

STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT - LOS ANGELES

In the Matter of) Case Nos.: **10-O-09334; 10-O-10607**
) **(10-O-10609)-DFM**
NATALIE DOR-DOR WANG,)
) **DECISION and ORDER**
Member No. 231122,)
)
A Member of the State Bar.)

INTRODUCTION/PROCEDURAL HISTORY

In this disciplinary matter, respondent **Natalie Dor-Dor Wang**, Member No. 231122, and the Office of the Chief Trial Counsel of the State Bar of California (State Bar) reached an agreement in May 2012 regarding a stipulation to facts, culpability and recommended discipline in the referenced cases.¹ Pursuant to that negotiated settlement, Respondent stipulated to culpability for violations of (1) section 6106 of the Business and Professions Code² (moral turpitude - misrepresentations) [two counts]; (2) rule 3-110(A) of the Rules of Professional Conduct³ (failure to act with competence) [two counts]; (3) section 6068, subd. (d) (seeking to mislead court); (4) rule 1-300(B) (unauthorized practice of law in another jurisdiction); and (5)

¹ A prior stipulation regarding facts, conclusions and disposition was submitted to the court on April 16, 2012, and rejected by this court on April 18, 2012. The bases for the rejection included this court’s concerns that the recommended discipline was too low, that mitigation credit for no prior discipline was being improperly given, and that the stipulation needed to address the issue of whether harm had resulted from Respondent’s misconduct.

² Unless otherwise noted, all future references to section(s) will be to the Business and Professions Code.

³ Unless otherwise noted, all future references to rule(s) will be to the Rules of Professional Conduct.

section 6068, subd. (i) (failure to cooperate in State Bar investigation) [three counts]. As a further and integral component of that agreement, Respondent and the State Bar stipulated to the disposition to be recommended for that stipulated misconduct. After the agreement was committed to a formal written Stipulation re Facts, Conclusions of Law and Disposition, this court reviewed and approved, as modified, the stipulation on May 17, 2012, and the combined stipulation and court recommendation was then forwarded to the California Supreme Court.

On July 3, 2012, the State Bar filed a motion with the Supreme Court, requesting the return of the above stipulation by the Supreme Court to the State Bar for further consideration. That motion was denied by the Supreme Court on August 27, 2012. In the same order, however, the Supreme Court, on its own motion, returned this disciplinary matter to the State Bar for further consideration “in light of the applicable attorney discipline standards.”

After the case was returned to this court, an initial status conference was held on September 24, 2012. A trial date of December 19, 2012, was then scheduled.

On December 7, 2012, less than two weeks before the scheduled trial, Respondent filed a motion seeking an order permitting Respondent to introduce mitigation evidence, including expert testimony, that “her acknowledged misconduct in this proceeding was the result of her severe addiction to cocaine and that she has undertaken extensive and successful rehabilitative efforts to overcome that addiction.” The State Bar objected to that request.

On December 13, 2012, an in person status conference was held by the court on the pending motion and the scheduled trial. Thereafter, after reviewing the motion and opposition, and hearing the comments of counsel, the court determined that Respondent’s motion to be allowed to present evidence regarding a potential additional mitigating factor would be denied. According to Respondent’s own moving papers, Respondent and her counsel had been aware of this possible mitigating factor since at least December of 2011. Notwithstanding that fact, there

had been no effort to refer to that evidence as a mitigating factor in the stipulation that was previously entered into by the parties and returned by the Supreme Court, and there had been no mention of this issue during the status conference in September 2012, when the case was set for trial on December 19, 2012. The State Bar argued, and this court agreed, that for Respondent to be allowed to present previously undisclosed expert testimony and medical evidence at trial, with less than two weeks' notice of the intent of doing so and with no real opportunity for the State Bar to investigate and/or respond to such evidence, would be prejudicial -- both to the State Bar and to the integrity of the decision-making process itself.

The matter was called for trial on December 19, 2012. At that time, Respondent testified regarding her prior problems with cocaine, her past and ongoing efforts to seek rehabilitation from those problems, and the fact that she has not been practicing law because of those problems since December 2010.

The State Bar was represented in the above process by Deputy Trial Counsel Michael J. Glass. Respondent was represented by Scott J. Drexel.

