


ORIGINAL

(Do not write above this line.)

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

<p>Counsel For The State Bar</p> <p>Suzan J. Anderson Supervising Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1209</p> <p>Bar # 160559</p>	<p>Case Number (s) 10-O-00132, 10-O-04786, 10-O-05180, 10-O-05183 [inv. matters]</p> <p>PUBLIC MATTER</p>	<p>(for Court's use)</p> <p>FILED</p> <p>JUL 15 2010 <i>AO</i></p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> <p>kwiktag® 018 039 605</p> 
<p>In Pro Per Respondent</p> <p>Scott B. Hayward 101 Pacifica, Suite 100 Irvine, CA 92618 (949) 480-1767</p> <p>Bar # 138582</p>	<p>Submitted to: Assigned Judge</p>	
<p>In the Matter Of: SCOTT B. HAYWARD</p> <p>Bar # 138582</p> <p>A Member of the State Bar of California (Respondent)</p>	<p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>STAYED SUSPENSION; NO 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 12, 1988**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **15** pages, not including the order.
- (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."

(Do not write above this line.)

- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- costs added to membership fee for calendar year following effective date of discipline.
 - costs to be paid in equal amounts prior to February 1 for the following membership years: **2011 and 2012** (hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
 - costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
 - costs 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 or a separate attachment entitled "Prior Discipline."
- (2) **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice. **To date, the Bunfills have not received a full refund of their legal fees.**
- (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.
Respondent attempted to do his best for the clients.
- (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

Please see Attachment, page 13.

D. Discipline:

- (1) **Stayed Suspension:**

- (a) Respondent must be suspended from the practice of law for a period of **one 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:

The above-referenced suspension is stayed.

(2) **Probation:**

Respondent is placed on probation for a period of **two years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court)

E. Additional Conditions of Probation:

- (1) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2) 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.
- (3) 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.
- (4) 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.

- (5) 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.
- (6) 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.

- (7) 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 State Bar Ethics School, and passage of the test given at the end of that session.
- No Ethics School recommended. Reason: .
- (8) 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.
- (9) The following conditions are attached hereto and incorporated:
- | | |
|---|--|
| <input type="checkbox"/> Substance Abuse Conditions | <input checked="" 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 within one year. **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 321(a)(1) & (c), Rules of Procedure.**
- No MPRE recommended. Reason:
- (2) **Other Conditions:**

(Do not write above this line.)

Attachment language (if any):

Please see Attachment, pages 10 through 14.

In the Matter of
SCOTT B. HAYWARD, #138582

Case number(s):
10-O-00132, et seq.

A Member of the State Bar

Law Office Management Conditions

- a. Within days/ months/ years of the effective date of the discipline herein, Respondent must develop a law office management/organization plan, which must be approved by the Office of Probation. This plan must include procedures to (1) send periodic reports to clients; (2) document telephone messages received and sent; (3) maintain files; (4) meet deadlines; (5) withdraw as attorney, whether of record or not, when clients cannot be contacted or located; (6) train and supervise support personnel; and (7) address any subject area or deficiency that caused or contributed to Respondent's misconduct in the current proceeding.
- b. Within days/**six** months/ years of the effective date of the discipline herein, Respondent must submit to the Office of Probation satisfactory evidence of completion of no less than **six** hours of Minimum Continuing Legal Education (MCLE) approved courses in law office management, attorney client relations and/or general legal ethics. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for attending these courses (Rule 3201, Rules of Procedure of the State Bar.)
- c. Within 30 days of the effective date of the discipline, Respondent must join the Law Practice Management and Technology Section of the State Bar of California and pay the dues and costs of enrollment for year(s). Respondent must furnish satisfactory evidence of membership in the section to the Office of Probation of the State Bar of California in the first report required.

In the Matter of
SCOTT B. HAYWARD, #138582

Case number(s):
10-O-00132, et seq.

A Member of the State Bar

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
Rick and Carolyn Bunfill	\$4,650	May 2009

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than **the due date of Respondent's last quarterly report prior to his final quarterly report.**

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 reproval), 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

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:
- 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.

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: SCOTT B. HAYWARD

CASE NUMBER(S): ET AL. 10-O-00132, et seq.

