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<p>PUBLIC MATTER State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION</p>		
<p>Counsel For The State Bar</p> <p>Larry DeSha Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1336</p> <p>Bar # 117910</p>	<p>Case Number(s):</p> <p>10-C-03554-RAP 10-C-03555-RAP</p>	<p>For Court use only</p> <p style="text-align: center;">FILED MAY 12 2011 STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>In Pro Per Respondent</p> <p>Kimberly L. McAlpin 1140 Highland Ave.; Ste. 234 Manhattan Beach, CA 90266 (310) 227-0700</p> <p>Bar # 124814</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p>	
<p>In the Matter of:</p> <p>KIMBERLY L. McALPIN</p> <p>Bar # 124814</p> <p>A Member of the State Bar of California (Respondent)</p>	<p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</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 December 11, 1986.
- (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 12 pages, not including the order.

(Effective January 1, 2011)



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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):
 - 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: two billing cycles following the effective date of the Supreme Court order. (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.
- (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 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:

Although the misconduct is serious, Respondent has had no prior record of discipline since being admitted to practice law on December 11, 1986.

At the time of Respondent's arrest on April 15, 2007, she was on her way home from visiting her mother at a hospital for most of the day. Respondent had been informed that her mother would not recover, and her mother survived only until June 5, 2007.

Respondent is an active volunteer in providing services to the needy in her community. This includes pro bono legal services for battered women, and also includes non-legal services in projects sponsored by her church.

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of one (1) year.
- 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 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 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:

(Do not write above this line.)

- (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 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.**
- 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

IN THE MATTER OF: KIMBERLY L. McALPIN
CASE NOS.: 10-C-03554-RAP; 10-C-03555-RAP

PROCEDURAL BACKGROUND IN CONVICTION PROCEEDINGS:

Case No. 10-C-03554-RAP:

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10(a) of the California Rules of Court.
2. On March 28, 2006, Respondent was convicted of violating Vehicle Code, section 23152(b).
3. On September 28, 2010, 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 violation of Vehicle Code section 23152(b) involved moral turpitude or other misconduct warranting discipline.

Case No. 10-C-03555-RAP:

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On December 27, 2007, Respondent was convicted of violating Vehicle Code, section 23103 pursuant to section 23103.5.
3. On December 27, 2010, 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 violation of Vehicle Code section 23103 involved moral turpitude or other misconduct warranting discipline.

FACTS:

1. On July 19, 2005, Respondent was arrested for driving while intoxicated ("DUI") after causing a collision with another vehicle. She refused to submit to any test to measure her blood alcohol concentration ("BAC"). On April 12, 2006, Respondent pled no contest to one count of violating Vehicle Code section 23152(b) [driving with BAC of 0.08 percent or higher]. She was convicted and placed on summary probation for 36 months. This conviction was reported to the State Bar, but no disciplinary proceeding was initiated.
2. On November 6, 2005, Respondent was arrested for a second DUI offense after she sideswiped three unoccupied parked vehicles. A subsequent urinalysis showed her BAC to be 0.32 percent. On March 28, 2006, Respondent pled no contest to one count of violating Vehicle Code section 23152(b) [driving with BAC of 0.08 percent or higher]. She was convicted and placed on summary probation for 36 months, with conditions which included conditions that she (1) complete a three-month course in alcohol abuse, (2) attend 50 Alcoholics Anonymous meetings within the next year, (3) refrain from driving with measurable alcohol in her blood, and (4) agree to take any chemical/breath test requested by a peace officer. This conviction is the basis for case no. 10-C-03554-RAP.
3. As of April 12, 2006, Respondent was serving two overlapping 36-month periods of probation for the two DUI convictions, with identical conditions as set forth in part in paragraph 2 above. The only difference in the two probation periods was the 15-day difference in their two start dates and their two end dates.
4. On April 15, 2007, Respondent was arrested for a third DUI offense after she collided with one unoccupied parked vehicle. She was taken to a nearby hospital, where she was examined and released. A police officer interviewed her at the hospital, and Respondent refused her requests for a blood test.
5. On October 1, 2007, the court revoked both of Respondent's periods of probation.
6. On December 12, 2007, Respondent pled no contest to one count of violating Vehicle Code section 23103 pursuant to section 23103.5 on April 15, 2007, and her conviction was entered.
7. On December 27, 2007, Respondent stipulated to violation of conditions of probation in her two prior DUI cases. She was sentenced to 188 days in jail, consisting of consecutive terms of eight days for the third DUI and 90 days each for the two probation violations. Probation was imposed under the same conditions as before, including another three-month course in alcohol abuse. This conviction is the basis for case no. 10-C-03555-RAP.

