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State Bar Court of California Hearing Department Los Angeles DISBARMENT		
Counsel For The State Bar AGUSTIN HERNANDEZ Deputy Trial Counsel 1149 South Hill Street Los Angeles, CA 90015 (213) 765-1713 Bar # 161625	Case Number(s): 11-O-12217 <div style="text-align: center; font-size: 1.5em;">PUBLIC MATTER</div>	For Court use only <div style="text-align: center;"> FILED JAN 20 2012 <i>[Signature]</i> STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
In Pro Per Respondent STANLEY ZEIGLER WHITE 6399 Wilshire Blvd., Suite 600 Los Angeles, CA 90048 (310) 659-5268 Bar # 118616	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT DISBARMENT <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: STANLEY ZEIGLER WHITE Bar # 118616 A Member of the State Bar of California (Respondent)		

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

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted June 12, 1985.
- (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 resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of (10) 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."

(Effective January 1, 2011)



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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):
- Costs to be awarded to the State Bar.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.
- (9) ORDER OF INACTIVE ENROLLMENT:
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 5.111(D)(1).

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**
- (a) State Bar Court case # of prior case 98-O-03395
 - (b) Date prior discipline effective August 3, 2001.
 - (c) Rules of Professional Conduct/ State Bar Act violations: Rule 3-700(D)(2), Rules of Professional Conduct.
 - (d) Degree of prior discipline Private Reprimand.
 - (e) If respondent has two or more incidents of prior discipline, use space provided below:

02-O-13602.

August 21, 2005.

Rules 4-100(A) (two counts), and 4-100(B)(4), Rules of Professional Conduct, and Business and Professions Code, section 6106 (two counts).

One year stayed suspension, 75 days actual suspension, and three years probation.

08-O-10977

February 27, 2011.

Rule 3-110(A), Rules of Professional Conduct.

Two years stayed suspension, 30 days actual suspension, and three years probation.

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- (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.
- (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. On July 5, 2011, the State Bar wrote to Respondent regarding Kimberly Stephens' complaint. On August 2, 2011, Respondent had one of his employees contact Atlas Chiropractic/Medical Group to pay Stephen's outstanding bill in full. However, given the passage of time, the representative from Atlas Chiropractic/Medical Group refused to accept Respondent's payment.
- (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. On July 5, 2011, the State Bar wrote to Respondent regarding Kimberly Stephens' complaint. On August 2, 2011, Respondent had one of his employees contact Atlas Chiropractic/Medical Group to pay Stephen's outstanding bill in full. However, given the passage of time, the representative from Atlas Chiropractic/Medical Group refused to accept Respondent's payment.
- (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.

(Effective January 1, 2011)

Disbarment

- (7) **Good Faith:** Respondent acted in good faith.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and respondent no longer suffers from such difficulties or disabilities.
- (9) **Severe Financial Stress:** At the time of the misconduct, respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

D. Discipline: Disbarment.

E. Additional Requirements:

- (1) **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.
- (2) **Restitution:** Respondent must make restitution to Kimberly Stephens in the amount of \$ 4,833.33 plus 10 percent interest per year from December 11, 2008. If the Client Security Fund has reimbursed Kimberly Stephens for all or any portion of the principal amount, respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5. Respondent must pay the above restitution and furnish satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles no later than 30 days from the effective date of the Supreme Court order in this case.
- (3) **Other:**

Attachment language (if any):

ATTACHMENT TO STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: STANLEY ZEIGLER WHITE

CASE NUMBERS: 11-O-12217

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.

Case No. 11-O-12217 (Complainant: Kimberly Stephens):

FACTS:

1. On April 18, 2008, Kimberly Stephens ("Stephens") employed Respondent to represent her in a personal injury matter resulting from an automobile accident that occurred on March 25, 2008 (the "Stephens matter"). Respondent agreed to represent Stephens on a contingency fee basis. Respondent's agreed contingency fee was 33 1/3% of the gross settlement if it settled prior to filing a lawsuit.

2. In November 2008, prior to a lawsuit being filed, Respondent settled the Stephens matter for \$17,000.

3. At the time Respondent settled the Stephens matter, Stephens had incurred the following related medical expenses:

\$3,135	Atlas Chiropractic/Medical Group
\$925	Charles M. Bosley, M.D.
\$390	Advanced Radiology
\$2,700	Cal-State Radiology
\$7,150	Total

4. On December 4, 2008, the insurance carrier for the adverse party, Nationwide Mutual Insurance Company, issued and sent to Respondent a settlement check in the amount of \$17,000 made payable to Stephens and Respondent ("settlement check"). Respondent received the settlement check.

5. At all relevant times, Respondent maintained a client trust account at City National Bank, account no. xxxx7705 ("CTA").

6. On December 9, 2008, Respondent deposited the settlement check into his CTA.

7. Pursuant to the terms of the contingency fee agreement, Respondent was entitled to receive \$5,666.67 as his fee (33 1/3% of the \$17,000 settlement).