Findings of Fact and Conclusions of Law

The following findings of fact and conclusions of law are based on the May 17, 2012 stipulation filed by the parties and on the limited testimonial evidence admitted at trial.

Jurisdiction

Respondent was admitted to the practice of law in California on June 1, 2004, and has been a member of the State Bar of California at all times since that date.

Case No. 10-O-09334 (Helm Matter)

On October 1, 2005, Robert Helm (Helm) hired the Law Offices of Lee Salisbury to represent him in a family law matter entitled *Helm vs. Helm*, Los Angeles Superior Court Case No. GD038349. On or about September 28, 2007, the Superior Court entered a divorce

judgment in *Helm vs. Helm* that contained orders regarding child support and child custody (2007 child support order).

In or about April 2008, the Law Offices of Lee Salisbury assigned Respondent to Mr. Helm's matter to complete ongoing work in *Helm vs. Helm*. In or about April 2008, Helm informed Respondent that it was urgent that she file a motion seeking to modify the 2007 child support order because of changed circumstances in custody and the parties' income.

On July 17, 2008, Respondent filed an Order to Show Cause ("OSC") that was intended to seek a modification of the 2007 child support order. The OSC was scheduled and continued several times, but was eventually taken off calendar. No modification of the 2007 child support order was obtained.

On April 6, 2009, Respondent prepared an OSC re: contempt in *Helm vs. Helm*, because Mrs. Helm had not produced her tax returns for the prior two years. On April 6, 2009, Respondent told Helm that Respondent had filed the OSC re: contempt and that the court had scheduled a hearing on the OSC re: contempt on April 29, 2009. Respondent knew that this was false.

On October 5, 2009, Respondent prepared a letter addressed to the Superior Court in *Helm vs. Helm*. In that letter, Respondent reminded the court that a decision was due on the OSC re: contempt. On October 5, 2009, Respondent delivered the letter to Mr. Helm and told him that she had mailed the letter to the court. Respondent knew she had not delivered the letter to the court and that the contents of the letter were false.

On January 6, 2010, Respondent told Helm that Respondent had spoken to a clerk of the court, who had told Respondent that the court had issued a minute order regarding the OSC re: contempt. Respondent knew this was false.

On January 21, 2010, Respondent sent an e-mail to Helm containing a document that Respondent represented to be a minute order in *Helm vs. Helm*. The minute order was a false document that Respondent had created in order to deceive Helm into believing that Respondent had filed the OSC re: contempt.

On March 17, 2010, Respondent sent another e-mail to Helm that contained another false document that Respondent represented to be a minute order in *Helm vs. Helm*. Respondent created the false minute order in order to deceive Helm into believing that Respondent had filed the OSC re: contempt.

On March 18, 2010, Respondent prepared a document which purported to be a stipulation between the parties regarding a modification of child support. Respondent signed the name of opposing counsel to the purported stipulation regarding modification of the child support order ("Stipulation"). Respondent knew that opposing counsel had not agreed to the terms of the Stipulation and that Respondent did not have permission to sign opposing counsel's name to the Stipulation. The Stipulation was false.

On March 18, 2010, Respondent delivered the Stipulation to Helm. Relying on what he believed to be a valid stipulation, Helm began to pay lower amounts of child support under the terms of the purported stipulation.

On August 10, 2010, Helm's ex-wife filed an OSC re: contempt due to Helm's failure to pay the full child support that was ordered in the 2007 child support order. On August 10, 2010, Helm's ex-wife served the OSC re: contempt upon Mr. Helm. Upon receipt of the OSC re: contempt, Helm contacted opposing counsel to ask why opposing counsel thought Helm was in contempt of court. Mr. Helm then learned that opposing counsel had not agreed to allow Helm to pay a lower amount of child support and that opposing counsel had not signed the stipulation.

On September 9, 2010, Helm filed a complaint against Respondent with the State Bar. Pursuant to Helm's complaint, the State Bar opened investigation case No. 10-O-09334.

On January 25, 2011, and on February 16, 2011, a State Bar investigator mailed letters to Respondent at her membership records address, requesting a written response to the allegations in case No. 10-O-09334. Respondent received the letters, and had until February 8, 2011, and February 28, 2011, respectively, in which to provide a written response to the letters. Respondent never responded to the letters or otherwise communicated with the State Bar investigator.

