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State Bar Court of California Hearing Department San Francisco ACTUAL SUSPENSION		
Counsel For The State Bar Erica L. M. Dennings Office of the Chief Trial Counsel 180 Howard Street, 7th Fl. San Francisco, CA 94105 (415) 538-2285 Bar # 145755	Case Number(s): 10-C-01302; 10-O-05060; 10-O-05713; Investigative matter 10-O-10966	For Court use only PUBLIC MATTER FILED  APR 22 2011 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In Pro Per Respondent Dennis Hoptowit 261 East Third Street Chico, CA 95928 Bar # 61544	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: Dennis Hoptowit Bar # 61544 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 18, 1974.
- (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 25 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)

Actual Suspension



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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: (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 97-C-13772-NRL; 97-O-14919-NRL (consolidated)
 - (b) Date prior discipline effective November 4, 1999.
 - (c) Rules of Professional Conduct/ State Bar Act violations: Business and Professions Code section 6068(a) and rules of Professional Conduct, Rule 4-100(A).
 - (d) Degree of prior discipline No actual suspension; 90 days suspension stayed; one year probation with conditions including taking and passing the MPRE within one year.
 - (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. See attached.
- (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. See attached.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. See attached.
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

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

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

(Effective January 1, 2011)

Actual Suspension

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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 two (2) 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 ninety (90) 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

(Effective January 1, 2011)

Actual Suspension

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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 checked="" 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 TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

FACTS AND CONCLUSIONS OF LAW.

Case No. 10-C-01302:

Procedural Background: This is a proceeding pursuant to section 6101 and 6102 of the Business and Professions Code and rule 951 of the California Rules of Court. On May 20, 2010, respondent pled nolo contendere to a misdemeanor violation of Vehicle Code section 23152(b), driving while having a .08% or higher blood alcohol. On August 30, 2010, the Review Department of the State Bar issued an order referring the matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed in the event that the facts and circumstances surrounding the conviction involved moral turpitude or other misconduct warranting discipline.

Facts: On January 23, 2010 at approximately 2:29 a.m., respondent was driving southbound in the number two lane of traffic beside a Chico Police patrol officer in full uniform who was driving in the number one lane of traffic. Respondent turned on his left turn signal and then immediately moved into the police officer's lane before ensuring it was safe to do so. The officer had to take an immediate defensive posture and braked very hard to bring his vehicle to a stop to keep respondent's car from colliding with the right side of his patrol vehicle. The officer initiated a traffic enforcement stop for the violation of California Vehicle Code Section 21658(a), Unsafe Lane Change. Respondent made a left turn onto W. 7th Street and came to a complete stop on the curb of W. 7th Street. Respondent admitted to drinking "half a bottle of wine"... "At Johnny's." Respondent, when questioned by the police officer, told the officer he did not see the police officer's car and wanted to know if he could walk home or get a cab. The officer advised respondent that he could not leave the scene.

After the police officer questioned respondent, he could smell a strong odor of an alcoholic beverage emanating from his person and from inside the vehicle. Respondent's speech appeared normal, but deliberate. His eyes were blood-shot, watery, red and his pupils were dilated. It appeared to the officer that respondent had consumed alcoholic beverage(s).

Respondent consented to a DUI investigation. Respondent willingly exited his vehicle. As he walked to the sidewalk, his gait appeared different to the officer from previous contacts. Respondent had a slight stagger/sway from side to side as he walked. Respondent informed the officer he has Type 2 diabetes, but he does not take insulin. He also informed the officer he has a bad back and numb feet due to his peripheral artery disease (PAD) which makes it difficult for him to walk. However, the officer did not recall a gait issue from previous contacts with him. Respondent stated he had bumped his head "yesterday" and "two days ago" in his office. Respondent showed the officer the top of his head and the officer noticed two different marks. One appeared to be a small scabbed cut, and the other was a small abrasion.

The officer asked respondent to participate in FST's and he refused. The officer asked respondent to participate in a PAS test, and he refused. The other officer spoke to respondent to

cooperate in FST's or a PAS test, and he refused again. Respondent was then placed under arrest for DUI.

