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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		PUBLIC MATTER
Counsel For The State Bar Eli D. Morgenstern Deputy Trial Counsel The State Bar of California 1149 South Hill Street Los Angeles, CA 90015 Telephone: (213) 765-1334 Bar # 190560	Case Number(s): 10-O-00677, 10-O-00678 10-O-04463, 10-O-04464 10-O-05563, 10-O-05603 10-O-05605, 10-O-06433 10-O-06434, 10-O-06435 10-O-06441, 10-O-06861 10-O-06959, 10-O-06961 10-O-06975, 10-O-07481 10-O-07483, 10-O-07488 10-O-07489, 10-O-07918 10-O-07919, 10-O-07921 10-O-07930, 10-O-08496 10-O-08524, 10-O-08966 10-O-08967, 10-O-08968 10-O-08969, 10-O-09301 10-O-09382, 10-O-09667 10-O-09675, 10-O-09677 10-O-09678, 10-O-09679 10-O-10182, 10-O-10406 10-O-10412, 10-O-10413 10-O-10416, 10-O-10604 10-O-11140, 10-O-11145 10-O-11147, 10-O-11348 11-O-10450, 11-O-12721 11-O-13029, 11-O-13229 11-O-13261, 11-O-13357 11-O-14504, 11-O-15742 11-O-17335, 11-O-17336	For Court use only <div style="text-align: center;"> FILED JAN - 9 2012 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Counsel For Respondent Borna Bandari, Esq. Borchard & Callahan 25909 Pala, Suite 300 Mission Viejo, California 92691 Telephone: (949) 457-9505 Bar # 261081	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: Christopher L. Persaud Bar # 262620 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 March 25, 2009.
- (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 24 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: five (5) 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. See page 19 for further discussion regarding Harm
- (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. See page 19 for further discussion regarding Multiple/Pattern of Misconduct.
- (8) ☐ **No aggravating circumstances** are involved.

Additional aggravating circumstances:

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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. See page 19 for further discussion regarding Candor/Cooperation.
- (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. See page 19 for further discussion regarding Remorse
- (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:

D. Discipline:

(1) ☒ **Stayed Suspension:**

- (a) ☒ Respondent must be suspended from the practice of law for a period of three (3) 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 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 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:

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:
- | | |
|---|--|
| <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 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:**

In the Matter of: Christopher L. Persaud	Case Number(s): 10-O-00677, 10-O-00678, 10-O-04463, 10-O-04464, 10-O-05563, 10-O-05603, 10-O-05605, 10-O-06433, 10-O-06434, 10-O-06435, 10-O-06441, 10-O-06861, 10-O-06959, 10-O-06961, 10-O-06975, 10-O-07481, 10-O-07483, 10-O-07488, 10-O-07489, 10-O-07918, 10-O-07919, 10-O-07921, 10-O-07930, 10-O-08496, 10-O-08524, 10-O-08966, 10-O-08967, 10-O-08968, 10-O-08969, 10-O-09301, 10-O-09382, 10-O-09667, 10-O-09675, 10-O-09677, 10-O-09678, 10-O-09679, 10-O-10182, 10-O-10406, 10-O-10412, 10-O-10413, 10-O-10416, 10-O-10604, 10-O-11140, 10-O-11145, 10-O-11147, 10-O-11348, 11-O-10450, 11-O-12721, 11-O-13029, 11-O-13229, 11-O-13261, 11-O-13357, 11-O-14504, 11-O-15742, 11-O-17335, 11-O-17336
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Law Office Management Conditions

- a. ☒ Within 90 days/ of Respondent's return to active status ~~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/ 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 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.

Other:

In the Matter of:
Christopher L. Persaud

Case Number(s):
10-O-00677, 10-O-00678, 10-O-04463,
10-O-04464, 10-O-05563, 10-O-05603,
10-O-05605, 10-O-06433, 10-O-06434,
10-O-06435, 10-O-06441, 10-O-06861,
10-O-06959, 10-O-06961, 10-O-06975,
10-O-07481, 10-O-07483, 10-O-07488,
10-O-07489, 10-O-07918, 10-O-07919,
10-O-07921, 10-O-07930, 10-O-08496,
10-O-08524, 10-O-08966, 10-O-08967,
10-O-08968, 10-O-08969, 10-O-09301,
10-O-09382, 10-O-09667, 10-O-09675,
10-O-09677, 10-O-09678, 10-O-09679,
10-O-10182, 10-O-10406, 10-O-10412,
10-O-10413, 10-O-10416, 10-O-10604,
10-O-11140, 10-O-11145, 10-O-11147,
10-O-11348, 11-O-10450, 11-O-12721,
11-O-13029, 11-O-13229, 11-O-13261,
11-O-13357, 11-O-14504, 11-O-15742,
11-O-17335, 11-O-17336

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
	See Pages 20-21 for discussion regarding Restitution	

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

b. Installment Restitution Payments

- ☐ Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of reprobation), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

(Do not write above this line.)

