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State Bar Court of California Hearing Department Los Angeles STAYED SUSPENSION		
<p>Counsel For The State Bar</p> <p>Ross F. Viselman Deputy Trial Counsel 1149 South Hill Street Los Angeles, California 90015 Telephone: (213) 765-1295</p> <p>Bar # 204979</p>	<p>Case Number(s):</p> <p>Filed matters: 10-O-10928 10-O-10937</p> <p>Unfiled matters: 10-O-09791 11-O-14546</p>	<p>For Court use only</p> <p style="text-align: center; font-size: 1.2em;">PUBLIC MATTER</p> <p style="text-align: center; font-size: 1.5em; font-weight: bold;">FILED </p> <p style="text-align: center;">JAN 18 2012</p> <p style="text-align: center;">STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>In Pro Per Respondent</p> <p>Jeffrey Hoffman 11400 West Olympic Boulevard Suite 200 Los Angeles, California 90064</p> <p>Bar # 71240</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>STAYED SUSPENSION; NO ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: Jeffrey Hoffman</p> <p>Bar # 71240</p> <p>A Member of the State Bar of California (Respondent)</p>		

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted December 22, 1976.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of 15 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."



- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
 - Costs are added to membership fee for calendar year following effective date of discipline.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: three (3) billing cycles immediately following the effective date of the Supreme Court order in this matter. (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure). If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline** [see standard 1.2(f)]
 - (a) State Bar Court case # of prior case
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."
- (2) **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (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.

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- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) **No aggravating circumstances** are involved.

Additional aggravating circumstances

C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) **Good Faith:** Respondent acted in good faith.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

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Additional mitigating circumstances

Respondent has no record of prior discipline since being admitted to the practice of law in California in December 1976.
Respondent cooperated with the State Bar by entering into this stipulation.

D. Discipline:

(1) **Stayed Suspension:**

(a) Respondent must be suspended from the practice of law for a period of one (1) year.

i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.

ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii. and until Respondent does the following:

The above-referenced suspension is stayed.

(2) **Probation:**

Respondent is placed on probation for a period of four (4) years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court.)

E. Additional Conditions of Probation:

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

(2) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

(3) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.

(4) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

(5) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

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- (6) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (7) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the State Bar Ethics School, and passage of the test given at the end of that session.
- No Ethics School recommended. Reason: .
- (8) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (9) The following conditions are attached hereto and incorporated:
- Substance Abuse Conditions Law Office Management Conditions
- Medical Conditions Financial Conditions

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
- No MPRE recommended. Reason:
- (2) **Other Conditions:**
- (A) Within one hundred twenty (120) days of the effective date of the discipline herein, Respondent must either (1) pay the \$3,500 sanction imposed by the court on June 30, 2010 in the matter of Carmody et al. v. LaTorre et al., LC087933; or (2) obtain an order vacating the order imposing such sanction; AND
- (B) Within one hundred twenty (120) days of the effective date of the discipline herein, Respondent must show proof to the Office of Probation that Respondent paid the above-referenced sanction or obtained a court order vacating such sanction.

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In the Matter of: Jeffrey Hoffman No. 71240	Case Number(s): Filed matters: 10-O-10928 10-O-10937 Unfiled matters: 10-O-09791 11-O-145466
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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
Marie Bellevue	\$2,400.00	August 1, 2010
Magby Azer	\$14,270.00	April 1, 2010

- 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.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency
Marie Bellevue	\$250.00	Quarterly
Magby Azer	\$1,000.00	Quarterly

- 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:

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- 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: Jeffrey S. Hoffman

CASE NUMBER(S): Filed matters:
 10-O-10928
 10-O-10937

 Unfiled matters:
 10-O-09791
 11-O-14546

I. 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/or Rules of Professional Conduct.

A. Case Nos. 10-O-10928 (Complainant: Jay Carmody) and 10-O-10937 (Complainant: Chris LaTorre)

Facts:

1. On August 26, 2009, Chris LaTorre employed Respondent to represent him in negotiation of a business dispute with Jay Carmody, and paid Respondent \$3,000 for his services. The retainer agreement between LaTorre and Respondent contemplated that Respondent would represent LaTorre in the event litigation between LaTorre and Carmody ensued.

2. On December 15, 2009, a civil case was filed in the Superior Court of Los Angeles County, entitled *Jay Joseph Carmody, et al. v. Chris LaTorre, et al.*, Case No. LC 087933 (the "Action"). As LaTorre's attorney, Respondent had an obligation to represent LaTorre during the Action and, in particular, to file an answer in response to the complaint.

3. Because of a miscommunication in the way the complaint was served on LaTorre and because of miscommunication between Respondent and Carmody's attorney, LaTorre's answer to the complaint was not timely filed. On February 10, 2010, plaintiff sought and obtained an entry of default against LaTorre.