Conclusions of Law

The parties have stipulated to, and this court makes, the following conclusions of law with regard to the foregoing facts:

By telling Helm that Respondent had filed the OSC re: contempt and that the court had scheduled a hearing on the OSC re: contempt; by leading Helm to believe that Respondent had mailed a letter to the Superior Court on October 5, 2009; by telling Helm that a court clerk had told Respondent that the court had issued a minute order regarding the OSC re: contempt; by delivering two falsified minute orders to Helm; and by creating a false stipulation and signing opposing counsel's signature to the stipulation without opposing counsel's knowledge or permission, Respondent committed acts involving moral turpitude, dishonesty or corruption in willful violation of section 6106.

By not preparing and filing a motion for modification of the 2007 child support order or obtaining a modification of the 2007 child support order, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of rule 3-110(A).

By not providing a written response to the State Bar investigator's letters, mailed on January 25, 2011, and on February 16, 2011, in regard to case No. 10-O-09334, or otherwise

cooperating in the investigation of case No. 10-O-09334, Respondent failed to cooperate and participate in a disciplinary investigation in willful violation of section 6068, subdivision (i).

Case No. 10-O-10607 (Synthes USA vs. Syntec Matter)

On October 7, 2009, Plaintiff Synthes USA filed a patent action in the United States District Court entitled *Synthes USA LLC et al. vs. Syntec Scientific (USA) Corporation et al.*, Case No. CV 09-1875-DMG (*Synthes USA vs. Syntec*).

At all times mentioned herein, Respondent's father owned Syntec Scientific. Also, at all times mentioned herein, Respondent was employed by the Law Offices of Lee Salisbury. The Law Offices of Lee Salisbury specialized in family law.

On May 17, 2010, Respondent appeared at a hearing that was conducted in *Synthes USA vs. Syntec* on behalf of Syntec Scientific. At this hearing, Respondent stated that she was with the Law Offices of Lee Salisbury.

On August 5, 2010, Respondent entered her appearance at a deposition taken in the course of the litigation in *Synthes USA vs. Syntec* on behalf of Syntec Scientific. At the deposition, Respondent stated that she was with the Law Offices of Lee Salisbury.

From in or about April 2010 through in or about August 2010, Respondent led the court and opposing counsel to believe that the Law Offices of Lee Salisbury, through Respondent, represented Syntec Scientific in *Synthes USA vs. Syntec*, and that Respondent was the authorized representative of the Law Offices of Lee Salisbury in the matter. In fact, neither the Law Offices of Lee Salisbury, nor Lee Salisbury, had any knowledge that Respondent represented Syntec Scientific and had not authorized her to represent Syntec Scientific as an attorney working on behalf of the Law Offices of Lee Salisbury. Respondent actively concealed the fact that she was representing Syntec Scientific in federal court from the Law Offices of Lee Salisbury.

On September 1, 2010, Synthes USA filed a motion in *Synthes USA vs. Syntec* seeking an order compelling Syntec Scientific to produce discovery and asking the court for an order imposing monetary sanctions against Syntec Scientific, Respondent, and the Law Offices of Lee Salisbury.

On September 24, 2010, Lee Salisbury filed a declaration in *Synthes USA vs. Syntec*, opposing the motion for sanctions. In his declaration, Lee Salisbury stated that he was the sole owner of the Law Offices of Lee Salisbury, that Syntec Scientific was not a client of the Law Offices of Lee Salisbury, that Respondent had no authority to appear as a representative of the Law Offices of Lee Salisbury in *Synthes USA vs. Syntec*, and that the first time that he heard about *Synthes USA vs. Syntec* was when Synthes USA served him with the discovery and sanction motion that it had filed on September 1, 2010.

On October 15, 2010, Respondent appeared at a hearing in *Synthes USA vs. Syntec* on behalf of Syntec Scientific. On October 15, 2010, the U.S. District Court found that Respondent had misrepresented to the court and to counsel that she represented Syntec Scientific on behalf of the Law Offices of Lee Salisbury.

Local rule 83-2.1 of the United States District Court, Central District of California, requires that an attorney may only appear before the District Court on behalf of another party or a class if that attorney is admitted to the Bar of the United States District Court. Respondent was never admitted, and is not now admitted, to the Bar of the United States District Court.