CONCLUSIONS OF LAW:

8. The facts and circumstances surrounding Respondent's convictions on March 28, 2006 and on December 12, 2007 did not involve moral turpitude, but they did involve other misconduct warranting discipline.

SUPPORTING AUTHORITY:

Standards

Standard 2.6 of the Standards for Attorney Sanctions for Professional Misconduct provides that a violation of section 6068(a) of the Business and Professions Code (failure to uphold the laws of California) shall result in disbarment or suspension depending upon the gravity of the offense or the harm, if any, to the victim, with due regard to the purpose of imposing discipline.

Standard 3.4 provides that the sanction for conviction of a crime which does not involve moral turpitude but involves other misconduct warranting discipline shall range between a private reproof and disbarment, as appropriate to the nature and extent of the misconduct.

Case Law

In re Carr (1988) 46 Cal.3d 1089 involved an attorney who committed two DUI offenses, and was on probation from the first when he committed the second. No injury was involved. The offenses were determined not to involve moral turpitude, and the decision does not mention any mitigating or aggravating factors. The imposed discipline was an actual suspension of six months, stayed suspension of two years, and probation for five years. Attorney Carr had a prior record of discipline. Therefore, Respondent in this case is entitled an actual suspension of less than six months.

OTHER CONDITIONS OF PROBATION:

Respondent understands and agrees to the following evaluation and treatment conditions:

1. Respondent has agreed to select a medical doctor certified by the American Society of Addiction Medicine (ASAM) for the purpose of submitting to a substance abuse evaluation (Evaluation). This selection is to be made within 45 days of signing this stipulation.
2. Within 45 days of signing this stipulation, Respondent shall provide a complete copy of this stipulation to the selected ASAM certified medical doctor and all other providers of treatment for alcohol or substance abuse.
3. Within 30 days of the effective date of this discipline, Respondent shall provide to the Office of Probation an original, signed declaration from the selected ASAM certified medical doctor and all treatment providers acknowledging receipt of a complete copy of this stipulation.
4. Within 45 days of signing this stipulation, Respondent shall execute all necessary waivers of confidentiality with the approved ASAM certified medical doctor as well as any treatment providers, including drug testing facilities.
5. Within 30 days of the effective date of this discipline, Respondent shall provide to the Office of Probation a copy of the waiver provided to the ASAM certified medical doctor as well as all other treatment providers, including drug testing facilities. Also within 30 days of the effective date of this discipline, Respondent shall provide to the Office of Probation an original, signed declaration from

the ASAM certified medical doctor as well as all other treatment providers, including drug testing facilities, acknowledging receipt of the waiver.

6. Within 30 days of the effective date of this discipline, Respondent is to undergo an Evaluation with the ASAM certified medical doctor. The evaluation will be for the purposes of (a) determining whether Respondent has a substance abuse or addiction problem, (b) setting treatment conditions Respondent is to undertake as a result of the Evaluation, if any, and (c) obtaining a written report from the evaluating physician. Respondent shall bear all costs of the Evaluation, the resulting report, and any treatment conditions recommended by the evaluator. Respondent understands that his treatment conditions may change if his treatment providers deem it necessary, and that he is to bear the cost of such treatment, which in some cases could include in-patient treatment. Respondent understands that (a) the treatment conditions, if any, shall become part of his probation requirements, (b) he must provide the Office of Probation with any proof of treatment compliance or waiver requested by the Office of Probation, and (c) any violation of the treatment conditions is a violation of the probation requirements.