4. On June 15, 2010 Respondent filed a motion to set aside the default.

5. The court held a hearing on Respondent's motion on June 30, 2010. Respondent did not personally appear at the June 30 hearing, but employed a contract attorney to do so. The court granted Respondent's motion to set aside the default, but also levied sanctions against Respondent personally in the sum of \$3,500, payable to Carmody's counsel.

6. To date, Respondent has not paid the sanctions and has not otherwise sought relief from the order imposing sanctions.

7. On July 20, 2010, LaTorre terminated Respondent's employment and obtained substitute counsel. From July 20, 2010 until September 2010, substitute counsel repeatedly requested that Respondent forward LaTorre's file materials and an accounting of the fees paid to Respondent by LaTorre.

8. To date, Respondent has not forwarded to LaTorre or his new lawyer either LaTorre's file materials or an accounting of LaTorre's fees.

Conclusions of law:

9. By not paying the \$3,500 sanctions as ordered by the Los Angeles Superior Court, Respondent disobeyed a court order in willful violation of Business and Professions Code, section 6103.

10. By not forwarding LaTorre's file materials to LaTorre or his new lawyer, Respondent failed to release promptly, upon termination of employment, to the client, at the request of the client, all the client papers and property, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

11. By not providing an accounting of LaTorre's fees and costs, Respondent failed to render appropriate accounts to a client regarding all funds coming into Respondent's possession, in willful violation of Rules of Professional Conduct, rule 4-100(B)(3).

B. Case No. 10-O-09791 (Complainant: Marie Bellevue)

Facts:

12. On April 1, 2010, Marie Bellevue employed Respondent to negotiate and obtain for her a home mortgage loan modification. Pursuant to the retainer agreement, Respondent charged an advanced fee of \$4,500. On April 1, 2010, Bellevue paid Respondent \$400 prior to any work being performed on the matter.

13. On May 19, 2010, Respondent filed a Chapter 13 bankruptcy petition in United States Bankruptcy Court, Central District of California (Riverside), Bankruptcy No. 6:10-bk-25277-DS (the "Petition") on behalf of Bellevue.

14. On June 8, 2010, the Petition was dismissed for, among other things, the failure "to file all the documents required" in accordance with the applicable rules and regulations.

15. On August 7, 2010, Bellevue paid \$2,000 to Respondent with the understanding that Respondent would re-file the bankruptcy petition. Respondent did not re-file a bankruptcy petition.

16. On September 1, 2010, Bellevue terminated her employment of Respondent and demanded a refund of the \$2,000. At the time Bellevue terminated Respondent's employment, Respondent had performed no work of value for Bellevue, and did not earn any portion of the fee that Bellevue had paid to Respondent for his services.

17. Respondent has not returned any portion of the fee to Bellevue.

Conclusions of law:

18. By charging \$4,500 and receiving \$400 in advanced fees after October 11, 2009 in exchange for agreeing to perform loan modification services in violation of California Civil Code section 2944.7(a)(1), Respondent willfully violated Business and Professions Code section 6106.3.

19. By not performing legal services of value to Bellevue, including, but not limited to, failing to file required documentation in the course of bankruptcy proceedings, Respondent recklessly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

20. By not refunding any portion of Bellevue's unearned fee, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

C. Case No. 11-O-14546 (Complainant: Magdy Azer)

Facts:

21. On October 27, 2009, Magdy Azer employed Respondent to represent him in negotiation of a loan modification regarding three properties located in California (one in Arcadia and two in Wildomar).

22. On October 28, 2009, Azer paid Respondent an advanced fee of \$3,750 prior to any work being commenced on the matter. On November 18, 2009, Azer paid Respondent an additional advanced fee of \$3,750 prior to any work being commenced on the matter.

23. Because Azer resides primarily in Egypt, he instructed Respondent to work with his daughter, Joanna, and his son-in-law, Robert Ridge, both of whom live in California.

24. In March 2010, Respondent told Ridge that he required an additional payment of \$6,770 for work on the loan modification.

25. On March 30, 2010, Azer paid Respondent an additional amount of \$6,770. On that date, Respondent had not completed any work on the loan modification for Azer and had not obtained any offer of a loan modification on any of the three properties.

26. On May 23, 2011, Azer terminated Respondent's employment in writing and demanded a refund of the \$14,270. At the time Azer terminated Respondent's employment, Respondent had performed no work of value for Azer, and did not earn any portion of the fee that Azer had paid to Respondent for his services.

27. Respondent has not returned any portion of the fee to Azer.

Conclusions of law:

28. By charging and receiving \$14,270 in advanced fees after October 11, 2009 in exchange for agreeing to perform loan modification services in violation of California Civil Code section 2944.7(a)(1), Respondent willfully violated Business and Professions Code section 6106.3.

