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

<p>Counsel For The State Bar</p> <p>Robert J. Melone Acting Deputy Trial Counsel 1149 S. Hill St. Los Angeles, CA 90015-2299 213-765-1219</p> <p>Bar # 270556</p>	<p>Case Number(s): 11-J-15977</p> <p><b>PUBLIC MATTER</b></p>	<p>For Court use only</p> <p><b>FILED</b> NOV 23 2011</p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>In Pro Per Respondent</p> <p>Francis Bernard Mann, Jr. 3 Ann Ter Bethel, CT 06801</p> <p>Bar # 93221</p>	<p>Submitted to: <b>Assigned Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: Francis Bernard Mann, Jr.</p> <p>Bar # 93221</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 August 21, 1980.
- (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 12 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."



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- (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: for the two (2) 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.
- (5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

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- (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 Attachment to Stipulation Re Facts, Conclusions of Law, and Disposition.
- (8)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

None

**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. See Attachment to Stipulation Re Facts, Conclusions of Law, and Disposition.
- (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 Attachment to Stipulation Re Facts, Conclusions of Law, and Disposition.
- (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 Attachment to Stipulation Re Facts, Conclusions of Law, and Disposition.
- (5)  **Restitution:** Respondent paid \$ xxxx on xxxx in restitution to xxxx without the threat or force of disciplinary, civil or criminal proceedings. See Attachment to Stipulation Re Facts, Conclusions of Law, and Disposition.
- (6)  **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7)  **Good Faith:** Respondent acted in good faith.
- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9)  **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10)  **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.

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- (11)  **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct. See Attachment to Stipulation Re Facts, Conclusions of Law, and Disposition.
- (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:**

Although the misconduct herein is serious, Respondent has had no prior record of discipline since being admitted to the practice of law on August 21, 1980.

**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 two (2) years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)
- (3)  **Actual Suspension:**
- (a)  Respondent must be actually suspended from the practice of law in the State of California for a period of 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:

**E. Additional Conditions of Probation:**

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- (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: See Attachment to Stipulation Re Facts, Conclusions of Law, and Disposition..
- (9)  Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10)  The following conditions are attached hereto and incorporated:
  - Substance Abuse Conditions
  - Law Office Management Conditions
  - Medical Conditions
  - Financial Conditions

**F. Other Conditions Negotiated by the Parties:**

- (1)  **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**  
  
 No MPRE recommended. Reason:
- (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:** See Attachment to Stipulation Re Facts, Conclusions of Law, and Disposition.



stating "Attorney Special Account," "Attorney Trust Account," or "Attorney Escrow Account" as required by the New York Rules of Professional Conduct.

7. By letter dated January 12, 2007, Respondent advised Doctors Joseph Barthko and Susan Seven-Sky, chiropractors who treated Ms. Valenzuela, of the settlement. Respondent stated that he would hold the sum of \$5,000 from the settlement in escrow pending conclusion of a no-fault arbitration commenced on their behalf against the relevant no-fault carrier to recover reimbursement of unpaid bills relating to treatment they had provided to Ms. Valenzuela after the accident. If the arbitration were successful, the doctors agreed to take the amount awarded in full satisfaction of all outstanding charges but, if unsuccessful, the doctors agreed to accept the \$5,000 held in escrow in full satisfaction of all outstanding charges. The doctors agreed to this arrangement by letter signed on or about February 23, 2007.

8. On or about January 3, 2007, Respondent deposited the \$21,000 settlement check into his CTA. On or about January 9, 2007, Respondent disbursed check No. 1038 to himself for \$6,000. On or about January 16, 2007, he disbursed check No. 1039 to himself for \$2,050. On or about January 17, 2007, he disbursed check No. 1040 to Ms. Valenzuela for \$7,946.23, leaving a balance of \$5,003.77 on deposit in the CTA in connection with the matter. Although Respondent was required to hold \$5,000 in escrow pending resolution of the arbitration, he disbursed \$4,950 to his firm via checks Nos. 1041 and 1042, respectively, on January 24, 2007, and February 13, 2007, in the respective amounts of \$4,500 and \$450. On or about March 15, 2007, Respondent disbursed an additional \$70 to his firm via check No. 1043 in connection with the Valenzuela matter, thereby disbursing more than he had on deposit in connection with the matter.