On November 15, 2010, Samuel Tiu, counsel for Synthes USA, filed a complaint with the State Bar. Pursuant to Tiu's complaint, the State Bar opened an investigation in case No. 10-O-10607.

On February 14, 2011, and on March 2, 2011, a State Bar investigator mailed letters to Respondent at her membership records address, requesting a written response to the allegations

in case No. 10-O-10607. Respondent received the letters and had until February 28, 2011, and March 14, 2011, respectively, in which to provide a written response to the letters. Respondent never responded to the letters or otherwise communicated with the State Bar investigator.

Conclusions of Law

The parties have stipulated to, and this court makes, the following conclusions of law with regard to the foregoing facts:

By misrepresenting to the court that Respondent represented Syntec Scientific on behalf of the Law Offices of Lee Salisbury in *Synthes USA v. Syntec*, Respondent sought to mislead a judge by an artifice or false statement of fact or law in willful violation of section 6068, subdivision (d).

By making court appearances in *Synthes USA v. Syntec*, on behalf of Syntec Scientific, and by representing Syntec Scientific at a deposition in the *Synthes USA v. Syntec* litigation, without being admitted to the United States District Court for the Central District of California, Respondent practiced law in a jurisdiction where her practicing was in violation of the regulations of the profession in that jurisdiction, in willful violation of rule 1-300(B).

By not providing a written response to the State Bar investigator's letters, mailed on February 14, 2011, and on March 2, 2011, in regard to case No. 10-O-10607, or otherwise cooperating in the investigation of case No. 10-O-10607, Respondent failed to cooperate and participate in a disciplinary investigation in willful violation of section 6068, subdivision (i).

Case No. 10-O-10609 (Hartley Matter)

Prior to September 2008, Angela Hartley (Hartley), through former counsel, obtained a Superior Court Order regarding child custody and child support.

In or about October 2008, Hartley hired the Law Offices of Lee Salisbury to modify the existing child custody and child support order. The Law Offices of Lee Salisbury assigned

Respondent to Hartley's case. When Hartley contacted Respondent, Hartley made it clear to Respondent that it was urgent that Respondent obtain as quickly as possible from the Superior Court an order modifying the existing child custody and support order.

Between February 2009 and February 2010, Hartley sent multiple e-mails each month to Respondent asking Respondent if Respondent had filed anything with the court and whether the court had set a hearing date to modify the child custody and support order.

On July 2, 2009, Respondent asked Hartley to meet her at the Superior Court. Respondent told Hartley that Respondent had filed a document with the court. At the courthouse, Respondent asked Hartley to wait outside the courtroom while Respondent went into the courtroom alone to speak with the clerk. When Respondent came out of the courtroom, Respondent told Hartley that Ms. Hartley's ex-husband was not going to oppose the proposed modification to the child custody and support order. Respondent knew this was false as Respondent had not filed any document with the court. This was merely a ruse intended to mislead Hartley into thinking Respondent had filed a document with the court and that the court was working on Hartley's case.

On February 19, 2010, Respondent sent an e-mail to Hartley, stating that Respondent had gone to the court on multiple occasions and had missed the court clerk each time. Again, this was false.

In or about October 2010, Hartley attempted to contact Respondent. Hartley was informed that Respondent was then no longer employed by the Law Offices of Lee Salisbury. Lee Salisbury determined that Respondent had not filed anything in Ms. Hartley's case and promptly filed the necessary documents to modify the existing child support and child custody order.

On November 16, 2010, the State Bar opened an investigation in case No. 10-O-10609, pursuant to a complaint from Ms. Hartley. On February 16, 2011, and on March 2, 2011, a State Bar investigator mailed letters to Respondent at her membership records address, requesting a written response to the allegations in case No. 10-O-10609. Respondent received the letters and had until March 1, 2011, and March 14, 2011, respectively, in which to provide a written response to the letters. Respondent never responded to the letters or otherwise communicated with the State Bar investigator.

Conclusions of Law

The parties have stipulated to, and this court makes, the following conclusions of law with regard to the foregoing facts:

By not filing any documents with the court or obtaining a modification of Hartley's child custody and support order, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of rule 3-110(A).