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

- ☐ If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

c. Client Funds Certificate

- ☐ 1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
- a. Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";

b. Respondent has kept and maintained the following:

- i. A written ledger for each client on whose behalf funds are held that sets forth:
 1. the name of such client;
 2. the date, amount and source of all funds received on behalf of such client;
 3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
 4. the current balance for such client.
- ii. a written journal for each client trust fund account that sets forth:
 1. the name of such account;
 2. the date, amount and client affected by each debit and credit; and,
 3. the current balance in such account.
- iii. all bank statements and cancelled checks for each client trust account; and,
- iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.

c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:

- i. each item of security and property held;
- ii. the person on whose behalf the security or property is held;
- iii. the date of receipt of the security or property;
- iv. the date of distribution of the security or property; and,
- v. the person to whom the security or property was distributed.

2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.
3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

d. Client Trust Accounting School

- ☐ Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF:

CHRISTOPHER LESLIE PERSAUD

CASE NUMBERS:

10-O-00677, 10-O-00678, 10-O-04463,
10-O-04464, 10-O-05563, 10-O-05603,
10-O-05605, 10-O-06433, 10-O-06434,
10-O-06435, 10-O-06441, 10-O-06861,
10-O-06959, 10-O-06961, 10-O-06975,
10-O-07481, 10-O-07483, 10-O-07488,
10-O-07489, 10-O-07918, 10-O-07919,
10-O-07921, 10-O-07930, 10-O-08496,
10-O-08524, 10-O-08966, 10-O-08967,
10-O-08968, 10-O-08969, 10-O-09301,
10-O-09382, 10-O-09667, 10-O-09675,
10-O-09677, 10-O-09678, 10-O-09679,
10-O-10182, 10-O-10406, 10-O-10412,
10-O-10413, 10-O-10416, 10-O-10604,
10-O-11140, 10-O-11145, 10-O-11147,
10-O-11348, 11-O-10450, 11-O-12721,
11-O-13029, 11-O-13229, 11-O-13261,
11-O-13357, 11-O-14504, 11-O-15742,
11-O-17335, 11-O-17336

FACTS AND CONCLUSIONS OF LAW.

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

Case No. 10-O-00678

Facts

1. On October 29, 2009, Betty Lewis ("Lewis") employed Respondent to represent her in a Chapter 7 Bankruptcy proceeding. On that date, Lewis paid Respondent \$2,500 in advanced attorney fees.

2. On November 6, 2009, Respondent filed a petition for Chapter 7 Bankruptcy on behalf of Lewis with the United States Bankruptcy Court, Central District of California, case number 8:09-bk-22305 (Lewis Chapter 7 Bankruptcy). Respondent failed to file the following documents with the petition: (1) Schedule B; (2) Schedule C; (3) Schedule D; (4) Schedule E; (5) Schedule F; (6) Schedule G; (7) Schedule H; (8) Schedule I; (10) Schedule J; (11) Statement of Financial Affairs; and (12) Statement- Form 22A.

3. On November 6, 2009, the Bankruptcy Court filed an order in the Lewis Chapter 7 Bankruptcy requiring Respondent to file the required documents within fifteen (15) days of the date of the order. Respondent received notice of the Order.

4. Respondent did not file the required documents with the Bankruptcy Court.

5. On November 30, 2009, the Bankruptcy Court filed an order dismissing the Lewis Chapter 7 Bankruptcy, because Respondent failed to file the required documents.

6. Respondent did not perform any services of value on behalf of Lewis and did not earn any portion of the advanced attorney that he received from Lewis.

7. On December 8, 2009, Respondent provided Lewis with a refund of the \$2,500 in advanced attorney fees that she had paid to him.

Conclusions of Law

By failing to perform any services of value on behalf of Lewis in connection with the Lewis Chapter 7 Bankruptcy, Respondent wilfully violated rule 3-110(A) of the Rules of Professional Conduct.

Case Nos. 10-O-00677, 10-O-05603, 10-O-05563, 10-O-05605, 10-O-06433, 10-O-06434, 10-O-06441, 10-O-06975, 10-O-07488, 10-O-07489, 10-O-07921, 10-O-09382, 10-O-09667, 10-O-09675, 10-O-09678, 10-O-10416, 10-O-11140, 11-O-10450, 11-O-12721, 11-O-13229, 11-O-13357, and 11-O-15742

Facts

8. In each of the matters identified in this paragraph, the complainants employed Respondent and the Legal Modification Firm, the law firm that he owned, to assist them with negotiating modifications of their home loans. Respondent did not perform each and every service that he had contracted to perform on behalf of the complainants identified in this paragraph prior to demanding, charging, collecting, or receiving any fees:

<u>Case No.</u>	<u>Complainant</u>	<u>Date of Hire</u>	<u>Fees</u>
10-O-00677	William Costa	11/04/99	\$3,000
10-O-05603	Chester Boyer	11/27/09	\$2,500
10-O-05605	Nicholas Osano	02/04/10	\$3,100
10-O-05563	Brigit Shaffer	11/03/99	\$2,500
10-O-06433	Ken & Carol Link	10/29/09	\$3,950
10-O-06434	Marta Pereira	09/23/09	\$2,000
10-O-06441	Bernardo & Elizabeth Ramirez	01/25/10	\$1,795
10-O-07488	Joseph Macrina	12/22/09	\$500
10-O-07489	Edilberto Reyes	12/04/09	\$2,884
10-O-07921	Paul Gertz	01/13/10	\$4,200
10-O-09675	Mitchell & Analiza Dasalla	10/20/09	\$2,000
10-O-09678	Thomas & Viola Becker	01/07/10	\$1,500
10-O-10416	Joyce Simmons	02/11/10	\$2,500
11-O-10450	Pisey I	12/15/09	\$3,000

<u>Case No.</u>	<u>Complainant</u>	<u>Date of Hire</u>	<u>Fees</u>
10-O-11140	Christos Joannides	01/25/10	\$4,100
11-O-12721	Robert Pastorino	10/15/09	\$5,000
11-O-13357	Konstantino Mavrikis	11/16/09	\$2,500
11-O-15742	Viroj Niranpragon	02/03/10	\$2,495

9. Respondent did not perform any services of value on behalf of any of the complainants identified in paragraph 8, including, but not limited to negotiating and obtaining a loan modification on behalf of the respective complainants.

10. Respondent did not earn any portion of the advanced fees that he received from the complainants identified in paragraph 8.

11. Respondent did not provide a refund of any portion of the unearned, advanced fees that he received from any of the complainants listed in paragraph 8.

12. With respect to Case Number 10-O-09382, on June 5, 2009, Jay Sengstock ("Sengstock") employed Respondent to assist him with negotiating a modification of his home loan. Sengstock paid Respondent \$4,500 in advanced attorney fees.

13. Respondent did not perform any services of value on behalf of Sengstock including, but not limited to, negotiating and obtaining a loan modification. Respondent did not earn any portion of the advanced fee that he received from Sengstock.

14. Respondent did not refund any portion of the unearned, advanced fee that he received from Sengstock.

Conclusions of Law

By negotiating, arranging or offering to perform mortgage loan modifications for a fee paid by the complainants identified in paragraph 13, and demanding, charging, collecting, and receiving fees from the complainants identified in paragraph 13 prior to fully performing each and every service he had contracted to perform or represented that he would perform on behalf of the respective complainants, in violation of Section 2944.7(a) of the Civil Code, Respondent wilfully violated Business and Professions Code section 6106.3.

By failing to perform any services of value on behalf of Sengstock, and the complainants identified in paragraph 13, Respondent failed to perform competently in wilful violation of rule 3-110(A) of the Rules of Professional Conduct.

By failing to refund any portion of the unearned, advanced fees that he received from Sengstock, and the complainants identified in paragraph 13, Respondent wilfully violated rule 3-700(D)(2) of the Rules of Professional Conduct.

Case Nos., 10-O-04463, 10-O-04464, 10-O-06435, 10-O-06441, 10-O-06959, 10-O-06961, 10-O-06975, 10-O-07481, 10-O-07483, 10-O-07918, 10-O-07919, 10-O-07930, 10-O-08496, 10-O-08968, 10-O-11147, 10-O-08524, 10-O-08966, 10-O-08967, 10-O-08969, 10-O-09301, 10-O-09382, 10-O-09667, 10-O-09677, 10-O-09679, 10-O-10182, 10-O-10406, 10-O-10412, 10-O-10413, 10-O-10604, 10-O-11145, 10-O-11348, 11-O-13229, and 11-O-13261

Facts

15. At all times relevant to the stipulated facts herein, Respondent was a member of the State Bar of California and permitted to practice law in this state. Respondent was not a member of any other state bars, and was not permitted to practice law in any of the states identified in paragraph 17.

16. The Rules of Professional Conduct with respect to the states identified in paragraph 17 all prohibit attorneys not licensed in the respective jurisdictions from practicing law in the respective jurisdictions subject to several limited exceptions not relevant to these stipulated facts.

