

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

PUBLIC MATTER

<p>Counsel For The State Bar</p> <p>Cindy McCaughey Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 213/765-1491</p> <p>Bar # 222126</p>	<p>Case Number(s): 09-O-19077 10-O-03883 10-O-05026 Inv # 10-O-10956</p>	<p>For Court use only</p> <p>FILED</p> <p>MAY 25 2011</p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Arthur Margolis Margolis & Margolis, LLP 2000 Riverside Drive Los Angeles, CA 90039 323/953-8896</p> <p>Bar # 57703</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>PUBLIC REPROVAL</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: E. Daniel Bors, Jr.</p> <p>Bar # 189790</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 9, 1997.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 15 pages, not including the order.



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- (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 are added to membership fee for calendar year following effective date of discipline (public reproof).
 - Case ineligible for costs (private reproof).
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: (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.
- (9) The parties understand that:
- (a) A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
 - (b) A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
 - (c) A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

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

(Effective January 1, 2011)

- (e) If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."
- (2) **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

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

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (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

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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:

During the period of misconduct, Respondent suffered serious medical problems requiring hospitalization.

D. Discipline:

- (1) **Private reproof (check applicable conditions, if any, below)**
- (a) Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b) Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).
- or
- (2) **Public reproof (Check applicable conditions, if any, below)**

E. Conditions Attached to Reproof:

- (1) Respondent must comply with the conditions attached to the reproof for a period of one year.
- (2) During the condition period attached to the reproof, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.

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- (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 condition period attached to the reprobation. 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 the reprobation during the preceding calendar quarter. Respondent must also state in each report 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 (thirty) days, that report must be submitted on the next following 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 condition period and no later than the last day of the condition period.

- (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 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 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 conditions attached to the reprobation.

- (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: See additional conditions below.

- (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) 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 within one year of the effective date of the reprobation.

No MPRE recommended. Reason: See additional conditions below.

- (11) The following conditions are attached hereto and incorporated:

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

F. Other Conditions Negotiated by the Parties:

Respondent continues his rehabilitation process from a stroke and has limited mobility. Respondent will complete eight (8) live or participatory MCLE approved hours in ethics related courses, in addition to the State Bar's mandatory hours, and provide proof of satisfactory completion to the Office of Probation within nine months of the effective date of discipline.

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In the Matter of: E. Daniel Bors, Jr.	Case Number(s): 09-O-19077; 10-O-19077; 10-O-05026; Inv. #10-O-10956
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Financial Conditions

a. Restitution

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

Payee	Principal Amount	Interest Accrues From
Simone Moore	\$3,750.00	July 23, 2008
James Madison	\$3,955.50	October 10, 2008
Alexander Polishchuck	\$3,500.00	November 6, 2008
Michelle Smith	\$3,500.00	September 9, 2008

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than one year after the effective date of discipline.

b. Installment Restitution Payments

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

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

- 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.

c. Client Funds Certificate

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

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

d. Client Trust Accounting School

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

7. In March 2009, Respondent sent Moore a billing and requested payment of additional advanced fees.

8. On August 13, 2009, Moore met with Respondent with her sister, Cecilia Moore, and Respondent informed Moore that he would complete her case and thought that the remaining balance of fees of approximately \$1,300 paid by Moore would be sufficient. Moore also requested that Respondent serve the earnings assignment order on her husband's new employer. Thereafter, Respondent took no action on behalf of Moore to serve the assignment order on the new employer or complete the Moore case.

9. In September, 2009, Respondent re-located his office but did not inform Moore.

10. On November 23, 2009, Cecilia Moore went to Respondent's home address and obtained his signature on a substitution of attorney which was filed on December 3, 2009.

11. Respondent did not earn all of the fees advanced by Moore. By ceasing Moore's representation, Respondent was not entitled to the true retainer he had charged of \$3,750.

12. Respondent did not refund the \$3,750 in unearned fees to Moore.

CONCLUSIONS OF LAW:

13. By failing to take steps to complete the Moore case, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

14. By ceasing representation without refunding the \$3,750.00 in unearned fees to Moore, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 10-O-03883 (Complainant: James Madison)

FACTS:

15. On October 10, 2008, James Madison ("Madison") employed Respondent to represent him in pending marital dissolution proceeding initiated by Madison's wife in the Orange County Superior Court, case no. 08D000826 ("Madison case"). Madison entered into a fee agreement to pay Respondent an hourly fee for his legal services. The fee agreement required an advanced payment of \$2,500 and stated that \$1,250 of that payment was a true retainer. Madison paid Respondent \$2,500 pursuant to the fee agreement.