By telling Hartley that Respondent had filed documents with the court in Hartley's child custody and support matter and by taking actions intended to mislead Hartley into believing that Respondent had filed documents with the court when, in fact, Respondent had not filed any documents with the court, and by sending a false e-mail to Hartley stating that Respondent had gone to court on multiple occasions and had missed the court clerk each time, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of Business and Professions Code section 6106.

By not providing a written response to the State Bar investigator's letters, mailed on February 16, 2011, and on March 2, 2011, in regard to case No. 10-O-10609, or otherwise cooperating in the investigation of case No. 10-O-10609, Respondent failed to cooperate and

participate in a disciplinary investigation in willful violation of Business and Professions Code section 6068, subdivision (i).

Aggravation

The State Bar bears the burden of proving aggravating circumstances by clear and convincing evidence. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(b).)⁴ The parties have stipulated, and the court finds, the following with regard to possible aggravating factors.

Multiple Acts of Misconduct

Respondent's multiple acts of misconduct are an aggravating factor. (Std. 1.2(b)(ii).)

Significant Harm

Respondent's misconduct significantly harmed her clients. In the *Helm* matter, because Respondent had misled her client Helm into believing that his ex-wife had stipulated to allow Helm to pay a lower amount of child support, when the ex-wife had not done so, Helm's failure to pay the higher amount of support resulted in the wife serving Helm with an OSC re contempt. In the *Hartley* matter, Respondent's misconduct resulted in a delay of approximately two years before Hartley was able to obtain the modification of the child support and custody order. (Std. 1.2(b)(iv).)

Mitigation

In their stipulation, the parties stipulated that there were no mitigating circumstances involved in the underlying cases.

Candor/Cooperation

In the context of this proceeding, the court affords Respondent mitigation credit based on her conduct during the proceeding, as follows: Respondent entered into an extensive stipulation

⁴ All further references to standard(s) or std. are to this source.

of facts and freely admitted culpability in this case, for which conduct she is entitled to some mitigation. (Std. 1.2(e)(v); see also *In the Matter of Gadda* (Review Dept. 2002) 4 Cal. State Bar Ct. Rptr. 416, 443; *In the Matter of Johnson* (Review Dept. 2000) 4 Cal. State Bar Ct. Rptr. 179, 190 [where appropriate, more extensive weight in mitigation is accorded those who admit to culpability as well as facts].) In addition, at trial she was candid in discussing the substance abuse problem that gave rise to the misconduct.

Substance Abuse Addiction

Alcoholism and other substance abuse addictions may be considered mitigating where it is established by expert testimony that they were responsible for the attorney's misconduct and where the addiction has now been satisfactorily resolved. (*In the Matter of Frazier* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 676, 701-702.)

The court declines to give any mitigation credit to Respondent based on her testimony at trial regarding her past problems with cocaine. Such mitigation would have been contrary to the stipulation of the parties and, as noted above, the effort by Respondent to offer evidence on this issue was not timely made. Finally, and perhaps most significantly, Respondent's testimony at trial makes clear that she is still in the process of overcoming the prior substance abuse issue. While her progress there has apparently been good, the track record of success is not yet sufficient for this court to provide mitigation credit.

Discussion

The purpose of State Bar disciplinary proceedings is not to punish the attorney, but to protect the public, preserve public confidence in the profession, and maintain the highest possible professional standards for attorneys. (Std. 1.3; *Chadwick v. State Bar* (1989) 49 Cal.3d 103, 111.) In determining the appropriate level of discipline, the court looks first to the standards for guidance. (*Drociak v. State Bar* (1991) 52 Cal.3d 1085, 1090; *In the Matter of*

Koehler (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 615, 628.) Although the standards are not binding, they are to be afforded great weight because “they promote the consistent and uniform application of disciplinary measures.” (*In re Silvertown* (2005) 36 Cal.4th 81, 91-92.) Nevertheless, the court is not bound to follow the standards in talismanic fashion. As the final and independent arbiter of attorney discipline, the court is permitted to temper the letter of the law with considerations peculiar to the offense and the offender. (*In the Matter of Van Sickle* (2006) 4 Cal. State Bar Ct. Rptr. 980, 994; *Howard v. State Bar* (1990) 51 Cal.3d 215, 221-222.) In addition, the court considers relevant decisional law for guidance. (See *Snyder v. State Bar* (1990) 49 Cal.3d 1302, 1310-1311; *In the Matter of Frazier, supra*, 1 Cal. State Bar Ct. Rptr. at p. 703.) Ultimately, in determining the appropriate level of discipline, each case must be decided on its own facts after a balanced consideration of all relevant factors. (*Connor v. State Bar* (1990) 50 Cal.3d 1047, 1059; *In the Matter of Oheb* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 920, 940.)