29. By not performing legal services of value to Azer, including, but not limited to, negotiating and obtaining a loan modification, Respondent recklessly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

30. By not refunding any portion of Azer's unearned fee, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

II. DISMISSALS

The parties respectfully request the court to dismiss the following alleged violation in the interest of justice:

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
10-O-10937	2	Business and Professions Code, section 6068(o)(3)

III. WAIVER OF VARIANCE BETWEEN NOTICE OF DISCIPLINARY CHARGES AND STIPULATED FACTS AND CULPABILITY

The parties waive any variance between the Notice of Disciplinary Charges filed in this matter on August 29, 2011 and the facts and/or conclusions of law contained in this stipulation. Additionally, the

parties waive the issuance of an amended Notice of Disciplinary Charges. Finally, the parties waive the right to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

IV. PENDING PROCEEDINGS

The disclosure date referred to, on page 2, paragraph A(7), was December 8, 2011.

V. AUTHORITIES SUPPORTING DISCIPLINE

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

Standard 2.6, in relevant part, provides that culpability of a member of a violating Business and Professions Code section 6103 shall result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline in Standard 1.3.

Standard 2.4(b) states that a failure to perform in individual client matters, not demonstrating a pattern, shall result in reproof or suspension depending on the extent of the misconduct and the extent of harm to the client.

Standard 2.10 states that the violation of rule 3-700(D)(2) [Failure to Refund Unearned Fees], rule 4-200(A) [Illegal Fee], and section 6106.3 [Violation of California Civil Code section 2944.7(a) and 2944.6(A)] shall result in reproof or suspension, depending on the gravity of the offense or the harm to the victim.

Standard 1.6(b)(ii) states that a lesser degree of sanction than the “appropriate sanction” set forth in the standards of discipline shall be imposed in the event that mitigating circumstances are found to surround the particular act of misconduct and the net effect of those mitigating circumstances (as balanced against the aggravating circumstances) demonstrates that the purposes of imposing sanctions set forth in standard 1.3 will be properly fulfilled if a lesser degree of sanction is imposed.

In the Matter of Respondent X (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 592. The attorney in *X* was charged with deliberately violating the confidentiality provision of a superior court order enforcing a settlement agreement in a legal malpractice lawsuit. The Review Department found no factors in aggravation, and several factors in mitigation, including: 18 years of practice without prior discipline; that the attorney was under great pressure in that his client and co-counsel disagreed with his principled approach to the basic settlement and the confidential terms which were a part of it; and that the attorney held sincere beliefs that he was acting in support of sound public policy by revealing the confidential information at issue. The Review Department imposed a private reproof with no requirement that the attorney pass a professional responsibility examination.

Here, private reproof is inappropriate given the circumstances of the misconduct. Like the attorney in *X*, Respondent has many years (i.e., 35 years) of practice without prior discipline, but unlike the attorney in *X*, Respondent did not have a sincere belief that he was acting in support of sound public policy in committing the misconduct at issue. For example, even if Respondent did not have actual knowledge of the sanction at the time it was imposed (because he had a contract attorney appear on his

behalf), Respondent did learn about the sanction through subsequent communications, and still failed to pay the sanction or otherwise seek relief once he found out about the sanction.

The parties submit that the discipline recommended in the matter, coupled with the recommended probation conditions (including restitution), will protect the public.

VI. COSTS OF DISCIPLINARY PROCEEDINGS

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of December 28, 2011, the prosecution costs in this matter are \$8,006.20. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

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In the Matter of: Jeffrey Hoffman, Bar # 71240	Case number(s): Filed matters: 10-O-10928 10-O-10937 Unfiled matters: 10-O-09791 11-O-14546
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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.

12-29-11  Jeffrey S. Hoffman
Date Respondent's Signature Print Name

12-29-11  Ross E. Viselman
Date Deputy Trial Counsel's Signature Print Name

(Do not write above this line.)

In the Matter of: Jeffrey Hoffman, Bar # 71240	Case Number(s): Filed matters: 10-O-10928 10-O-10937 Unfiled matters: 10-O-09791 11-O-14546
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STAYED SUSPENSION ORDER

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

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

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

01-17-12
Date



Judge of the State Bar Court
RICHARD A. PLANTE

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 San Francisco, on January 18, 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 San Francisco, California, addressed as follows:

JEFFREY STEVEN HOFFMAN
11400 W OLYMPIC BLVD #200
LOS ANGELES, CA 90064 – 1550

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

ROSS E. VISELMAN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on January 18, 2012.



Bernadette C.O. Molina
Case Administrator
State Bar Court