16. Madison's default had been entered in the Madison case on April 9, 2008, but Madison employed Respondent when he and his wife had not been able to reach a stipulated judgment. On October 15, 2008, Respondent filed a substitution of attorney to place himself as Madison's counsel in the Madison case.

17. On August 3, 2009, Respondent mailed a letter to Madison and provided an invoice for fee claimed by Respondent of \$6,044.50 over the advanced fees received from Madison. In his letter, Respondent requested that Madison pay the sum of \$10,000 in earned and advanced fees. Respondent also informed Madison that Respondent would appear on his behalf at a hearing on an order to show cause on August 17, 2009 and would prepare and file a motion to set aside default. On August 28, 2009, Madison paid Respondent \$10,000.

18. On August 17, 2009, Respondent appeared with Madison for an order to show cause hearing in the Madison case and stipulated to certain orders. At that time, the court continued the matter to October 7, 2009, for the parties to complete mediation.

19. Thereafter, Respondent did not file a motion to set aside Madison's default and took no further action on behalf of Madison.

20. On September 11, 2009, Madison's wife and her counsel appeared in court for a default hearing in the Madison case, and the court made findings resulting in a judgment dissolving the marriage and settling property issues. Respondent did not appear.

21. In September 2009, Respondent re-located his office and had no further contact with Madison.

22. Respondent did not refund any unearned fees to Madison.

23. Upon ceasing Madison's representation, Respondent was not entitled to the true retainer he had charged of \$1,250.

24. Respondent did not earn all of the \$3,955.50 in advanced fees received from Madison on August 28, 2009.

CONCLUSIONS OF LAW:

25. By not filing a motion to set aside Madison's default or obtaining a stipulated judgment in the Madison case, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

26. By ceasing Madison's representation, without refunding to Madison the \$5,205.50 in unearned fees, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 10-O-05026 (Complainant: Alexander Polishchuk)

FACTS:

27. On November 6, 2008, Alexander Polishchuk ("Polishchuk") employed Respondent to represent him in a marital dissolution matter. Polishchuk requested that Respondent file the petition for dissolution and negotiate a marital settlement agreement. On that date, Polishchuk entered into a fee agreement to pay Respondent an hourly fee for his legal services. The fee agreement required an

advanced payment of \$3,500 and stated that \$2,500 of that payment was a true retainer. On that date, Polishchuk paid Respondent \$3,500 pursuant to the fee agreement.

28. On December 17, 2008, Respondent filed a petition for dissolution of marriage in the Orange County Superior Court, case no. 08D011304 ("Polishchuk case"). On December 19, 2008, Respondent met with Polishchuk and his wife at which time Respondent served the wife with the summons and petition. The parties agreed on the terms of a marital settlement agreement, and Polishchuk requested that Respondent prepare the agreement.

29. On April 19, 2009, Polishchuk sent an e-mail to Respondent asking when the agreement would be prepared and informing him that Polishchuk's wife would be leaving the country on vacation at the beginning of June 2009. On April 28, 2009, Respondent sent an email to Polishchuk stating that he would have all of the documents prepared by the end of the week.

30. On May 30, 2009, Respondent completed a marital settlement agreement for Polishchuk. Thereafter, Polishchuk and his wife signed the marital settlement agreement and returned it to Respondent prior to August 31, 2009.

31. On September 2, 2009, Respondent sent an email to Polishchuk stating that he had given the documents to an attorney service to file with the court. Thereafter, the marital settlement agreement was not filed with the court.

32. During the months of September to December 2009, Polishchuk called Respondent and sent him email repeatedly requesting to know the status of the Polishchuk case. Respondent received the messages but did not respond until December 4, 2009, when he sent an email to Polishchuk to inform him that he had been ill but that he had resubmitted the judgment package in the Polishchuk case to the court and would have someone look into the matter to determine why there was a delay. Thereafter, Polishchuk did not receive any further communications from Respondent.

33. Thereafter, Respondent did not file the marital settlement agreement and a proposed judgment in the Polishchuk case.

34. Polishchuk made several requests, through a newly retained attorney for the return of his file and any unearned fees from Respondent.

35. Respondent did not release the client file, including the signed marital settlement agreement, to Polishchuk or his new attorney.