9. On or about March 17, 2007, Respondent deposited the sum of \$3,040 into his CTA. Part of the deposit, a check in the amount of \$3,000, was a personal loan from his sister-in-law, Arlene Bent, to cover general business expenses. During the 30 days following the deposit, Respondent disbursed all the funds to himself.

10. On or about March 3, 2008, Respondent deposited into his CTA a check for \$25,000, representing the settlement proceeds in connection with a personal injury case on behalf of a client named Cuthbert. Although required to hold Cuthbert's share of the settlement proceeds in his CTA, the balance in the account on September 5, 2008, fell to a low of \$42.50, below the amount Respondent was required to hold for Cuthbert. The funds were disbursed to or on behalf of Cuthbert in or about December 2008.

11. On or about March 24, 2008, Respondent disbursed check No. 1093 from his CTA to Roland Simmons, his brother-in-law, for \$5,000, to repay part of a \$10,000 personal loan made to him by Mr. Simmons in 2006. At such time, there were no corresponding funds on deposit in the account, as Respondent had deposited the \$10,000 loan proceeds from Mr. Simmons into his personal bank account.

12. During the period from March 2008 through September 2008, Respondent failed to timely disburse, from his CTA, earned legal fees totaling \$62,738.25 in seven different legal matters.

13. During the period from April 2008 through October 2008, Respondent transferred a total of \$45,580 from his CTA to his business account. During the period from March 2008 through October 2008, Respondent wrote a total of \$25,811.67 in checks from his CTA to himself or his law firm. The transfers and checks represented fees and disbursements, but Respondent could not identify the name of the client matters to which two of the transactions related.



14. In August 2009, Respondent failed to pay two separate judgments. One judgment, entered on January 9, 2009, for \$992.20, is related to invoices for video services provided to Respondent's law firm in 2007. The second judgment, entered on April 22, 2009, in the amount of \$2,982.77, is related to reporting services provided to Respondent's law firm in December 2006 and March, April, and June 2007. As of September 21, 2009, the two judgments had not yet been satisfied.

#### CONCLUSIONS OF LAW:

15. The disciplinary proceeding in the other jurisdiction provided Respondent with fundamental constitutional protection.

16. Respondent's conduct in the other jurisdiction as set forth above would warrant the imposition of discipline in California as violation(s) of the following:

17. By depositing personal funds into his client trust account, and failing to promptly remove earned funds from his client trust account, Respondent deposited or commingled funds belonging to Respondent in a bank account labeled "Trust Account," "Client's Funds Account" or words of similar import wilfully violated Rules of Professional Conduct, rule 4-100(A).

18. By failing to identify his client trust account as such, Respondent failed to maintain the balance of funds received for the benefit of a client and deposited in a bank account labeled "Trust Account," "Client's Funds Account" or words of similar import in violation of Rules of Professional Conduct, rule 4-100(A).

19. By misappropriating funds from his CTA, Respondent committed an act involving moral turpitude, dishonesty or corruption wilfully violated Business and Professions Code, section 6106.

#### PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was September 22, 2011.

#### AUTHORITIES SUPPORTING DISCIPLINE.

Pursuant to Standard 1.3 of the Standards for Attorney Sanctions for Professional Misconduct, the primary purposes of disciplinary proceedings and imposing sanctions for professional misconduct 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 2.2(a) provides that culpability of a member of willful misappropriation of entrusted funds or property shall result in disbarment. Only if the amount of funds or property misappropriated is insignificantly small or if the most compelling mitigating circumstances clearly predominate, shall disbarment not be imposed. In those latter cases, the discipline shall not be less than a one-year actual suspension, irrespective of mitigating circumstances.

Finally, Standard 2.3 provides that culpability of a member of an act of moral turpitude, fraud, or intentional dishonesty toward 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.

The Supreme Court gives the Standards "great weight," and will reject a recommendation consistent with the Standards only where the Court entertains "grave doubts" as to its propriety. *In re Naney* (1990) 51 Cal. 3d 186, 190; *see also In re Silvertan* (2005) 36 Cal. 4<sup>th</sup> 81, 91, 92. Further, although the Standards are not mandatory, it is well established that the Standards may be deviated from only when there is a compelling, well-defined reason to do so. *See Aronin v. State Bar* (1990) 52 Cal. 3d 276, 291; *see also Bates v. State Bar* (1990) 52 Cal. 3d. 1056, 1060, fn. 2.

The State Bar recognizes that the Standards should not be applied in a talismanic fashion. *Gary v. State Bar* (1988) 44 Cal. 3d 820, 828. However, Respondent bears the burden to demonstrate that the State Bar should deviate from the Standards.