Respondent stated that he wished to have a breath test. Respondent left his car legally parked on W. 7th St. and secured and went into the booking facility. After completing the pre-booking process, respondent was observed before conducting the breath test. After respondent burped, he apologized. The officer informed respondent that if he burped again, it would be accepted that he is refusing the breath test. It was not until the third fifteen minute observation at 3:43 a.m. that the officer determined respondent was able to take the blood test without burping, ingesting, voiding, vomiting or regurgitating any items. Respondent submitted to a blood test at 4:04 a.m., Respondent provided a breath sample, although he was having difficulty maintaining a solid tone for the duration of the test, and his blood alcohol level was .13%. Respondent provided a second breath sample and his blood alcohol level was .13%.

On February 3, 2010, respondent was charged by the Chico Police Department with misdemeanor violations of Vehicle Code section 23152(a) and (b). On May 20, 2010, respondent pled nolo contendere to a misdemeanor violation of Vehicle Code section 23152(b) and Vehicle Code section 23152(a) was dismissed per the negotiated plea. Respondent was placed on three years' probation, fined \$1,829.00, sentenced to 48 hours jail, stayed pending addiction program; ordered not to drive with any measurable alcohol in his system, enrolled in Level 1 DUI program.

Case No. 10-O-05060:

Statement of Facts:

Prior to November 18, 2008, respondent represented Kelly Kimble in a criminal trial matter entitled *People v. Kelly Kimble*, case number CM026600, Butte County Superior Court.

On November 18, 2008, respondent's employment was terminated. Kimble was represented on appeal by another attorney.

On December 21, 2009, and January 20, 2010, successor counsel mailed respondent letters asking that respondent provide the Kimble file. On March 5, 2010, successor counsel also mailed respondent a copy of his State Bar complaint against respondent, explaining that the files were necessary for purposes of collaterally attacking Kimble's criminal conviction and further explaining that the files were needed in a timely fashion. Respondent received each of the three letters shortly after they were mailed.

Beginning on March 8, 2010, and at all times thereafter, the State Bar began an investigation into the Kimble matter.

On July 1, 2010, July 7, 2010, and August 10, 2010, a State Bar investigator mailed to respondent letters of inquiry requesting a written response to the allegations as alleged above. Respondent received each of these letters shortly after they were mailed.

By failing to release the files until July 20, 2010, respondent failed to release promptly, upon termination of employment, to the client, at the request of the client, all the client papers and property.

Respondent failed to deliver the files to Kimble's counsel until July 20, 2010, after receiving letters of inquiry from the State Bar.

Thereafter, respondent failed to communicate with the State Bar in any way in response to the letters, and failed to otherwise participate in the State Bar's investigation.

Conclusions of Law:

By failing to release the files until July 20, 2010, respondent failed to release promptly, upon termination of employment, to the client, at the request of the client, all the client papers and property, Respondent wilfully violated Rules of Professional Conduct, rule 3-700(D).

By failing to communicate with the State Bar in response to the letters of inquiry and by failing to otherwise participate in the investigation, respondent failed to cooperate and participate in a disciplinary investigation pending against him in violation of Business and Professions Code, section 6068(i).

Case No. 10-O-05713:

Statement of Facts:

At all times mentioned, respondent maintained an attorney trust account at Wells Fargo Bank Account, entitled "Dennis R Hoptowit Atty Client Trust Account." The last four digits of the account were 5125.

During the period December 1, 2009 through June 1, 2010, respondent failed to withdraw his personal funds from the account at the earliest possible time, but instead used the account for personal purposes. Specifically, respondent made the following payments from the account for respondent's personal expenses unrelated to client matters:

Date of Transaction	Amount of Debit	Type of Transaction	Payee
30-Nov-09	143.80	Check Card Purchase	ATT Bus Phone Pmt CA
30-Nov-09	143.39	Check Card Purchase	Cws Calwater Service Co. CA
30-Nov-09	60.07	Check Card Purchase	Verizon Wireless CA
01-Dec-09	55.00	Check Card Purchase	5th Street Steakhouse Chico CA