Standard 1.6(a) provides that, when two or more acts of misconduct are found in a single disciplinary proceeding and different sanctions are prescribed for those acts, the recommended sanction is to be the most severe of the different sanctions. In the present proceeding, the most severe sanctions for Respondent's misconduct are found in standards 2.3 and 2.6. Standard 2.3 provides: “Culpability of a member of an act of moral turpitude, fraud, or intentional dishonesty toward a court, client or another person or of concealment of a material fact to a court, client or another person shall result in actual suspension or disbarment depending upon the extent to which the victim of the misconduct is harmed or misled and depending upon the magnitude of the act of misconduct and the degree to which it relates to the member's acts within the practice of law.” Standard 2.6 provides that culpability of a violation of certain specified sections of the

Business and Professions Code, including section 6068, will result in suspension or disbarment, depending on the gravity of the offense or the harm to the client.⁵

In their effort to resolve these matters by stipulation, the parties initially agreed to resolve the cases with a stipulated disposition of a two-year suspension, stayed; a two-year probation; and a six-month actual suspension. As previously noted, that suggested disposition was returned to the parties by this court to address certain enumerated concerns regarding the stipulation.

In the second settlement agreement between the parties, the parties agreed that the appropriate disposition of the case should be a three-year suspension, stayed; a three-year probation; and an actual suspension of one year. In support of that recommendation, the parties cited to *In the Matter of Peterson* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 83, which involved similar misconduct and aggravating factors. It was that disposition that was approved by this court but subsequently returned by the Supreme Court for further consideration “in light of the applicable attorney discipline standards.”

Looking to the discipline previously agreed to by the parties and recommended by this court, this court first notes that the recommended discipline is consistent with the applicable standards, which recommend discipline of either suspension or disbarment, depending on the gravity of the misconduct and resulting harm. Further, as noted above, the discipline is also consistent with existing case law.

The State Bar now requests that this court recommend that Respondent be disbarred because of her misconduct in these matters. In support of that request, however, it acknowledged at trial that it is unable to cite to any supporting case law.

In response, Respondent argues that the previously agreed discipline of one year of actual suspension should be reaffirmed by this court. In addition to the *Peterson* decision,

⁵ Also potentially applicable are standards 2.4(b) and 2.10.

Respondent's counsel cites as supporting authority the Review Department's decisions in *In the Matter of Regan* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 844, *In the Matter of Maloney and Virsik* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 774, *In the Matter of Jeffers* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 211, and *In the Matter of Miller* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 131, and the California Supreme Court's decisions in *Gold v. State Bar* (1989) 49 Cal.3d 908, *Slavkin v. State Bar* (1989) 49 Cal.3d 894, *Levin v. State Bar* (1989) 47 Cal.3d 1140, and *Carter v. State Bar* (1988) 44 Cal.3d 1091.

Reviewing the above cases and the pertinent underlying facts, this court concludes that a minimum actual suspension of more than one year is not necessarily required in order to protect the public, the profession, and the courts. However, given the facts that Respondent has now indicated (1) that her prior misconduct resulted from a substance abuse problem from which she is still recovering, and (2) that she has not been practicing since December 2010, the court concludes that Respondent's period of actual suspension should continue until she provides proof to the State Bar Court of her rehabilitation, fitness to practice, and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

Recommendation

It is recommended that respondent **Natalie Dor-Dor Wang**, Member No. 231122, be suspended from the practice of law in California for three years, that execution of that period of suspension be stayed, and that Respondent be placed on probation for a period of three years subject to the following conditions:

1. Respondent must be actually suspended from the practice of law for a minimum of the first twelve months of probation and until she provides proof to the State Bar Court of her