17. The complainants identified in this paragraph, all of whom were residents of other states with home mortgages in those states, employed Respondent and the Legal Modification Firm, the law firm that Respondent owned, to assist them with negotiating modifications of their home loans. Specifically, the fee agreement that Respondent entered into with each complainant provided that Respondent would use his "best efforts to negotiate and counsel" each complainant with "Real Estate matters related" to their respective loan modifications. All of the complainants paid Respondent advanced legal fees. By accepting employment with the complainants in order to perform legal services in connection with their respective loan modifications, Respondent effectively held himself out as entitled to practice law in the states identified below:

<u>Case No.</u>	<u>Complainant</u>	<u>Date of Hire</u>	<u>Fees</u>	<u>Jurisdiction</u>
10-O-04463	Anthony Henry	01/25/10	\$2,000	Florida
10-O-04464	Mark & Sophia Crowley	09/06/09	\$2,495	Kansas
10-O-06435	Roger Abraham	10/26/09	\$1,500	Arizona
10-O-06441	Bernardo & Elizabeth Ramirez	01/25/10	\$1,795	Texas
10-O-06959	Joseph Robba	10/06/09	\$1,850	Connecticut
10-O-06961	Betty Jeannie Garvey	10/08/09	\$1,500	Texas
10-O-06975	Craig & Patricia Davis	11/08/09	\$2,995	Illinois
10-O-07481	Bela Konya	01/07/10	\$2,450	Washington
10-O-07483	Jena Perry	02/18/10	\$2,000	Illinois
10-O-07918	Elred & Shirley Leep	02/10/10	\$2,475	Oregon
10-O-07919	Soundra Black	01/08/10	\$500	Florida
10-O-07930	Nathan King/Phil Barnes	11/08/09	\$2,600	Illinois
10-O-08496	James Ploska	02/25/10	\$2,600	Florida
10-O-08524	Sairam Kudapa	11/27/09	\$2,420	Virginia
10-O-08966	Agnieszka & Wojciech Bartler	01/28/10	\$2,500	Illinois
10-O-08968	Michelle Figgins	12/16/09	\$2,799	Oregon

<u>Case No.</u>	<u>Complainant</u>	<u>Date of Hire</u>	<u>Fees</u>	<u>Jurisdiction</u>
10-O-08969	Nathan King	11/18/09	\$2,600	Illinois
10-O-08967	Myrna Llagas	09/23/09	\$2,850	Illinois
10-O-09301	Larry Lee	08/16/10	\$2,200	Oregon
10-O-09667	Maria Queiroz	02/23/10	\$2,200	Massachusetts
10-O-09677	Priscilla Call	01/29/10	\$2,995	Washington
10-O-09679	Daniel & Sarah Gorgone	11/02/09	\$1,250	Connecticut
10-O-10182	Kimberly Fordham	01/29/10	\$2,400	New Jersey
10-O-10187	Hilda Teel	04/25/10	\$1,295	North Carolina
10-O-10406	Richard & Debra Martel	10/31/09	\$1,595	Maine
10-O-10412	Jeffrey Walton	03/03/10	\$1,295	Georgia
10-O-10413	Dennis Flax	11/10/09	\$2,500	South Carolina
10-O-10604	Ludlow Dale	09/21/09	\$3,433	Maryland
10-O-11145	Paul Hord, Jr.	02/23/10	\$1,295	Indiana
10-O-11147	Stephen and Diane Guzek	02/03/10	\$3,495	Washington
10-O-11348	JP & Nancy Dineen	11/03/09	\$2,900	Connecticut
11-O-13229	Richard Alexander	10/19/09	\$700	Nevada
11-O-13261	Jennifer Mantooth	12/11/09	\$2,500	Washington

18. By entering into agreements for, charging, and collecting fees from the complainants identified in paragraph 17, when he was not licensed to practice law in any of the jurisdictions identified in paragraph 17, Respondent entered into agreements for, charged, and collected an illegal fee from each of the complainants.

19. To date, Respondent has not refunded any portion of the illegal, advanced fees that he received from any of the complainants identified in paragraph 10.

Conclusions of Law

By accepting employment with the above-referenced complainants, when he was not licensed to practice law in any of the jurisdictions where the complainants' resided and maintained home mortgages, Respondent violated the regulations of the profession in the respective jurisdictions in wilful violation of rule 1-300(B) of the Rules of Professional Conduct.

By entering into agreements for, charging, and collecting an illegal fee, Respondent wilfully violated rule 4-200 of the Rules of Professional Conduct.

By failing to refund any portion of the illegal, advanced fees that he received from the complainants, Respondent wilfully violated rule 3-700(D)(2) of the Rules of Professional Conduct.

Case No. 10-O-06861

Facts

20. On October 20, 2009, Ruben Varela ("Varela") employed Respondent to assist him with a modification of his home loan.

21. On November 30, 2009, Varela paid Respondent \$500 in advanced attorney fees; and on January 11, 2010, Varela made a second, advanced payment of \$500. In total, Varela paid Respondent \$1,000 in advanced attorney fees for his legal services.