Date of Transaction	Amount of Debit	Type of Transaction	Payee
04-Dec-09	347.20	Check Card Purchase	Southwest Airlines Dallas TX
05-Dec-09	139.81	Check Card Purchase	Doral Hotel desert Pm Cathedral City Ca
05-Dec-09	112.55	Check Card Purchase	Avis Rent-A-Car Ontario CA
04-Dec-09	57.70	Check Card Purchase	Chevron Chico CA
05-Dec-09	17.00	Check Card Purchase	Chevron Ontario CA
10-Dec-09	53.10	Point of Sale	Shell Service Chico CA
12-Dec-09	300.00	ATM Withdrawal	[Cash]
14-Dec-09	314.77	Check Card Purchase	Comcast California
12-Dec-09	276.83	Check Card Purchase	Unitrin Spec Insurance TX
12-Dec-09	1,000	Check no. 1411	Diane Acevedo (for office rent)
13-Dec-09	220.00	Check Card Purchase	5th Street Steakhouse, Chico CA
13-Dec-09	215.28	Check Card Purchase	Attm (AT&T Mobile?)
13-Dec-09	145.00	Check Card Purchase	California Public Defender
16-Dec-09	1.00	ATM Bank Fee	Wells Fargo Bank ATM Statement Fee
16-Dec-09	71.60	Check Card Purchase	ATT cons Phone Payment
17-Dec-09	430.45	Check Card Purchase	5th Street Steakhouse, Chico CA
21-Dec-09	21.00	Check Card Purchase	Chevron Chico CA
22-Dec-09	122.36	Check Card Purchase	Courtyard By Marriott Chico CA
25-Dec-09	1.00	ATM Bank Fee	Wells Fargo Bank ATM Statement Fee
24-Dec-09	50.00	Check Card Purchase	Chevron Chico CA
29-Dec-09	303.00	ATM Withdrawal	[Cash]
29-Dec-09	2.50	ATM Bank Fee	Non-Wells Fargo Bank ATM Transaction Fee
30-Dec-09	300.00	ATM Withdrawal	[Cash]
29-Dec-09	71.00	Check Card Purchase	Red Tavern Chico CA

Date of Transaction	Amount of Debit	Type of Transaction	Payee
30-Dec-09	66.96	Check Card Purchase	Crush Chico CA
29-Dec-09	65.00	Check Card Purchase	Johnnies Chico CA
29-Dec-09	30.00	Check Card Purchase	Morning Thunder Quincy CA
31-Dec-09	303.00	ATM Withdrawal	[Cash]
29-Dec-09	2.50	ATM Bank Fee	Non-Wells Fargo Bank ATM Transaction Fee
01-Jan-10	300.00	ATM Withdrawal	[Cash]
02-Jan-10	300.00	ATM Withdrawal	[Cash]
02-Jan-10	273.90	Check Card Purchase	Hotel Diamond Chico CA
01-Jan-10	70.00	Check Card Purchase	Johnnies Chico CA
06-Jan-10	58.01	Point of Sale	Shell Service Chico CA
06-Jan-10	84.00	Check Card Purchase	Johnnies Chico CA
07-Jan-10	302.50	ATM Withdrawal	[Cash]
8-Jan-10	2.50	ATM Bank Fee	Non-Wells Fargo Bank ATM Transaction Fee
11-Jan-10	1.00	ATM Bank Fee	Wells Fargo ATM Statement Fee
09-Jan-10	303.00	ATM Withdrawal	[Cash]
11-Jan-10	2.50	ATM Bank Fee	Non-Wells Fargo Bank ATM Transaction Fee
10-Jan-10	240.16	Point of Sale	Safeway Store Chico CA
11-Jan-10	194.79	Point of Sale	Office Depot Chico CA
08-Jan-10	20.00	Point of Sale	Texaco Oroville CA
11-Jan-10	365.50	Check Card Purchase	Unitrin Spec Insurance TX
12-Jan-10	324.37	Check Card Purchase	Comcast California
11-Jan-10	250.07	Check Card Purchase	Verizon Wireless CA
11-Jan-10	226.82	Check Card Purchase	Attm (AT&T Mobile?)
10-Jan-10	113.47	Check Card Purchase	Christian Michael's RI Chico CA
10-Jan-10	52.00	Check Card Purchase	Towne Lounge Chico CA
12-Jan-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Bal Inquiry Fee Chico
12-Jan-10	303.00	ATM Withdrawal	[Cash]

