

PUBLIC MATTER
STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT - LOS ANGELES

FILED

OCT 04 2012

**STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES**

In the Matter of)

Case No.: 11-O-14208, 11-O-15070-DFM

RENE WILLIAM SANZ,)

**ORDER MODIFYING DECISION RE
RESTITUTION RECOMMENDATION**

Member No. 175351,)
A Member of the State Bar.)

On September 12, 2012, this court filed a Decision in the captioned matter. In the course of that decision, this court noted that only \$26,400 of the \$38,400 that clients Rivota and Nixon had given to Respondent's office had been refunded to them at the time of trial. (Opn., p. 10.) This fact was based on the testimony of Rivota at trial and on a stipulation of the parties.

During the trial, Respondent testified that he had just that day been provided with funds to refund the \$12,000 still owed to Rivota/Nixon. While this court had no concern about Respondent's good faith in making that statement, the restitution had not yet been made and verified by the State Bar. Accordingly, this court included in its recommended discipline an obligation that Respondent make the \$12,000 of additional restitution to Rivota/Nixon.

On October 2, 2012, the parties filed a further stipulation regarding this restitution obligation, stating: "Rivota/Nixon have received the total amount of \$38,400, or all of the funds entrusted to Respondent's office, as confirmed by the State Bar of California."

GOOD CAUSE APPEARING, this court now amends its prior decision to delete that portion of the paragraph under the heading Restitution (Opn., p. 23) recommending that Respondent make restitution to Rivota/Nixon. The amended recommended Restitution obligation will now read, in its entirety:

It is further recommended that Respondent make restitution within 30 days following the effective date of the Supreme Court order in this matter or within 30 days following the Client Security Fund payment, whichever is later (Rules Proc. of State Bar, rule 5.136), to Hilario Tenorio in the amount of \$250.00, plus 10% interest per annum from December 24, 2010 (or to the Client Security Fund to the extent of any payment from the fund to the Tenorio, plus interest and costs, in accordance with Business and Professions Code section 6140.5).

IT IS SO ORDERED.

Dated: October 4, 2012



DONALD F. MILES
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 October 4, 2012, I deposited a true copy of the following document(s):

ORDER MODIFYING DECISION RE RESTITUTION RECOMMENDATION

in a sealed envelope for collection and mailing on that date as follows:

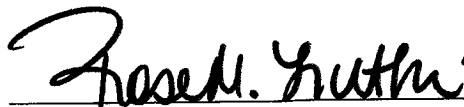
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

MICHAEL E. WINE
301 N LAKE AVE STE 800
PASADENA, CA 91101 - 5113

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

ANTHONY GARCIA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 4, 2012.



Rose M. Luthi
Case Administrator
State Bar Court