22. On March 9, 2010, the lender agreed to enter into a mortgage forbearance agreement with Varela; and on March 29, 2010, Varela made the first payment under the agreement.

23. In April 2010, Varela received a letter from his lender denying Varela's request for a loan modification.

24. On April 23, 2010, Varela paid Respondent \$1,300 to file a bankruptcy. On May 14, 2010, Varela provided Respondent with all the necessary information to file a petition for Chapter 7 Bankruptcy.

25. Respondent did not perform any services of value on behalf Varela with respect to the bankruptcy, including, but not limited to, filing a petition for Chapter 7 Bankruptcy. Respondent did not earn any portion of the advanced fee that he received from Varela in connection with the bankruptcy.

26. On May 24, 2010, Varela's home was sold at a trustee's sale without notice to him.

27. On August 19, 2010, Varela mailed Respondent a letter requesting that Respondent return the advanced fees that Varela paid to Respondent in connection with the Chapter 7 Bankruptcy. Respondent received the letter.

28. To date, Respondent has not refunded any portion of the advanced fees that he received from Varela in connection with the bankruptcy.

29. Varela was able to stop the transfer of his home through his own efforts.

30. As part of this stipulation, Respondent has agreed to provide Varela with a refund of \$1,300, which represents the advanced fees that Respondent received from Varela in connection with the bankruptcy.

Conclusions of Law

By not performing any services of value on behalf of Varela in connection with the Chapter 7 Bankruptcy, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in wilful violation of rule 3-110(A) of the Rules of Professional Conduct.

By failing to refund any portion of the unearned, advanced fee that he received from Varela in connection with the Chapter 7 Bankruptcy, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in wilful violation of rule 3-700(D)(2) of the Rules of Professional Conduct.

Facts

31. On December 21, 2009, Armando Jaurequi ("Jaurequi") employed Respondent to represent him in a civil matter against Guarantee Bank. Jaurequi paid Respondent a total of \$9800 in advanced attorney fees.

32. On February 23, 2010, Respondent filed a complaint against Guarantee Bank on behalf of Jaurequi with the San Diego County Superior Court, case number 37-2010-00086152-CU-OR-CTL.

33. Between February 23, 2010, and November 8, 2010, Respondent failed to respond to numerous status inquiries that he received from Jaurequi.

34. On November 8, 2010, Jaurequi terminated Respondent's employment.

35. As part of this stipulation, Respondent has agreed to provide Jaurequi with a refund of \$4,100. Jaurequi has represented to the State Bar that this sum is acceptable to him.

Conclusions of Law

By failing to adequately communicate with Jaurequi, Respondent wilfully violated Business and Professions Code section 6068(m).

Case Number 11-O-14504

Facts

36. On July 1, 2010, Benjamin Plaat ("Plaat") employed Respondent to represent him in a Chapter 13 Bankruptcy proceeding. Plaat paid Respondent a total of \$3,445 in advanced fees and costs for his representation in the bankruptcy.

37. At no time did Respondent perform any services of value on behalf of Plaat, including, but not limited to, filing a petition for Chapter 13 Bankruptcy.

38. Respondent did not earn any portion of the \$3,445 that Plaat paid him in connection with the bankruptcy. To date, Respondent has refunded \$1,400 to Plaat. Respondent owes Plaat a refund of \$2,045.

Conclusions of Law

By failing to perform any services of value on behalf of Plaat, Respondent wilfully violated rule 3-110(A) of the Rules of Professional Conduct.

By failing to return any of the unearned, advanced fees and costs that he received from Plaat, Respondent wilfully violated rule 3-700(D)(2) of the Rules of Professional Conduct.

Case No. 11-O-17335

Facts

39. On June 7, 2010, Luis Cabrera ("Cabrera") employed Respondent to represent him with respect to a pending Trustees sale of Cabrera's home. Cabrera paid Respondent a total of \$3,500 in advanced attorney fees.

40. On June 22, 2011, Cabrera mailed a letter to Respondent terminating Respondent's employment and demanding a refund of the advanced attorney fees that he paid to Respondent. Respondent received the letter.

41. Respondent did not perform any services of value on behalf of Cabrera. Respondent did not earn any portion of the advanced fees he received from Cabrera.

42. To date, Respondent has not refunded any portion of the unearned, advanced fees that he received from Cabrera.

Conclusions of Law

By failing to perform any services of value on behalf of Cabrera, Respondent failed to perform competently in wilful violation of rule 3-110(A) of the Rules of Professional Conduct.

By failing to refund any portion of the unearned, advanced fees that he received from Cabrera, Respondent wilfully violated rule 3-700(D)(2) of the Rules of Professional Conduct.

Case No. 11-O-17336

Facts

43. In June 2010, Laura Parker ("Parker") employed Respondent to represent her in a civil matter against a man Parker claimed had taken her truck. Parker paid Respondent a total of \$4,000 in advanced attorney fees.

