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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION			PUBLIC MATTER
Counsel For The State Bar Anand Kumar Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1000 Bar # 261592	Case Number(s): 10-C-05460	For Court use only <div style="border: 1px solid black; padding: 5px; display: inline-block;"> FILED MAY 11 2012 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>	
In Pro Per Respondent Fabrice J. Desbrosses 8015 La Mesa Blvd., Apt B La Mesa, CA 91942 Bar # 175640	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED		
In the Matter of: Fabrice J. Desbrosses Bar # 175640 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 January 11, 1995.
- (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 13 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."



- (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 (2) billing cycles immediately following the effective date of the Supreme Court order in this matter. (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 09-C-11920, 09-C-11922
 - (b) Date prior discipline effective August 21, 2010.
 - (c) Rules of Professional Conduct/ State Bar Act violations: Business & Professions Code, section 6068(a) [violations of California Vehicle Code section 23152(a), (b) and 14601.2(a) constituting other misconduct warranting discipline].
 - (d) Degree of prior discipline 1 year stayed suspension, and two years probation with conditions
 - (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.

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- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct. See attachment.
- (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. Respondent has cooperated with the State Bar by entering into a stipulated settlement for all matters described herein without the need of a trial.
- (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.

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- (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:

After being convicted of violating Penal Code, section 653m, subdivision (b) in October 2010 (see attachment), Respondent has been and continues to receive treatment from a licensed psychiatrist for diagnosed bipolar disorder type 1 and alcohol dependence in full sustained remission. Respondent has been sober since May 2010 and has regularly attended Alcoholic Anonymous meetings in San Diego.

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 four (4) months.
- 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: .
- (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:
 - Substance Abuse Conditions Law Office Management Conditions
 - Medical Conditions 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: Respondent successfully passed the MPRE in April 2011. Accordingly, the protection of the public and the interests of the Respondent do not require passage of the MPRE in this case. (See In the Matter of Respondent G (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 181, In the Matter of Trousil (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 229, 244.)

- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:**

Attachment language (if any):

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: Fabrice J. Desbrosses

CASE NUMBERS: 10-C-05460

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the facts are true and that he is culpable of the violations of the statutes and/or Rules of Professional Conduct specified herein.

Case No. 10-C-05460 (Conviction Proceedings)

PROCEDURAL BACKGROUND IN CONVICTION PROCEEDINGS:

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 October 15, 2010, Respondent pled no contest and was convicted of violating California Penal Code, section 653m, subdivision (b) for making annoying phone calls to Respondent's ex-wife on May 7, 2010.
3. On December 27, 2011, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department on the following issues: For a hearing and decision recommending the discipline to be imposed in the event that the Hearing Department finds that the facts and circumstances surrounding the misdemeanor violation of Penal Code, section 653m, subdivision (b) (annoying phone calls), of which Respondent was convicted, involve moral turpitude or other misconduct warranting discipline.

FACTS:

4. Respondent and ex-wife, Karen Desbrosses ("Karen") have three children together and were married for approximately fifteen years before their divorce was finalized in November 2010.
5. On May 7, 2010, at approximately 6 p.m., Respondent made 5-7 phone calls to Karen from Rusty's Saloon within 20 minutes asking Karen to pick him up and take him home. Respondent was belligerent and yelling on the phone.
6. Karen was concerned for Respondent's safety, so she went to Respondent's residence and found Respondent inebriated. He asked her to enter the house and she refused. Respondent reached for something from his pocket, which scared Karen, prompting her to leave and contact the Bishop Police Department.