Date of Transaction	Amount of Debit	Type of Transaction	Payee
13-Jan-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
12-Jan-10	75.87	Check Card Purchase	AT&T
14-Jan-10	300.00	ATM Withdrawal	[Cash]
16-Jan-10	1.00	ATM Bank Fee	Wells Fargo ATM Statement Fee
16-Jan-10	300.00	ATM Withdrawal	[Cash]
17-Jan-10	300.00	ATM Withdrawal	[Cash]
15-Jan-10	1,000	Check No. 1418	Diane Azevedo (for office Rent)
15-Jan-10	135.00	Check Card Purchase	5th Street Steakhouse Chico CA
19-Jan-10	125.00	Check Card Purchase	Crush Chico CA
15-Jan-10	41.00	Check Card Purchase	Chevron Chico CA
19-Jan-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Bal Inquiry Fee Chico
19-Jan-10	303.00	ATM Withdrawal	[Cash]
	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
22-Jan-10	1.00	ATM Bank Fee	ATM Statement Fee
20-Jan-10	137.26	Check Card Purchase	Johnnies Chico CA
24-Jan-10	300.00	ATM Withdrawal	[Cash]
22-Jan-10	150.00	Check Card Purchase	Sicilian Café CA
26-Jan-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Bal Inquiry Fee Chico
28-Jan-10	61.01	Point of Sale	Shell Service Chico CA
28-Jan-10	303.00	ATM Withdrawal	[Cash]
29-Jan-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
29-Jan-10	300.00	ATM Withdrawal	[Cash]
29-Jan-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Bal Inquiry Fee Chico
30-Jan-10	303.00	ATM Withdrawal	[Cash]
20-Jan-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
01-Feb-10	300.00	ATM Withdrawal	[Cash]
31-Jan-10	120.00	Check Card Purchase	5th Street Steakho [Steakhouse] Chico CA
28-Jan-10	45.00	Check Card Purchase	Johnnies Chico CA

Date of Transaction	Amount of Debit	Type of Transaction	Payee
30-Jan-10	43.00	Check Card Purchase	Union 76 Chico CA
01-Feb-10	44.97	Check Card Purchase	Casa Vieja Oroville CA
01-Feb-10	35.00	Check Card Purchase	Casa Vieja Oroville CA
03-Feb-10	130.00	Check Card Purchase	Johnnies Chico CA
03-Feb-10	78.54	Check Card Purchase	Casa Vieja Oroville CA
03-Feb-10	44.86	Point of Sale	Mangrove Bottle Chico CA
04-Feb-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Bal Inquiry Fee Chico
04-Feb-10	303.00	ATM Withdrawal	[Cash]
05-Feb-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
05-Feb-10	50.00	Point of Sale	Reliance Gas Chico CA
08-Feb-10	300.00	ATM	[Cash]
06-Feb-10	138.02	Point of Sale	Safeway Store Chico CA
06-Feb-10	100.51	Point of Sale	S&S Produce Chico CA
05-Feb-10	78.75	Point of Sale	Safeway Store Chico CA
08-Feb-10	365.50	Check Card Purchase	Unitrin Spec Insurance TX
09-Feb-10	234.85	Check Card Purchase	Comcast California
08-Feb-10	229.04	Check Card Purchase	Attm (AT&T Mobile?)
08-Feb-10	151.78	Check Card Purchase	ATT cons Phone Pmt
08-Feb-10	150.00	Check Card Purchase	Cws Calwater Service Co. CA
08-Feb-10	60.07	Check Card Purchase	Vzwrless [Verizon Wireless] CA
09-Feb-10	105.45	Check Card Purchase	5th Street Steakho [Steakhouse] Chico CA
08-Feb-10	84.64	Check Card Purchase	Waste Management (Garbage Service)
10-Feb-10	1,000	Check No. 1385	Diane Azevedo (for office Rent)
11-Feb-10	300.00	ATM Withdrawal	[Cash]
11-Feb-10	206.00	Point of Sale	CA DMV Chico CA
10-Feb-10	130.00	Check Card Purchase	Crush Chico CA