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

CASE NUMBER 10-O-00132

FACTS

1. On May 1, 2009, Respondent entered into a business agreement (the "Agreement") with RJV Financial, Inc. (RJV), a loan modification business owned and operated by non-attorneys, Reinaldo Valdes and Donna Langston-Valdes (Donna). The Agreement called for Respondent, through his lawfirm, Loss Mitigation Law Group (LMLG) to provide legal supervision and guidance to RJV's business of processing home mortgage loan modifications. RJV was responsible for obtaining the clients and Respondent was responsible for processing their loan modifications.
2. Pursuant to the Agreement, Respondent was to receive the larger of \$250 per client or 6.25% of the total fee paid by the client. The Agreement provided that the client would pay the entire fee for the loan modification to LMLG, then Respondent would deduct his attorney fee portion from the fee and pay the remainder to RJV. In order to facilitate the Agreement, Donna was to act as bookkeeper for LMLG solely as to LMLG's business with RJV, and was made a signatory of the LMLG bank account.
3. In May 2009, Rick and Carolyn Bunfill retained Respondent through LMLG and sent a check for \$4,900 in advanced legal fees made payable to LMLG. Pursuant to the agreement, Donna would have deposited the fees in LMLG's account, paid Respondent his portion and deducted the remainder for RJV.
4. Respondent submitted the necessary information to their lender in order to obtain a loan modification, but on July 1, 2009, the lender denied the modification and informed Respondent that it was denied because the Bunfills were current on their mortgage.
5. Pursuant to their retainer agreement with Respondent, the Bunfills requested a refund of their advanced attorney fees pursuant to their retainer agreement with Respondent. On July 20, 2009, Respondent informed Donna, his bookkeeper, to issue their refund. Respondent assumed the refund had been issued to the Bunfills, but did not follow up on the issuance of the refund.
6. Several months later Respondent learned that the refund to the Bunfills had never been issued.

7. On May 3, 2010, Respondent sent the Bunfills a check for \$250 accompanied by a letter which reaffirmed his debt to them and that he would be making payments until the entire \$4,900 was refunded to them.

CONCLUSIONS OF LAW

By entering into the agreement with RJV and accepting clients referred by RJB, Respondent formed a partnership with a person who is not a lawyer where the activities consisted of the practice of law in willfully violation of Rule 1-310 of the Rules of Professional Conduct.

By obtaining his payment from the advanced legal fee paid by the Bunfills and allowing the remainder of the advanced legal fee to be forwarded RJV, Respondent willfully shared legal fees with a person who is not a lawyer in violation of Rule 1-320(A) of the Rules of Professional Conduct.

By failing to follow up on the refund to the Bunfills upon their demand, and failing to make any payments to the Bunfills until May 10, 2010, Respondent willfully failed to promptly refund unearned fees in violation of Rule 3-700(D)(2) of the Rules of Professional Conduct.

CASE NUMBER 10-O-04786

FACTS

8. In March 2010, Respondent sent a letter to Ronald Hansen, a non-client, regarding Mr. Hansen's mortgage and his mortgage lender. The letter contained such phrases as, "FINAL NOTICE", "LENDER MISCONDUCT INVESTIGATION", "IMPORTANT NOTICE REGARDING PREDATORY LENDING", "PREDATORY LENDING INVESTIGATION AND MISCONDUCT AUDIT", and "FAILURE TO RESPOND TO THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS."

9. The letter also identified Mr. Hansen's mortgage lender and included Mr. Hansen's mortgage loan amount.

CONCLUSIONS OF LAW

By utilizing the wording in the March 2010 letter, Respondent sent a communication which contained material which was deceptive and which tended to confuse, deceive or mislead the public in willfull violation of Rule 1-400(D)(2).

By including Mr. Hansen's mortgage lender and mortgage loan amount in the March 2010 letter, Respondent willfully violated sections 14701(a) and 14702 of the California Business and Professions Code in willful violation of Business and Professions Code section 6068(a).

CASE NUMBER 10-O-04786

FACTS

12. In February 2010, Respondent sent a letter to Timothy Little, a non-client, regarding Mr. Little's mortgage and his mortgage lender. The letter contained such phrases as, "Lender Misconduct Investigation", "Your lender may be under investigation for **predatory lending and lender misconduct**", "You may be a victim.", and "... time to participate is very limited."

CONCLUSIONS OF LAW

By utilizing the wording in the March 2010 letter, Respondent sent a communication which contained material which was deceptive and which tended to confuse, deceive or mislead the public in willfull violation of Rule 1-400(D)(2).

CASE NUMBER 10-O-05183

FACTS

10. In April 2010, Respondent sent a letter to Alan Engard, a non-client, regarding Mr. Engard's mortgage and his mortgage lender. The letter contained such phrases as, "FINAL NOTICE", "LENDER MISCONDUCT INVESTIGATION", "IMPORTANT NOTICE REGARDING PREDATORY LENDING", "PREDATORY LENDING INVESTIGATION AND MISCONDUCT AUDIT", and "FAILURE TO RESPOND TO THIS NOTICE MY AFFECT YOUR LEGAL RIGHTS."

11. The letter also identified Mr. Engard's mortgage lender and included Mr. Engard's mortgage loan amount.

CONCLUSIONS OF LAW

By utilizing the wording in the March 2010 letter, Respondent sent a communication which contained material which was deceptive and which tended to confuse, deceive or mislead the public in willfull violation of Rule 1-400(D)(2).