7. Within 60 days of the effective date of this discipline, Respondent is to provide a copy of the ASAM certified medical doctor's written report to the Office of Probation. If the ASAM certified medical doctor requires additional information in order to propose treatment conditions, including, but not limited to, interviewing third parties, Respondent will make good faith efforts to provide timely the additional information. Respondent will provide proof of such good faith efforts to the Office of Probation within 10 days of any request.

8. Within 10 days of any change in treatment condition, Respondent is to provide written notice to the Office of Probation specifically setting forth the changes. With that written notice, Respondent is to provide an original, signed declaration from the ASAM certified medical doctor acknowledging receipt of the written notice and agreement with its accuracy.

9. Respondent shall report compliance with the treatment conditions by statement under penalty of perjury in each written quarterly report to the Office of Probation required pursuant to the discipline in this matter.

10. Respondent shall have his ASAM certified medical doctor submit to the Office of Probation an original, signed declaration that Respondent is in compliance with the treatment of conditions by each January 10, April 10, July 10, and October 10 covered by this discipline. Respondent understands that the declarations and reports may be shared with the Office of the Chief Trial Counsel and the State Bar Court.

11. Respondent understands that treatment conditions associated with other issues or entities, such as a criminal probation, may not satisfy treatment conditions required by this section.

12. If treatment providers are added or changed, Respondent must notify the Office of Probation of the name, address, and telephone number of all such treatment providers within ten days of the retaining of each one. Within 30 days of retaining each such treatment provider, Respondent must provide to the Office of Probation an original signed declaration from the treatment provider stating that it received a complete copy of this stipulation. Also within 30 days of retaining each such treatment provider, Respondent must provide to the Office of Probation an executed waiver of confidentiality as well as an original, signed declaration from the treatment providers acknowledging receipt of the waiver.

13. Respondent has been informed of the existence and nature of the State Bar's Lawyer Assistance Program and of the State Bar Court's Alternative Discipline Program, and Respondent has specifically declined to seek entry into either.

PENDING PROCEEDINGS:

The disclosure date referred to on page 2, paragraph A.(7), was April 25, 2011.

COSTS:

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of April 25, 2011, the costs in this matter are \$6,205.00. 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.

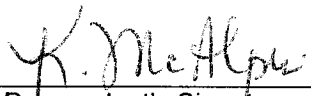

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In the Matter of: KIMBERLY L. McALPIN	Case number(s): 10-C-03554-RAP; 10-C-03555-RAP
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SIGNATURE OF THE PARTIES

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>April 25, 2011</u> Date	 Respondent's Signature	<u>Kimberly L. McAlpin</u> Print Name
<u> </u> Date	<u> </u> Respondent's Counsel Signature	<u> </u> Print Name
<u>April 25, 2011</u> Date	 Deputy Trial Counsel's Signature	<u>Larry DeSha</u> Print Name

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In the Matter Of KIMBERLY L. McALPIN	Case Number(s): 10-C-03554-RAP; 10-O-03555-RAP
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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) The years "2012 and 2013" should be added to Paragraph (8) re costs on p. 2.

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 135(b), 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.)**

5/11/11

Date



Richard A. Honn
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on May 12, 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:

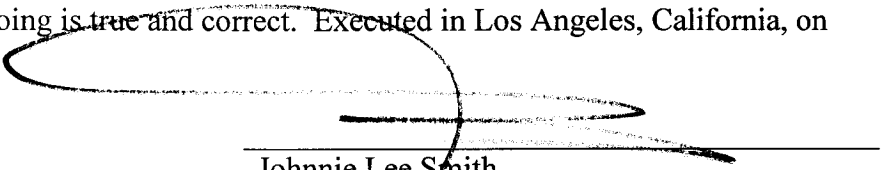
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

KIMBERLY L. MCALPIN
LAW OFFICES OF KIMBERLY MCALPIN
1140 HIGHLAND AVE STE 234
MANHATTAN BEACH, CA 90266

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

Ernest Larry DeSha, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 12, 2011.



Johnnie Lee Smith
Case Administrator
State Bar Court