Date of Transaction	Amount of Debit	Type of Transaction	Payee
09-Feb-10	54.07	Check Card Purchase	Mountain Sports Chico
08-Feb-10	264.00	Check Number 1420	Bills Pool Service
12-Feb-10	88.22	Point of Sale	Esplanade Valeres Chico CA
15-Feb-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Bal Inquiry Fee Chico
15-Feb-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Bal Inquiry Fee Chico
13-Feb-10	1.00	ATM Bank Fee	ATM Statement Fee
15-Feb-10	303.00	ATM Withdrawal	[Cash]
16-Feb-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
13-Feb-10	101.75	ATM Withdrawal	[Cash]
16-Feb-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
13-Feb-10	178.31	Check Card Purchase	Johnnies Chico CA
12-Feb-10	150.00	Check Card Purchase	Johnnies Chico CA
15-Feb-10	60.65	Point of Sale	Shell Service Chico CA
17-Feb-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Balance Inquiry Fee
17-Feb-10	300.00	ATM Withdrawal	[Cash]
24-Feb-10	1.00	ATM Bank Fee	ATM Statement Fee
24-Feb-10	295.57	Point of Sale	CNS Rite Aid Chico CA
25-Feb-10	1.00	ATM Bank Fee	ATM Statement Fee
26-Feb-10	300.00	ATM Withdrawal	[Cash]
26-Feb-10	1.00	ATM Bank Fee	ATM Statement Fee
28-Feb-10	66.05	Point of Sale	Shell Service Chico CA
02-Mar-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Balance Inquiry Fee
02-Mar-10	303.00	ATM Withdrawal	[Cash]
03-Mar-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
02-Mar-10	79.95	Check Card Purchase	Comcast California
02-Mar-10	294.53	Check Card Purchase	Comcast California
05-Mar-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Balance Inquiry Fee
06-Mar-10	2,061.95	Point of Sale	Feather River Casino, Oroville CA
06-Mar-10	2,061.95	Point of Sale	Feather River Casino, Oroville CA

Date of Transaction	Amount of Debit	Type of Transaction	Payee
06-Mar-10	2,061.95	Point of Sale	Feather River Casino, Oroville CA
06-Mar-10	2,061.95	Point of Sale	Feather River Casino, Oroville CA
07-Mar-10	1,031.95	Point of Sale	Feather River Casino, Oroville CA
04-Mar-10	220.13	Check Card Purchase	Attm (AT&T Mobile?)
05-Mar-10	32.58	Check Card Purchase	AT&T
09-Mar-10	25.00	Bank fee for personal transaction	Overdraft Fee
09-Mar-10	25.00	Bank fee for personal transaction	Overdraft Fee
09-Mar-10	25.00	Bank fee for personal transaction	Overdraft Fee
09-Mar-10	25.00	Bank fee for personal transaction	Overdraft Fee
09-Mar-10	1.50	ATM Bank Fee	Non-Wells Fargo ATM Balance Inquiry Fee
17-Mar-10	72.00	Check Card Purchase	Johnnies Chico CA
19-Mar-10	1.00	ATM Bank Fee	ATM Statement Fee
19-Mar-10	461.12	Check Card Purchase	ATT Business Phone Payment, CA
23-Mar-10	1,000	Check No. 1422	Diane Azevedo (for office Rent)
26-Mar-10	300.00	ATM Withdrawal	ATM Withdrawal Phoenix AZ [Cash]
26-Mar-10	20.97	Check Card Purchase	Apple Itunes
27-Mar-10	300.00	ATM Withdrawal	ATM Withdrawal Chico CA [Cash]
31-Mar-10	180.00	ATM Withdrawal	ATM Withdrawal [Cash]
30-Mar-10	150.00	Check Card Purchase	Johnnies Chico CA
29-Mar-10	10.00	Check Card Purchase	Southwestair Dallas TX
30-Mar-10	0.99	Check Card Purchase	Apple Itunes
30-Mar-10	65.34	Check Card Purchase	Woodstock's Pizza Chico CA
01-Apr-10	303.00	ATM Withdrawal	ATM Withdrawal [Cash]
07-April-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee

Date of Transaction	Amount of Debit	Type of Transaction	Payee
12-April-10	1,000	Check No. 1430	Diane Azevedo (for office Rent)
31-Mar-10	57.50	Check Card Purchase	Johnnies Chico CA
02-Apr-10	125.14	Check Card Purchase	Verizon Wireless CA
02-Apr-10	35.00	Check Card Purchase	Johnnies Chico CA
03-Apr-10	25.00	Check Card Purchase	Towne Lounge Chico CA
05-Apr-10	65.00	Check Card Purchase	5th Street Steakhouse, Chico CA
08-Apr-10	300.00	ATM Withdrawal	ATM Withdrawal [Cash]
09-Apr-10	235.65	Check Card Purchase	Attm (AT&T Mobile?)
09-Apr-10	153.94	Check Card Purchase	ATT cons Phone Pmt
09-Apr-10	143.49	Check Card Purchase	Waste Management (Garbage Service)
09-Apr-10	78.39	Check Card Purchase	Waste Management (Garbage Service)
09-Apr-10	65.39	Check Card Purchase	Cws Calwater Service Co. CA
13-Apr-10	1.00	ATM Bank Fee	ATM Statement Fee
13-Apr-10	370.50	Check number 1431	Table Mountain Insurance
13-Apr-10	50.00	Point of Sale	Shell Service Chico CA
12-Apr-10	32.58	Check Card Purchase	AT&T
14-Apr-10	300.00	ATM Withdrawal	ATM Withdrawal [Cash]
14-Apr-10	9.99	Check Card Purchase	Apple Itunes
16-Apr-10	1.00	ATM Bank Fee	ATM Statement Fee
15-Apr-10	335.49	Check Card Purchase	Crush Chico CA
18-Apr-10	1.00	ATM Bank Fee	ATM Statement Fee
18-Apr-10	300.00	ATM Withdrawal	ATM Withdrawal [Cash]
19-Apr-10	30.00	Point of Sale	Reliance Gas Chico CA
19-Apr-10	300.00	ATM Withdrawal	ATM Withdrawal [Cash]
19-Apr-10	9.99	Check Card Purchase	Apple Itunes
25-Apr-10	1.00	ATM Bank Fee	ATM Statement Fee
29-Apr-10	1.00	ATM Bank Fee	ATM Statement Fee
02-May-10	2.00	ATM Bank Fee	Non-Wells Fargo Balance Inquiry Fee

Date of Transaction	Amount of Debit	Type of Transaction	Payee
02-May-10	303.00	ATM Withdrawal	ATM Withdrawal [Cash]
03-May-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
02-May-10	484.97	Check Card Purchase	Comcast California
01-May-10	111.32	Point of Sale	Safeway Store Chico CA
01-May-10	30.01	Check Card Purchase	Chevron Chico CA
04-May-10	31.05	Point of Sale	Shell Service Chico CA
03-May-10	30.00	Check Card Purchase	Crush Chico CA
04-May-10	300.00	ATM Withdrawal	ATM Withdrawal [Cash]
05-May-10	100.00	Check Card Purchase	Johnnies Chico CA
06-May-10	1.00	ATM Bank Fee	ATM Statement Fee
07-May-10	35.00	Check Card Purchase	Mission Ranch Primary Chico CA
12-May-10	1,000	Check No. 1433	Diane Azevedo (for office Rent)
15-May-10	303.00	ATM Withdrawal	ATM Withdrawal [Cash]
17-May-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
16-May-10	296.05	Check Card Purchase	Attm (AT&T Mobile?)
15-May-10	205.00	Check Card Purchase	Sicilian Café CA
15-May-10	85.00	Check Card Purchase	Sierra Nevada Tap Chico CA
16-May-10	174.23	Check Card Purchase	Crush Chico CA
16-May-10	100.00	Check Card Purchase	Johnnies Chico CA
16-May-10	40.00	Check Card Purchase	Johnnies Chico CA
19-May-10	1.00	ATM Bank Fee	ATM Statement Fee
19-May-10	300.00	ATM Withdrawal	ATM Withdrawal [Cash]
19-May-10	88.00	Check Card Purchase	The Banshee Chico CA
19-May-10	4.56	Check Card Purchase	Apple Itunes
21-May-10	1.00	ATM Bank Fee	ATM Statement Fee
23-May-10	2.00	ATM Bank Fee	Non-Wells Fargo ATM Balance Inquiry Fee
23-May-10	303.00	ATM Withdrawal	ATM Withdrawal [Cash]