By including Mr. Engard's mortgage lender and mortgage loan amount in the March 2010 letter, Respondent willfully violated sections 14701(a) and 14702 of the California Business and Professions Code in willful violation of Business and Professions Code section 6068(a).

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(6), was June 21, 2010.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of June 18, 2010, the prosecution costs in this matter are \$0. 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.

MITIGATING CIRCUMSTANCES.

Respondent has no record of prior discipline since being admitted to the State Bar of California and commencing his practice of law in December 1988.

Respondent displayed candor and cooperation with the State Bar during the investigation of these matters. In so doing, Respondent recognized and acknowledged the wrongfulness of his conduct.

Respondent also demonstrated his remorse by taking affirmative steps to address the misconduct committed in these matters. Respondent no longer has any affiliation with any non-attorney loan modification businesses. Respondent is doing a more comprehensive screening of any potential loan modification clients at no cost and has turned away more clients than he has accepted. Respondent has changed his advertising to comply with Rule 1-400 of the Rules of Professional Conduct.

Respondent has started making payments to the Bunfills and has stipulated that he will refund their entire legal fee although he did not receive the entire fee.

DISCUSSION RE STIPULATED DISCIPLINE.

Standard 1.3 of the *Standards For Attorney Sanctions For Professional Misconduct* provides that the primary purpose of discipline is the protection of the public, the courts and legal profession; maintenance of high professional standards; and the preservation of public confidence in the legal profession.

Standard 2.6 states that disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victims, with due regard to the purposes of imposing discipline, for violations of section 6068 of the Business and Professions Code.

Standard 2.10 states that reproof or suspension is the appropriate discipline, with due regard to the harm suffered by any victim and the purposes of imposing discipline, for violations of any Rules of Professional Conduct not specifically specified in other Standards, such as the Rule violations here.

The parties submit that the stipulated discipline in this matter complies with the Standards both specifically and with regard to the general purposes and goals of the disciplinary process.

Respondent's misconduct is aggravated by the fact that it harmed his clients and deprived them of the fees they paid for a period of time. However, Respondent has already begun making payments to the clients to fully refund the fees.

Respondent has also made changes to his practice as outlined above to avoid committing any further misconduct as outlined herein.

Given the aggravating and mitigating circumstances present in this case, a one year stayed suspension, along with the probationary conditions set forth herein, is consistent with Standards 2.6 and 2.10.

Finally, the parties submit that given Respondent's recognition of wrongdoing, along with his conduct in attempting to rectify the harm he caused, the stipulated discipline and probationary conditions in this matter are sufficient to assure that Respondent will conform his future conduct to ethical standards, and therefore, protect the public, courts and profession. This is consistent with Standard 1.3.

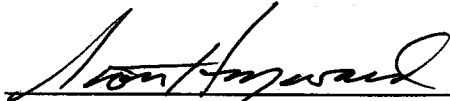
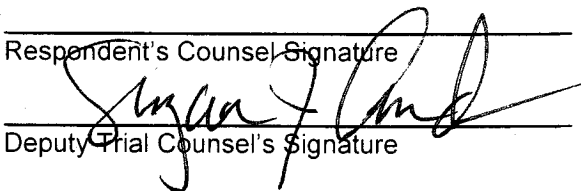
(Do not write above this line.)

In the Matter of
SCOTT B. HAYWARD, #138582

Case number(s):
10-O-00132, et seq.

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 Fact, Conclusions of Law and Disposition.

<u>6/25/10</u> Date	 Respondent's Signature	<u>Scott B. Hayward</u> Print Name
<u>6/28/10</u> Date	 Respondent's Counsel Signature	 Print Name
<u>6/28/10</u> Date	 Deputy Trial Counsel's Signature	<u>Suzan J. Anderson</u> Print Name

(Do not write above this line.)

In the Matter Of SCOTT B. HAYWARD, #138582	Case Number(s): 10-O-00132, et seq.
--	---

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.

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.)**

07-13-10
Date



Judge of the State Bar Court

RICHARD A. PLATEL

CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; 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 July 15, 2010, 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:

SCOTT B HAYWARD
HAYWARD LAW GROUP PC
101 PACIFICA STE 100
IRVINE CA 92618

by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

by overnight mail at , California, addressed as follows:

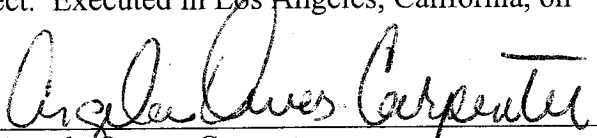
by fax transmission, at fax number . No error was reported by the fax machine that I used.

By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

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

SUZAN ANDERSON, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 15, 2010.


Angela Owens-Carpenter
Case Administrator
State Bar Court