

FILED



APR 16 2012

**STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES**

**STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO**

In the Matter of)	Case No.: 09-O-19235-LMA; 10-O-05923
)	(10-O-07529; 10-O-07809
COLIN C. SWAINSTON)	11-O-10865) (Cons.)
)	
Member No. 150761)	ORDER GRANTING MOTION TO
)	VACATE DEFAULT AND SCHEDULING
<u>A Member of the State Bar.</u>)	STATUS CONFERENCE

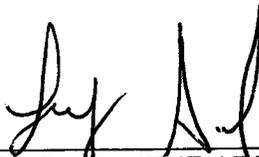
On March 23, 2012, respondent Colin Swainston, by counsel Michael G. Gerner, filed a motion to vacate the default entered on December 19, 2011, due to respondent's nonappearance at trial, on the grounds of mistake, inadvertence and excusable neglect due to a medical emergency and events surrounding it. (Rule 5.83(C)(2), Rules Proc. of State Bar; Code Civ. Proc., § 473.) On April 3, 2012, The Office of the Chief Trial Counsel, by Cynthia Reed, filed a response indicating that it did not oppose the motion.

Accordingly, having considered the parties' contentions and good cause appearing, the motion is GRANTED. The default entered on December 19, 2011, is vacated.

Moreover, respondent's inactive enrollment, effective December 22, 2011, is TERMINATED, effective as of the date of this order is filed.

Finally, a telephonic status conference is scheduled for May 7, 2012, at 10:00 a.m. to discuss future proceedings in this case.

IT IS SO ORDERED.



 LUCY ARMENDARIZ
 Judge of the State Bar Court

Dated: April 16, 2012



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 April 16, 2012, I deposited a true copy of the following document(s):

ORDER GRANTING MOTION TO VACATE DEFAULT AND SCHEDULING STATUS CONFERENCE

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:

MICHAEL GALEN GERNER
MICHAEL G GERNER, A PROF LAW CORP
425 S BEVERLY DR STE 210
BEVERLY HILLS, CA 90212

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

KIMBERLY G. KASRELIOVICH, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on April 16, 2012.



Bernadette C.O. Molina
Case Administrator
State Bar Court