Date of Transaction	Amount of Debit	Type of Transaction	Payee
23-May-10	2.50	ATM Bank Fee	Non-Wells Fargo ATM Transaction Fee
20-May-10	80.63	Check Card Purchase	Western Pacific Brewing Oroville CA
21-May-10	72.00	Check Card Purchase	Johnnies Chico CA
21-May-10	30.00	Check Card Purchase	Union 76 Chico CA
24-May-10	3.27	Check Card Purchase	Apple Itunes
26-May-10	300.00	ATM Withdrawal	ATM Withdrawal [Cash]
26-May-10	637.50	Check Card Purchase	ATT Business Phone Payment, CA
26-May-10	132.88	Check Card Purchase	Verizon Wireless CA
26-May-10	67.00	Check Card Purchase	Johnnies Chico CA
27-May-10	1.00	ATM Bank Fee	ATM Statement Fee
26-May-10	52.00	Check Card Purchase	Johnnies Chico CA
31-May-10	300.00	ATM Withdrawal	ATM Withdrawal [Cash]
27-May-10	144.42	Check Card Purchase	Christian Michael's RI Chico CA
30-May-10	30.01	Check Card Purchase	Union 76 Chico CA
31-May-10	27.50	Check Card Purchase	Parkwhiz.com

During the period December 1, 2009 through June 1, 2010, respondent commingled his personal funds into the trust account, including but not limited to the following:

<u>Date of Deposit</u>	<u>Amount of Deposit</u>
January 4, 2010	\$10,971.81
January 29, 2010	\$10,971.81
February 26, 2010	\$10,971.81
March 26, 2010	\$231.52
March 31, 2010	\$10,971.81
April 30, 2010	\$10,971.81
June 1, 2010	\$10,971.81

On March 9, 2010, Wells Fargo notified the State Bar that respondent made overdrawn the above-mentioned trust account by making two point of sale purchases (both on March 7, 2010) and two check card purchases (on March 4 and 5, 2010).

On April 19, 2010, May 13, 2010, July 1, 2010, July 7, 2010 and August 10, 2010, the State Bar mailed respondent letters of inquiry requesting a written explanation concerning the non-sufficient funds transactions. The July and August 2010 letters also requested that respondent provide financial documentation pertinent to the investigation. Respondent received each of the letters shortly after they were mailed, but failed to respond in any way and failed to otherwise participate in the State Bar's investigation.

Conclusions of Law

By failing to withdraw his personal funds from the account at the earliest possible time, using his trust account for personal purposes, making numerous payments from the account for respondent's personal expenses unrelated to client matters, and repeatedly commingling his personal funds into the trust account, respondent commingled funds belonging to respondent in a bank account labeled "Trust Account," "Client's Funds Account" or words of similar import, respondent wilfully violated Rules of Professional Conduct, rule 4-100(A).

By failing to communicate with the State Bar in response to the letters of inquiry and by failing to otherwise participate in the investigation, respondent failed to cooperate and participate in a disciplinary investigation pending against him in violation of Business and Professions Code, section 6068(i).

Case No. 10-O-10966

Statement of Facts:

In or about 2008, Respondent was appointed by the court to serve as Brandon Bowden Sr.'s court appointed trial attorney in his criminal case, *People v. Brandon Bowden Sr* case no. CM026029, filed in Butte County Superior Court.

On or about April 23, 2008, Bowden entered a plea of nolo contendere to Penal Code Section 288a(c). He was sentenced on July 8, 2008, to serve six years in State Prison with 740 days of credit for time served.

Commencing on or about August 26, 2009, Bowden contacted respondent to obtain the return of his client files. Bowden needed to obtain his files to give them to his appellate attorney to evaluate any possible argument for an appeal. Bowden wrote to respondent at his membership records address at: 261 E. 3rd Street, Chico, California 95928, on August 26, 2009; November 5, 2009; and August 16, 2010, requesting that respondent send his case file to Ms. Hopkins, his appellate attorney. Respondent received the letters and was aware of their contents. Bowden also called respondent to request that he send his case file to Hopkins. Respondent received each of these communications from Bowden and failed to respond or forward Bowden's files and papers despite Bowden's repeated requests.

Conclusion of Law:

By failing to return Bowden's files and papers or forward his files and papers to his appellate attorney, respondent failed to release promptly, upon termination of employment, to the client, at the request of the client, all the client papers and property, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(6), was March 14, 2011.

AGGRAVATING CIRCUMSTANCES.

Prior Record of Discipline: As fully set forth in the stipulation, respondent has one prior record of discipline.

Multiple Acts of Misconduct: By committing the misconduct set forth above in State Bar cases numbered 10-C-01302, 10-O-05060, 10-O-05713 and 10-O-10966, Respondent committed multiple acts of misconduct.

Dishonesty: By using his client trust account for personal purposes, Respondent concealed his funds from the I.R.S. to avoid I.R.S. levies.