44. Respondent did not perform any services of value on behalf of Parker, including, but not limited to, filing a complaint. Respondent did not earn any portion of the advanced fees that he received from Parker.

45. After Parker terminated Respondent's employment, Respondent did not refund any portion of the unearned, advanced fees that he received from Parker. Consequently, Parker sued Respondent in a matter titled *Laura Parker v. Christopher Persaud*, Riverside County Superior Court Small Claims case no. HES1100557 (the "small claims matter"). On August 18, 2011, a judgment was entered against Respondent in the small claims matter in the sum of \$4,300. To date, Respondent has not paid any portion of the judgment to Parker.

Conclusions of Law

By failing to perform any services of value on behalf of Parker, Respondent failed to perform competently in wilful violation of rule 3-110(A) of the Rules of Professional Conduct.

By failing to refund any portion of the unearned, advanced fees that he received from Parker, Respondent wilfully violated rule 3-700(D)(2) of the Rules of Professional Conduct.

AGGRAVATING CIRCUMSTANCES.

1. Multiple Acts, and Pattern, of Misconduct.

Respondent's misconduct evidenced multiple acts, and a pattern, of misconduct. (Std. 1.2(b)(ii).)

2. Harm

The complainants herein were experiencing financial difficulty during the period covered by this Stipulation. Respondent's misconduct caused further financial harm to them. (Std. 1.2(b)(iv).)

MITIGATING CIRCUMSTANCES.

1. Candor and Cooperation

Respondent is entitled to mitigation for entering into this stipulation. (Standard 1.2(e)(v).)

2. Good Character

Respondent has participated in various charity and community events, including, but not limited to assisting various local churches. Respondent also assisted his church with the creation of their website. Respondent's activities in the community demonstrate good moral character. Respondent is a member of the Phi Alpha Delta legal fraternity. (Std. 1.2(e)(vi).)

3. Remorse

Respondent has expressed genuine, heartfelt, and credible remorse for the harm suffered by the complainants herein. (Std. 1.2(e)(vii).) Respondent's agreement to make restitution pursuant to the terms of this stipulation is not a mitigating factor. However, Respondent's agreement to remain suspended until he has made restitution to all of the complainants suggests that he is sincere in his desire to atone for his misconduct.

OTHER FACTORS IN CONSIDERATION.

Respondent was admitted to the practice of law in the State of California on March 25, 2009, and immediately opened his own practice. An acquaintance recommended that Respondent focus his practice on assisting people with their loan modifications. The acquaintance also recommended that Respondent employ a friend of the acquaintance to assist Respondent with his practice. During the time that Respondent committed the misconduct herein, several employees, including the friend of

Respondent's acquaintance, and various third parties, contracted with members of the public, including some of the complainants identified in this stipulation, by using Respondent's name and his retainer agreement without Respondent's knowledge, authorization, and consent. In some instances, the rogue employees and various third parties caused Respondent's "unauthorized clients" to issue checks to entities not associated with Respondent. With respect to other "unauthorized clients", including several complainants identified in this stipulation, the rogue employee/friend of Respondent's acquaintance deposited checks issued by the clients in Respondent's law office bank account without Respondent's knowledge. The employee then pilfered funds from Respondent's law office bank account by forging Respondent's signature on checks that the employee issued from Respondent's bank account. Respondent acknowledges that his failure to better administer his law office bank account enabled the rogue employee to take advantage of Respondent and the unauthorized clients.

Once Respondent learned of these unauthorized clients, he tried to assist them with their various legal matters at no further charge to them.

Respondent filed police reports against several of the employees, and one of the employees has been convicted of criminal offenses committed against Respondent. Respondent intends to continue to assist law enforcement in the pursuit of the individuals who committed criminal conduct against Respondent and his clients.

RESTITUTION CONDITIONS.

Respondent must pay restitution to the payees listed below in the amounts listed below plus 10 percent interest per year from the dates listed below. If the Client Security Fund ("CSF") has reimbursed a payee for all or any portion of the principal amount, Respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5.