- rehabilitation, fitness to practice, and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. Respondent must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all the conditions of this probation.
 3. Respondent must maintain, with the State Bar's Membership Records Office *and* the State Bar's Office of Probation, her current office address and telephone number or, *if no office is maintained*, an address to be used for State Bar purposes. (Bus. & Prof. Code, § 6002.1, subd. (a).) Respondent must also maintain, with the State Bar's Membership Records Office *and* the State Bar's Office of Probation, her current home address and telephone number. (See Bus. & Prof. Code, § 6002.1, subd. (a)(5).) Respondent's home address and telephone number will *not* be made available to the general public. (Bus. & Prof. Code, § 6002.1, subd. (d).) Respondent must notify the Membership Records Office and the Office of Probation of any change in any of this information no later than 10 days after the change.
 4. Within thirty (30) days after 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 and 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 report, in writing, to the State Bar's Office of Probation no later than January 10, April 10, July 10 and October 10 of each year or part thereof in which Respondent is on probation (reporting dates).⁶ However, if Respondent's probation begins less than 30 days before a reporting date, Respondent may submit the first report

⁶ To comply with this requirement, the required report, duly completed, signed and dated, must be received by the Office of Probation on or before the reporting deadline.

no later than the second reporting date after the beginning of her probation. In each report, Respondent must state that it covers the preceding calendar quarter or applicable portion thereof and certify by affidavit or under penalty of perjury under the laws of the State of California as follows:

(a) in the first report, whether Respondent has complied with all the provisions of the State Bar Act, the Rules of Professional Conduct, and all other conditions of probation since the beginning of probation; and

(b) in each subsequent report, whether Respondent has complied with all the provisions of the State Bar Act, the Rules of Professional Conduct, and all other conditions of probation during that period.

During the last 20 days of this probation, Respondent must submit a final report covering any period of probation remaining after and not covered by the last quarterly report required under this probation condition. In this final report, Respondent must certify to the matters set forth in subparagraph (b) of this probation condition by affidavit or under penalty of perjury under the laws of the State of California.

6. Subject to the proper or good faith assertion of any applicable privilege, Respondent must fully, promptly, and truthfully answer any inquiries of the State Bar's Office of Probation that are directed to Respondent, whether orally or in writing, relating to whether Respondent is complying or has complied with the conditions of this probation.
7. Within one year after the effective date of the Supreme Court order in this matter, Respondent must attend and satisfactorily complete the State Bar's Ethics School and provide satisfactory proof of such completion to the State Bar's Office of Probation. This condition of probation is separate and apart from Respondent's California Minimum Continuing Legal Education (MCLE) requirements; accordingly, Respondent is ordered

not to claim any MCLE credit for attending and completing this course. (Rules Proc. of State Bar, rule 3201.)

8. Respondent's probation will commence on the effective date of the Supreme Court order imposing discipline in this matter.
9. At the termination of the probation period, if Respondent has complied with all of the terms of her probation, the three-year period of stayed suspension will be satisfied and the suspension will be terminated.

MPRE

It is further recommended that Respondent be ordered to take and pass the Multistate Professional Responsibility Examination during the period of her suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Rule 9.20

The court recommends that Respondent be ordered to comply with rule 9.20 of the 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 order in this matter.⁷

Costs

It is further recommended that costs be awarded to the State Bar in accordance with section 6086.10 and that such costs be enforceable both as provided in section 6140.7 and as a

⁷ Respondent is required to file a rule 9.20(c) affidavit even if she has no clients to notify on the date the Supreme Court files its order in this proceeding. (*Powers v. State Bar* (1988) 44 Cal.3d 337, 341.) In addition to being punished as a crime or contempt, an attorney's failure to comply with rule 9.20 is also, *inter alia*, cause for disbarment, suspension, revocation of any pending disciplinary probation, and denial of an application for reinstatement after disbarment. (Cal. Rules of Court, rule 9.20(d).)

money judgment. It is also recommended that Respondent be ordered to reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and that such payment obligation be enforceable as provided for under Business and Professions Code section 6140.5.

Order

The order filed May 17, 2012, approving, as modified, the parties' prior Stipulation Re Facts, Conclusions of Law and Disposition in the above-entitled matter, is hereby vacated.

Dated: March _____, 2013

DONALD F. MILES
Judge of the State Bar Court