Failure to cooperate in investigations: Respondent was initially uncooperative in the proceedings.

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In the Matter of: Dennis Hoptowit	Case Number(s): 10-C-01302; 10-O-05060; 10-O-05713; 10-O-10966
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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

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than

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.

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In the Matter of: DENNIS HOPTOWIT (# 61544)	Case Number(s): 10-C-01302; 10-O-05060; 10-O-05713; 10-O-10966
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Substance Abuse Conditions

- a. Respondent must abstain from use of any alcoholic beverages, and shall not use or possess any narcotics, dangerous or restricted drugs, controlled substances, marijuana, or associated paraphernalia, except with a valid prescription.
- b. Respondent must attend at least 8 meetings per month of:
- Alcoholics Anonymous
 - Narcotics Anonymous
 - The Other Bar
 - Other program Attendance at Abstinence Based Group

Respondent shall attend at least eight (8) meetings per month (at least two meetings per week) of an abstinence based self-help group of his own choosing, including, inter alia, Alcoholics Anonymous, Narcotics Anonymous, Life Ring, S.M.A.R.T., S.O.S. Other self-help maintenance programs are acceptable if they include: (i) a subculture to support recovery (meetings); and (ii) a process of personal development that does not have financial barriers. (See O'Conner v. California (C.D. Calif. 1994) 855 F. Supp. 303 [No first amendment violation where probationer given choice between AA and secular program].) The program called "Moderation Management" is not acceptable because it allows participants to continue to consume alcohol.

Before respondent attends the first self-help group meeting, he shall contact the Office of Probation and obtain approval for the program that he has selected.

As a separate reporting requirement, Respondent must provide to the Office of Probation satisfactory proof of attendance during each month, on or before the tenth (10th) day of the following month, during the condition or probation period.

- c. Respondent must select a license medical laboratory approved by the Office of Probation. Respondent must furnish to the laboratory blood and/or urine samples as may be required to show that Respondent has abstained from alcohol and/or drugs. The samples must be furnished to the laboratory in such a manner as may be specified by the laboratory to ensure specimen integrity. Respondent must cause the laboratory to provide to the Office of Probation, at the Respondent's expense, a screening report on or before the tenth day of each month of the condition or probation period, containing an analysis of Respondent's blood and/or urine obtained not more than ten (10) days previously.
- d. Respondent must maintain with the Office of Probation a current address and a current telephone number at which Respondent can be reached. Respondent must return any call from the Office of Probation concerning testing of Respondent's blood or urine within twelve (12) hours. For good cause, the Office of Probation may require Respondent to deliver Respondent's urine and/or blood sample(s) for additional reports to the

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laboratory described above no later than six hours after actual notice to Respondent that the Office of Probation requires an additional screening report.

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

Other:

(Do not write above this line.)

In the Matter of:
DENNIS HOPTOWIT

Case Number(s):
10-C-01302; 10-O-05060;
10-O-05713; 10-O-10966

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.

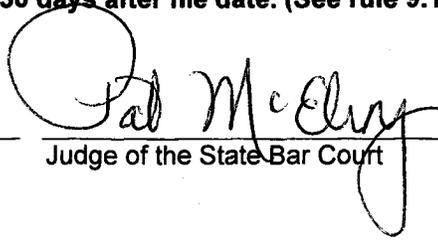
1. On page 2, section A(8), an "x" is inserted in the box indicating that costs are to be paid over the next membership years--2012 and 2013.
2. On page 4, section E(1), the "x" in the box is deleted.
3. On page 5, section E(9), an "x" is inserted since respondent has probation conditions in the DUI matter.
4. On page 9, respondent violated rule 3-700(D)(1).
5. On page 20, authority supporting discipline is Standard 2.2(b) minimum 3 month actual suspension for commingling. See also, In the Matter of Broderick (Rev.Dept.1994) Cal.State Bar Ct. Rptr. 138.
6. On page 20, the estimate of costs to date: \$7,100.50.

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.)**

Date

April 22, 2011

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 San Francisco, on April 22, 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:

DENNIS REID HOPTOWIT
261 E 3RD ST
CHICO, CA 95928

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

ERICA L. M. DENNINGS, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on April 22, 2011.



Bernadette C.O. Molina
Case Administrator
State Bar Court