7. Later that evening, Bishop Police Department officers went to Respondent's residence to investigate and found the front door open and Respondent sitting on a bed inside the living room with several containers with marijuana inside and a glass smoking pipe. Respondent admitted that he had smoked marijuana without a prescription prior to the officers' arrival. The officers also noticed numerous holes in the walls, which Respondent admitted he caused.
8. Respondent volunteered to take a Breath Test, which the officers administered at approximately 8 p.m. The two Breath Test samples indicated that Respondent had a .11% and .09% blood-alcohol content respectively.
9. The officers placed Respondent under arrest and confiscated the glass smoking pipe and containers of marijuana, which they later confirmed to be approximately 34.5 grams of marijuana.
10. At the time of the arrest, Respondent was on probation from two 2009 misdemeanor convictions for driving under the influence. A condition of Respondent's criminal probation was to obey all laws and not consume alcohol.
11. On May 26, 2010, a misdemeanor complaint was filed against Respondent in Inyo County Superior Court. On October 25, 2010, Respondent pled no contest to a misdemeanor violation of Penal Code, section 653m, subdivision (b) for making annoying phone calls as stated above.
12. On October 25, 2010, imposition of sentence was suspended and Respondent was placed on summary probation for 36 months; ordered to pay all fines and fees, to have no negative contact with Karen and not to consume alcohol to exceed a .08% blood-alcohol content level and obey all laws.

CONCLUSIONS OF LAW:

Respondent's misdemeanor conviction for violating Penal Code, section 653m, subdivision (b) (making annoying phone calls) constitutes other misconduct warranting discipline.

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was April 10, 2012.

AGGRAVATING CIRCUMSTANCES.

FACTS SUPPORTING AGGRAVATING CIRCUMSTANCES.

Standard 1.2(b) provides for a greater degree of sanction set forth in the standards where aggravating circumstances exist. Under *Standard 1.2(b)(v)*, Respondent's current misconduct described above evidences an indifference toward rectifying the substance abuse issues that led to his prior 2009 convictions for driving under the influence and

subsequent criminal probation violations by consuming alcohol and failing to obey all laws.

AUTHORITIES SUPPORTING DISCIPLINE.

The *Standards For Attorney Sanctions For Professional Misconduct* (“Standard” or “Standards”) are entitled to “great weight” and “promote the consistent and uniform application of disciplinary measures.” (*In re Silverton* (2005) 36 Cal.4th 81, 92.) The presumptively appropriate level of discipline for any misconduct is as set forth in the standards.

Standard 1.3 provides that the primary purposes of attorney discipline are, “the protection of the public, the courts and the legal profession; the maintenance of high legal professional standards by attorneys and the preservation of public confidence in the legal profession.”

Standard 1.6 provides that the appropriate “...sanction for an act of professional misconduct shall be that set forth in the following standards for the particular act of misconduct found or acknowledged.”

Standard 1.7(a) provides that if an attorney has a record of one prior imposition of discipline, then “the degree of discipline in the current proceeding shall be greater than that imposed in the prior proceeding unless the prior discipline imposed was so remote in time to the current proceeding and the offense for which it was imposed was so minimal in severity that imposing greater discipline in the current proceeding would be manifestly unjust.”

Standard 3.4 provides that a final conviction of a member which does not involve moral turpitude, but does involve other misconduct warranting discipline shall result in a sanction as prescribed under part B of the *Standards*. Accordingly, *Standard 2.6(a)* holds that a willful violation of *Business and Professions Code*, section 6068(a) shall result in disbarment or suspension, depending on the gravity of the offense or the harm.

C. Applicable Case Law:

In fashioning the appropriate level of discipline, the Standards are the starting point. Consideration must also be given to whether the recommended discipline is consistent with prior decisions of the California Supreme Court and the Review Department of the State Bar Court.

In *In re Carr* (1988) 46 Cal.3d 1089, the State Bar Court disciplined attorney Carr after he committed two driving under the influence offenses. Carr was on criminal probation from the first when he committed the second and was under the influence of phencyclidine (PCP) at the time of both arrests. Additionally, Carr had three previous substance abuse offenses, including being convicted in federal court of transporting a controlled substance used in the manufacture of PCP, at the time of his first arrest for being under the influence of PCP. Carr also had a prior record of State Bar discipline including a 60-day actual suspension. Although there was no injury and no finding of moral turpitude, Carr was suspended from the practice of law for two years stayed, with five years’ probation and a six-month actual suspension. Here, Respondent’s misconduct is not as egregious as *Carr*, however, by making

