty to impose discipline in order to protect the public from potential or actual harm. Furthermore, the Court stated that it could impose discipline on a member without having to prove the existence of an adverse effect on the member's practice. (Id. at p. 496.)

The proper discipline for a violation of sections 6068(d) and 6106 is a period of actual suspension. (See Drociak v. State Bar (1991) 52 Cal.3d 1085 [30 days' actual suspension; no prior record of discipline]; Bach v. State Bar (1987) 43 Cal.3d 848 [60 days' actual suspension; prior public reproof]; see also In the Matter of Chesnut (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 166 [six months' actual suspension; prior record of discipline]; In the Matter of Farrell (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 490 [six months' actual suspension; prior record of discipline].)

Based on the mitigation and lack of aggravating circumstances in this matter, a 30-day actual suspension is appropriate.


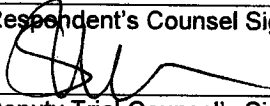
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In the Matter of:
Paul E. Vallone

Case number(s):
09-O-16809 [10-C-10971; 10-C-07588; 11-C-10122]

SIGNATURE OF THE PARTIES

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

<u>4/25/11</u> Date	 Respondent's Signature	<u>Paul E. Vallone</u> Print Name
<u> </u> Date	<u> </u> Respondent's Counsel Signature	<u>N/A</u> Print Name
<u>4/20/11</u> Date	 Deputy Trial Counsel's Signature	<u>Susan I. Kagan</u> Print Name

(Do not write above this line.)

In the Matter of: Paul E. Vallone	Case Number(s): 09-O-16809 [10-C-10971; 10-C-07588; 11-C-10122]
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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).

4/25/11
Date


Respondent's Signature

Paul E. Vallone
Print Name

(Do not write above this line.)

In the Matter of: PAUL E. VALLONE	Case Number(s): 09-O-16809 [10-C-10971; 10-C-07588; 11-C-10122]
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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.

On page 6 of the stipulation, DELETE the "x" in the box next to paragraph (3) so that no conditional rule 9.20 of the California Rules of Court will be required.

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.)**

May 11, 2011
Date


Judge of the State Bar Court

LUCY ARMENDARIZ

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 San Francisco, On May 11, 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 San Francisco, California, addressed as follows:

PAUL E. VALLONE
LAW OFFICE OF PAUL E VALLONE
900 ROANOKE DR APT 64
MARTINEZ, CA 94553

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

MARIA OROPEZA , Enforcement, San Francisco
SUSAN KAGAN, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on May 11, 2011.


Lauretta Oramer
Case Administrator
State Bar Court