<u>Case No.</u>	<u>Payee</u>	<u>Principal Amount</u>	<u>Interest Accrues From</u>
10-O-00677	William Costa	\$3,000	11/04/09
10-O-04463	Anthony Henry	\$2,000	01/25/10
10-O-04464	Mark & Sophia Crowley	\$2,495	09/06/09
10-O-05603	Chester Boyer	\$2,500	11/27/09
10-O-05605	Nicholas Osano	\$3,100	02/04/10
10-O-05563	Brigit Shaffer	\$2,500	11/03/99
10-O-06433	Ken & Carol Link	\$3,950	10/29/09
10-O-06434	Marta Pereira	\$2,000	09/23/09
10-O-06435	Roger Abraham	\$1,500	10/26/09
10-O-06441	Bernardo & Elizabeth Ramirez	\$1,795	01/25/10
10-O-06861	Ruben Varela	\$1,300	04/23/10
10-O-06959	Joseph Robba	\$1,850	10/06/09
10-O-06961	Betty Jeannie Garvey	\$1,500	10/08/09
10-O-06975	Craig & Patricia Davis	\$2,995	11/08/09
10-O-07481	Bela Konya	\$2,450	01/07/10
10-O-07483	Jena Perry	\$2,000	02/18/10
10-O-07488	Joseph Macrina	\$500	12/22/09
10-O-07489	Edilberto Reyes	\$2,884	12/04/09

<u>Case No.</u>	<u>Payee</u>	<u>Principal Amount</u>	<u>Interest Accrues From</u>
10-O-07918	Elred & Shirley Leep	\$2,475	02/10/10
10-O-07919	Soundra Black	\$500	01/08/10
10-O-07921	Paul Gertz	\$4,200	01/13/10
10-O-07930	Nathan King/Phil Barnes	\$2,600	11/08/09
10-O-08496	James Ploska	\$2,600	02/25/10
10-O-08524	Sairam Kudapa	\$2,420	11/27/09
10-O-08966	Agnieszka & Wojciech Bartler	\$2,500	01/28/10
10-O-08969	Nathan King	\$2,600	11/24/09
10-O-08968	Michelle Figgins	\$2,799	12/16/09
10-O-08967	Myrna Llagas	\$2,850	09/23/09
10-O-09301	Larry Lee	\$2,200	08/16/10
10-O-09382	Jay Sengstock	\$4,500	06/05/09
10-O-09667	Maria Queiroz	\$2,200	02/23/10
10-O-09675	Mitchell & Analiza Dasalla	\$2,000	10/20/09
10-O-09677	Priscilla Call	\$2,995	01/29/10
10-O-09678	Thomas & Viola Becker	\$1,500	01/07/10
10-O-09679	Daniel & Sarah Gorgone	\$1,250	11/02/09
10-O-10182	Kimberly Fordham	\$2,400	01/29/10
10-O-10406	Richard & Debra Martel	\$1,595	10/31/09
10-O-10412	Jeffrey Walton	\$1,295	03/03/10
10-O-10413	Dennis Flax	\$2,500	11/10/09
10-O-10416	Joyce Simmons	\$2,500	02/11/10
10-O-10604	Ludlow Dale	\$3,433	09/21/09
10-O-11140	Christos Joannides	\$4,100	01/25/10
10-O-11145	Paul Hord, Jr.	\$1,295	02/23/10
10-O-11147	Stephen and Diane Guzek	\$3,495	02/03/10
10-O-11348	JP & Nancy Dineen	\$2,900	11/03/09
11-O-10450	Pisey I	\$3,000	12/15/09
11-O-12721	Robert Pasterino	\$5,000	12/11/09
11-O-13029	Armando Jaurequi	\$4,100	12/21/09
11-O-13229	Richard Alexander	\$700	10/19/09
11-O-13261	Jennifer Mantooth	\$2,500	12/11/09
11-O-13357	Konstantino Mavrikis	\$2,500	11/16/09
11-O-14504	Benjamin Plaat	\$2,045	07/01/10
11-O-15742	Viroj Niranpragon	\$2,495	02/03/10
11-O-17335	Luis Cabrera	\$3,500	06/22/11
11-O-17336	Laura Parker	\$4,300	08/18/11

AUTHORITIES SUPPORTING DISCIPLINE.

1. Standards

Standard 1.3 of the Standards for Attorney Sanctions for Professional Misconduct ("Standards") provides that, "[T]he primary purposes of disciplinary proceedings . . . are the protection of the public, the courts[,] and the legal profession; the maintenance of high professional standards by attorneys[;] and the preservation of public confidence in the legal profession."

Standard 1.6(a) states that where two or more acts of professional misconduct are charged and different sanctions are prescribed by the standards for the acts, the sanction imposed shall be the more or most severe of the different applicable sanctions.

Standards 2.4(a), 2.6(a), 2.7, and 2.10 apply to this proceeding.

Standard 2.4(a) provides that culpability of a member of a pattern of wilfully failing to perform services demonstrating the member's abandonment of the causes in which he was retained shall result in disbarment.

The acts described herein constitute a pattern of misconduct. But, as discussed above, Respondent acknowledges the very serious nature of his misconduct and has expressed genuine, sincere, heartfelt remorse for the harm that was caused to the complainants herein. Further, some of the misconduct herein, as described above, can be attributed to rogue employees who Respondent failed to adequately supervise, which enabled the employees to commit criminal conduct. As part of the terms of this stipulation, Respondent must develop a law office organization plan, which must be approved by the Office of Probation. It is the intent of the parties that this requirement will improve the manner in which Respondent manages his law office in the event that he is relieved from actual suspension. The parties further submit that requiring Respondent to prove to the State Bar Court his rehabilitation, present fitness to practice, and present learning and ability in the law, and to make restitution to the complainants herein, prior to being relieved from a two year actual suspension, is sufficient to satisfy the purposes of attorney discipline.