8. On December 11, 2008, Respondent issued check no. 8456 from his CTA in the amount of \$6,500 made payable to Stephens as her share of the settlement proceeds.
9. To date, Respondent has made no other payments to Stephens or on her behalf.
10. Respondent told Stephens that he was keeping the balance of the settlement proceeds (\$4,833.33) to pay Stephens' healthcare providers.
11. From December 11, 2008, through February 20, 2009, Respondent was required to maintain \$4,833.33 on behalf of Stephens in his CTA.
12. On February 20, 2009, without making any other payments to Stephens or on her behalf, the balance in Respondent's CTA fell to \$16.16.
13. Respondent dishonestly or with gross negligence misappropriated \$4,817.17 (\$4,833.33 minus CTA balance of \$16.16) of Stephens' funds.
14. Pursuant to the terms of employment, Respondent agreed to attempt to negotiate Stephens' medical bills incurred as a result of this accident.
15. In December 2008, Respondent sent a proposed settlement offer to each of Stephens' healthcare providers in an attempt to negotiate a reduction of their respective medical bills. Thereafter, Respondent failed to take any further steps in an effort to negotiate any of Stephens' medical bills.
16. To date, Respondent has failed to pay any portion of Stephens' medical bills.

CONCLUSIONS OF LAW:

17. By failing to maintain \$4,833.33 in his CTA on behalf of Stephens, 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 willful violation of Rules of Professional Conduct, rule 4-100(A).
18. By misappropriating \$4,817.17 of Stephens' funds, Respondent committed an act involving moral turpitude, dishonesty or corruption, in willful violation of Business and Professions Code, section 6106.
19. By failing to take any steps to negotiate a reduction of Stephens' medical bills other than sending out one settlement offer, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A).

SUPPORTING AUTHORITY.

Standards

Standard 1.3, Title IV, Standards for Attorney Sanctions for Professional Misconduct, provides that the primary purposes of the disciplinary system 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) states that “[c]ulpability of a member of wilful 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 the mitigating circumstances.”

Standard 1.7(b) provides that “[i]f a member is found culpable of professional misconduct in any proceeding in which discipline may be imposed and the member has a record of two prior impositions of discipline as defined by Standard 1.2(f), the degree of discipline in the current proceeding shall be disbarment unless the most compelling mitigating circumstances clearly predominate.”

Standard 1.7(a) provides that if a member has a prior imposition of discipline, “the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding unless the prior discipline imposed was so remote in time to the current proceeding and the offense for which it was imposed was so minimal in severity that imposing greater discipline in the current proceeding would be manifestly unjust.”

Case Law

The Supreme Court has emphasized the importance of the standards and has held that great weight should be given to the application of the standards in determining the appropriate level of discipline. (In re Silverton (2005) 36 Cal. 4th 81.) The standards must be followed unless there is a compelling reason justifying a deviation from the standards. (In the Matter of Bouyer (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 404.) The Supreme Court has held that unless it has “grave doubts as to the propriety of the recommended discipline,” it will uphold the application of the standards. In re Silverton, supra, 36 Cal. 4th at p. 91-92.

“Misappropriation is more than a grievous breach of professional ethics. It violates basic notions of honesty and endangers public confidence in the legal profession. [Citations.] In all but the most exceptional of cases, it requires the imposition of the harshest discipline. [Citations.] The seriousness of the offense and the propriety of disbarment as the appropriate discipline have long been recognized by this court [Citation] and are reflected in the standards. Standard 2.2(a) provides that wilful misappropriation of entrusted funds shall result in disbarment unless the amounts are insignificant or the most compelling mitigating circumstances clearly predominate.” (Grim v. State Bar (1991) 53 Cal.3d 21, 29.)

In this matter, there is no compelling reason or anything in mitigation that would justify a deviation from the standards.

Given the seriousness of the misconduct and Respondent’s record of prior history, disbarment is the appropriate level of discipline and the only way to adequately protect the public.

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PENDING PROCEEDINGS:

The disclosure date referred to on page 2, section A.(7), was on December 20, 2011.

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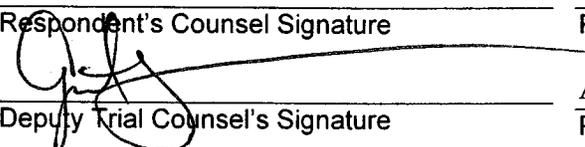
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In the Matter of: STANLEY ZEIGLER WHITE	Case number(s): 11-O-12217
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SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

<u>12/27/2011</u> Date	 Respondent's Signature	<u>STANLEY ZEIGLER WHITE</u> Print Name
<u>December 27, 2011</u> Date	 Deputy Trial Counsel's Signature	<u>AGUSTIN HERNANDEZ</u> Print Name

(Do not write above this line.)

In the Matter of: STANLEY ZEIGLER WHITE	Case Number(s): 11-O-12217
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DISBARMENT 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:

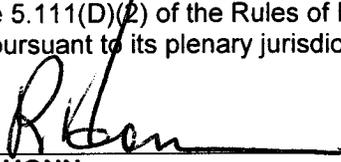
- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

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.)**

Respondent STANLEY ZEIGLER WHITE is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three (3) calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 5.111(D)(2) of the Rules of Procedure of the State Bar of California, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

Date

1/18/12


RICHARD A. HONN
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on January 20, 2012, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT

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:

STANLEY ZEIGLER WHITE
STANLEY Z. WHITE & ASSOCIATES
6399 WILSHIRE BLVD STE 600
LOS ANGELES, CA 90048

- 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:

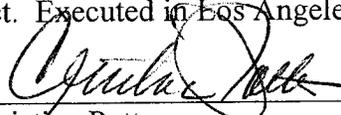
- by fax transmission, at fax number _____. No error was reported by the fax machine that I used.

- 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:

Agustin Hernandez, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 20, 2012.



Cristina Potter
Case Administrator
State Bar Court