annoying phone calls and consuming alcohol and ingesting marijuana, Respondent violated the terms of his criminal probation and has demonstrated “disrespect for the legal system.” *In re Kelley* (1990) 52 Cal.3d 487. Moreover, Respondent’s misconduct concerns a conviction where an illegal substance was involved after Respondent had already been twice convicted of driving under the influence in 2009. Therefore, two (2) years stayed suspension, two (2) years probation with conditions including a four-month actual suspension is justified in the described matter herein.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of April 10, 2012, the prosecution costs in this matter are approximately \$2,287.00. 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: Fabrice J. Desbrosses	Case Number(s): 10-C-05460
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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 4 meetings per month of:
 - Alcoholics Anonymous
 - Narcotics Anonymous
 - The Other Bar
 - Other program

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 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:

As separate reporting requirements, Respondent must comply with the following additional substance abuse conditions:

f. Respondent must be randomly tested for the use of alcohol and marijuana no less than five (5) and no more than eight (8) times per year. Within fifteen (15) days of the effective date of this discipline, Respondent must select a licensed medical laboratory and submit it for approval by the Office of Probation. 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 his blood or urine within twelve (12) hours. Within thirty-six (36) hours of the Office of Probation's initial call to Respondent, he 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. Specifically, Respondent is to submit an EtG (Ethyl Glucuronide) test and a 10-panel drug test. Two samples will be taken for each test. The first specimen of each test is to be tested; the second specimen is to be stored in a manner that will ensure the specimen may be accurately tested in the future.

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 containing an analysis of his urine and/or blood sample(s) within fifteen (15) days after the sample was taken.

In the event a test result was positive and he believes this result to be a false or "innocent" positive, Respondent will be given an additional five days to have the second specimen re-tested at the original laboratory or at another approved laboratory, and/or to meet with a Medical Review Officer employed or approved by the laboratory to discuss the results. If the laboratory determines that the positive test was indeed a false or "innocent" positive, that determination will be accepted by the Office of Probation.

g. Respondent must continue treatment with a licensed treating psychiatrist, including taking prescribed medication, during the terms of his State Bar disciplinary probation period as recommended by the psychiatrist;

h. Respondent must report his compliance with the treatment to the Office of Probation with each Quarterly Report; and

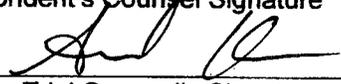
i. Respondent must report to the Office of Probation the name and current address and telephone number at which Respondent's licensed treating psychiatrist can be reached with each Quarterly Report or upon request.

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In the Matter of: Fabrice J. Desbrosses	Case number(s): 10-C-05460
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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 13, 2012</u> Date	 Respondent's Signature	<u>Fabrice J. Desbrosses</u> Print Name
<u>N/A</u> Date	<u>Respondent's Counsel Signature</u>	<u>N/A</u> Print Name
<u>April 18, 2012</u> Date	 Deputy Trial Counsel's Signature	<u>Anand Kumar</u> Print Name

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In the Matter of: Fabrice J. Desbrosses	Case Number(s): 10-C-05460
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ACTUAL SUSPENSION ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

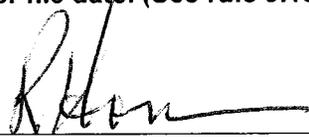
- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

1. On page 2, (8) Payment of Disciplinary Costs -- after "the following membership years," add the years "2013 and 2014."
2. On page 5, (10), the box associated with the "Medical Conditions" is to be checked.
3. On page 6, F. (1), the year "1991" in the citation "In the Matter of Trousil (Review Dept. 1991)" is deleted and is replaced with the year "1990."

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

5/10/12


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 11, 2012, 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:

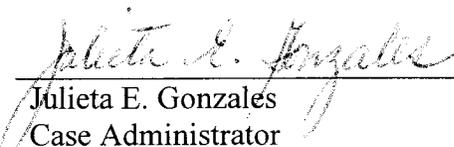
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

FABRICE J DESBROSSES ESQ
8015 LA MESA BLVD APT B
LA MESA, CA 91942

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

Anand Kumar, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in <select city>, California, on May 11, 2012.



Julieta E. Gonzales
Case Administrator
State Bar Court