In the case at bar, the stipulated discipline of three (3) years stayed suspension, two (2) years probation with conditions, and one (1) year actual suspension is consistent with the Standards. Case law also supports the recommended level of discipline. The case most analogous to the matter before us is *Edwards v. State Bar* (1990) 52 Cal. 3d 28. In *Edwards*, the Supreme Court of California found that Respondent had commingled client funds in a trust account and had on at least one occasion willfully misappropriated a client's settlement funds from the account. The Supreme Court held that the purposes of attorney discipline would be fully served by actually suspending the attorney for one year.

Like the attorney in *Edwards*, Respondent commingled client funds in his trust account and on at least one occasion willfully misappropriated those funds. Also like the attorney in *Edwards*, Respondent is entitled to mitigating credit given his good faith in refraining from acts of deceit toward the client, making full repayment within three months after the misappropriation and before the attorney was aware of the complaint to the State Bar, and cooperating candidly throughout the proceedings. Thus, the imposition of an equal period of actual suspension is warranted based on the similarity in facts between the two cases.

## **AGGRAVATING CIRCUMSTANCES**

### **MULTIPLE/PATTER OF MISCONDUCT**

The current misconduct acknowledged by the member evidences multiple acts of wrongdoing.

## **MITIGATING CIRCUMSTANCES**

### **NO PRIOR DISCIPLINE**

Respondent practiced law in New York for over thirty (30) years and has been an inactive member of the State Bar of California since January 1, 1982. Respondent has no prior record of discipline.

### **NO HARM**

Respondent did no harm to his clients because he returned the amounts removed from his CTA and Respondent paid clients when they were required to be paid.

### **CANDOR/COOPERATION**

Respondent has been candid and cooperative with the State Bar.

REMORSE

Respondent has expressed remorse and acknowledged responsibility for his wrongdoing.

RESTITUTION

Respondent paid all amounts improperly taken from his CTA within three (3) months of when he removed them, and before any discipline was initiated.

**ADDITIONAL CONDITIONS OF PROBATION**

ETHICS SCHOOL

Respondent currently resides in Connecticut. As an alternative to attending Ethics School, Respondent has agreed to take six units of Continuing Legal Education in the area of Ethics within one year of the effective date of the discipline herein and provide proof to the Office of Probation that he completed the CLE units, at least three units of which must be participatory.

**OTHER CONDITIONS NEGOTIATED BY THE PARTIES**

CLIENT TRUST ACCOUNTING SCHOOL

Respondent currently resides in Connecticut. As an alternative to attending Ethics School Trust Accounting School, Respondent has agreed to take six units of Continuing Legal Education in the area of Client Trust Accounting within one year of the effective date of the discipline herein and provide proof to the Office of Probation that he completed the CLE units, at least three units of which must be participatory.

**COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of September 22, 2011, the prosecution costs in this matter are \$2,797. 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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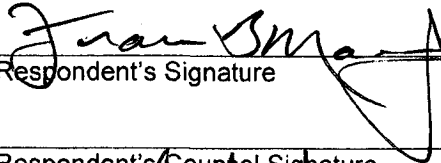
In the Matter of: Francis Bernard Mann, Jr.	Case number(s): 11-J-15977
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### SIGNATURE OF THE PARTIES

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.

October 26, 2011

Date



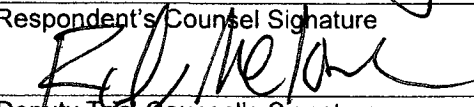
Respondent's Signature

Francis B. Mann, Jr.

Print Name

Date

11/1/11



Deputy Trial Counsel's Signature

Print Name

Robert J. Melone

Print Name

Date

(Do not write above this line.)

In the Matter of: Francis Bernard Mann, Jr.	Case Number(s): 11-J-15977
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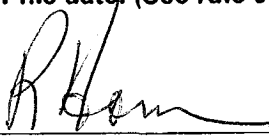
### ACTUAL SUSPENSION ORDER

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

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

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.)**

11-23-11  
Date

  
\_\_\_\_\_  
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 November 23, 2011, 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:

FRANCIS BERNARD MANN, JR.  
3 ANN TER  
BETHEL, CT 06801

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:

Robert J. Melone, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 23, 2011.



Cristina Potter  
Case Administrator  
State Bar Court