36. Respondent did not refund any amount of the \$3,500 in fees received from Polishchuk.

37. Respondent did not earn the full amount of the \$3,500 received from Polishchuk.

CONCLUSIONS OF LAW:

38. By not filing the marital settlement agreement and a proposed judgment to complete the Polishchuk case, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A)

39. By not returning the signed marital settlement with a client file to Polishchuk, Respondent failed to release promptly, upon termination of employment to the client at the request of the client, all client papers and property in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

40. By not refunding any of the \$3,500 received from Polishcuk, Respondent failed to refund promptly any part of a fee paid in advance that had not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 10-O-10956 (Complainant: Michelle Smith [unfiled matter])

FACTS

41. On September 9, 2008, Michelle Smith ("Smith") employed Respondent to represent her in an uncontested marital dissolution proceeding.

42. On that date, Smith entered into a fee agreement to pay Respondent an hourly fee for his legal services. The fee agreement required an advanced payment of \$3,500 and stated that \$2,500 of that payment was a true retainer. On that date, Smith paid Respondent \$3,500 pursuant to the fee agreement.

43. On September 19, 2008, Respondent filed a Summons and Petition for dissolution of marriage in the Orange County Superior Court, case number 08D008552.

44. On October 3, 2008, Respondent sent a letter to Smith's husband explaining his representation of Smith and serving him with the Summons and Petition.

45. On November 10, 2008, Respondent sent a letter to Smith explaining the status of the case.

46. Thereafter, Respondent had no further communication with Smith and did not complete any further legal services for Smith.

47. Respondent did not refund any unearned fees to Smith.

48. Upon ceasing Smith's representation, Respondent was not entitled to the true retainer he had charged of \$2,500.00.

49. Respondent did not earn all of the \$3,500.00 in advanced fees received from Smith.

CONCLUSIONS OF LAW:

50. By failing to take steps to complete Smith's case, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

51. By ceasing representation without refunding the \$2,500 in unearned fees to Smith, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was May 18, 2011.

AUTHORITIES SUPPORTING DISCIPLINE.

Standard 1.3 Provides:

The primary purposes of disciplinary proceedings conducted by the State Bar of California and of sanctions imposed upon a finding or acknowledgment of a member's professional misconduct are the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession.

Pursuant to Standard 2.4(b)

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

The parties here submit reproof is appropriate based upon a totality of the facts involved. Respondent has had 14 discipline-free years as an attorney. Respondent's sudden and uncharacteristic treatment of his clients' cases was attributable to significant medical problems. As such, a period reproof is appropriate to meet the purposes of discipline as set forth in Standard 1.3.

DISMISSALS.

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

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
09-O-19077	Two	Rules of Professional Conduct, rule 3-700(A)(2)
09-O-19077	Four	Business and Professions Code section 6068(i)
10-O-03883	Six	Rules of Professional Conduct, rule 4-100(B)(3)
10-O-03883	Eight	Business and Professions Code section 6068(i)
10-O-05026	Eleven	Rules of Professional Conduct, rule 4-100(B)(3)
10-O-05026	Thirteen	Business and Professions Code section 6068(i)
10-O-05026	Fourteen	Business and Professions Code section 6068(j)

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of March 17, 2011, the prosecution costs in this matter are estimated to be \$5,945.00. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

(Do not write above this line.)

In the Matter of: E. Daniel Bors, Jr.	Case number(s): 09-O-19077 10-O-03883 10-O-05026 Inv # 10-O-10956
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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.

<u>05/19/11</u> Date	<u>E. Daniel Bors, Jr.</u> Respondent's Signature	<u>E. Daniel Bors, Jr.</u> Print Name
<u>5/20/11</u> Date	<u>Arthur L. Margolis</u> Respondent's Counsel Signature	<u>Arthur Margolis</u> Print Name
<u>5/23/11</u> Date	<u>Cindy M. McCaughey</u> Deputy Trial Counsel's Signature	<u>Cindy McCaughey</u> Print Name

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In the Matter of: E. Daniel Bors, Jr.	Case Number(s): 09-O-19077 10-O-03883 10-O-05026 Inv # 10-O-10956
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REPROVAL ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, 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 REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- All court dates in the Hearing Department are vacated.

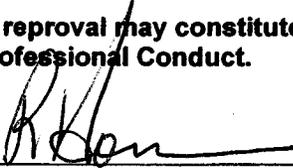
The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

Date

5/25/11

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 May 25, 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:

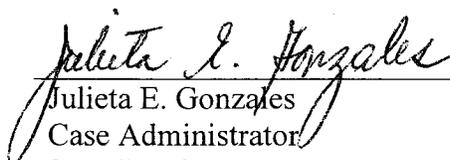
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ARTHUR L MARGOLIS ESQ
MARGOLIS & MARGOLIS LLP
2000 RIVERSIDE DR
LOS ANGELES, CA 90039

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

Cynthia B. McCaughey, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 25, 2011.



Julieta E. Gonzales
Case Administrator
State Bar Court