Standard 2.6(a) provides that culpability of a member of Business and Professions Code section 6068 shall result in disbarment or suspension depending upon the gravity of the offense and the harm to the victim, with due regard for the purposes of imposing discipline.

Standard 2.7 provides that culpability of a member of a wilful violation of rule 4-200 shall result in a minimum of a six month actual suspension.

There is no standard specifically applicable to a violation of rules 1-300 and 3-700, and of the Rules of Professional Conduct. Similarly, there is no standard specifically applicable to a violation of Business and Professions Code section 6106.3. Accordingly, the applicable standard is Standard 2.10, which provides that culpability of a member of a violation of any provision of the Business and Professions Code not specified in the Standards, or a wilful violation of any Rule of Professional Conduct not specified in the Standards, shall result in reproof or suspension according to the gravity of offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in Standard 1.3.

PENDING PROCEEDINGS.

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

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed him that as of December 2, 2011, the prosecution costs in this matter are approximately \$25,838.70. The costs are to

be paid in equal amounts prior to February 1 for the following five billing cycles following the effective date of the Supreme Court Order.

If Respondent fails to pay any installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment unless relief has been granted under the Rules of Procedure of the State Bar of California. (Rules Proc. of State Bar, rule 286.)

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.

(Do not write above this line.)

In the Matter of: Christopher L. Persaud	Case number(s): 10-O-00677, 10-O-00678, 10-O-04463, 10-O-04464, 10-O-05563, 10-O-05603, 10-O-05605, 10-O-06433, 10-O-06434, 10-O-06435, 10-O-06441, 10-O-06861, 10-O-06959, 10-O-06961, 10-O-06975, 10-O-07481, 10-O-07483, 10-O-07488, 10-O-07489, 10-O-07918, 10-O-07919, 10-O-07921, 10-O-07930, 10-O-08496, 10-O-08524, 10-O-08966, 10-O-08967, 10-O-08968, 10-O-08969, 10-O-09301, 10-O-09382, 10-O-09667, 10-O-09675, 10-O-09677, 10-O-09678, 10-O-09679, 10-O-10182, 10-O-10406, 10-O-10412, 10-O-10413, 10-O-10416, 10-O-10604, 10-O-11140, 10-O-11145, 10-O-11147, 10-O-11348, 11-O-10450, 11-O-12721, 11-O-13029, 11-O-13229, 11-O-13261, 11-O-13357, 11-O-14504, 11-O-15742, 11-O-17335, 11-O-17336
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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>12/6/2011</u> Date	<u>Christopher Persaud</u> Respondent's Signature	<u>Christopher L. Persaud</u> Print Name
<u>12/16/2011</u> Date	<u>[Signature]</u> Respondent's Counsel Signature	<u>Borna Bandari</u> Print Name
<u>12/20/11</u> Date	<u>[Signature]</u> Deputy Trial Counsel's Signature	<u>Eili D. Morgenstern</u> Print Name

(Do not write above this line.)

In the Matter Of
CHRISTOPHER L. PERSAUD

Case Number(s):
10-O-00677 ET AL.

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 10 of the stipulation, an "X" is inserted in the box next to paragraph d., requiring respondent to attend Client Trust Accounting School;
2. On page 12 of the stipulation, in numbered paragraph 6, "advanced attorney that" is deleted, and in its place is inserted "advanced attorney fees that";
3. On page 13 of the stipulation, under the heading "Conclusions of Law", all references to "paragraph 13" are deleted, and in their place is inserted references to "paragraph 8";
4. On page 15 of the stipulation, in numbered paragraph 19, "identified in paragraph 10" is deleted, and in its place is inserted "identified in paragraph 17"; and
5. In the table on page 20 of the stipulation, in the sixth line down in the "Interest Accrues From" column, "11/03/99" is deleted, and in its place is inserted "11/03/09".

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.)**

Date

1/5/12


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 January 9, 2012, I deposited a true copy of the following document(s):

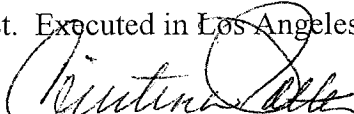
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

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:
- BORNA BANDARI
BORCHARD & CALLAHAN, APC
25909 PALA STE 300
MISSION VIEJO, CA 92691
- ☐ 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:

Eli D. Morgenstern, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 9, 2012.


Cristina Potter
Case Administrator
State Bar Court