

# ORIGINAL

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<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b> <b>ACTUAL SUSPENSION</b>		
<b>Counsel For The State Bar</b>  Kimberly G. Anderson Senior Trial Counsel 1149 S. Hill St. Los Angeles, CA 90015-2299 (213)765-1083  Bar # 150359	<b>Case Number(s):</b> 11-O-18907-RAH	<b>For Court use only</b>  <b>FILED</b>  AUG 31 2012 STATE BAR COURT CLERK'S OFFICE LOS ANGELES  kwiktag® 152 141 645 
<b>In Pro Per Respondent</b>  Warren Leon Brown 315 W. Arden Ave. #28 Glendale, CA 91203 (818)507-4908  Bar # 100404	<b>Submitted to: Settlement Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
<b>In the Matter of:</b> Warren L. Brown  Bar # 100404  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 December 1, 1981.
- (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 14 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)

Actual Suspension

- (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: three 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. See Stipulation Attachment at page 11.

- (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 Stipulation Attachment at page 11.
- (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.

**Additional mitigating circumstances:**

See Stipulation Attachment at page 12.

**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:

- (b) ☒ The above-referenced suspension is stayed.

- (2) ☒ **Probation:**

Respondent must be placed on probation for a period of three (3) 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 ninety (90) days.

- 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:**

- (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: .
- (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:
- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input checked="" type="checkbox"/> 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.**

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- ☐ 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:**

(Do not write above this line.)

In the Matter of: Warren L. Brown	Case Number(s): 11-O-18907
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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

- ☐ 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

- ☐ 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:
- 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:                      Warren Leon Brown

CASE NUMBER(S):                      11-O-18907

**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, and the facts and/or conclusions of law obtained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

**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-18907 (Complainant: Terry Jahraus)

**FACTS:**

1. On September 2, 2010, Terry Jahraus ("Jahraus") hired Respondent to represent his interests as a secured creditor in a Chapter 11 bankruptcy case filed by Debtor MBI Development, LLC ("MBI") entitled In Re MBI Development, LLC, Debtor, U.S. Bankruptcy Court (Central District of California) Case No. 2:10-bk-42837-AA ("the bankruptcy case"). On September 2, 2010, Jahraus paid Respondent \$5,000.00 in advanced fees. Respondent and Jahraus did not have a written retainer agreement. Respondent and Jahraus agreed that Respondent would bill Jahraus at an hourly rate of \$250.00.
2. On July 9, 2011, Respondent terminated his employment in the bankruptcy case.
3. On July 13, 2011, Jahraus sent Respondent an email demanding an accounting for all fees. Respondent received the email.
4. On August 3, 2011, Jahraus sent Respondent an email demanding an accounting for all fees. Respondent received the email.
5. On August 3, 2011, Respondent emailed Jahraus and promised to provide him with an accounting, but then he never provided the accounting.
6. On September 15, 2011, the State Bar opened an investigation based upon Jahraus' State Bar complaint which he filed against Respondent in case no. 11-O-18907.

7. On September 22, 2011, Jahraus mailed Respondent a letter demanding an accounting for all fees. Respondent received the letter, but did not provide an accounting.

8. On December 13, 2011, State Bar Investigator Susan Kim ("Investigator Kim") wrote to Respondent regarding the allegations in case no. 11-O-18907 and requesting a written response to the allegations. The investigator mailed the letter to Respondent at his State Bar of California membership address. Respondent received the letter.

9. Respondent did not respond to Investigator Kim's December 13, 2011 letter.

10. On January 3, 2012, Jahraus sent Respondent an email demanding return of his file. Respondent received the email, but did not respond to it.

11. On January 6, 2012, Investigator Kim wrote to Respondent again regarding the allegations in case no. 11-O-18907 and requesting a written response to the allegations. The investigator mailed the letter to Respondent at his State Bar of California membership address. Respondent received the letter.

12. Respondent did not respond to Investigator Kim's January 6, 2012 letter.

13. On January 13, 2012, when Jahraus had still not received his file from Respondent, Jahraus sent Respondent another email demanding return of his file. Respondent received the email, but did not provide the client file at that time.

14. On January 25, 2012, Investigator Kim telephoned Respondent's law office and left a message on his voice mail stating that she had not received his written response to her letters. Respondent received the message, but did not return Investigator Kim's telephone call.

15. On January 25, 2012, Investigator Kim emailed Respondent at his State Bar membership records email address advising him that she was trying to get in touch with him, and that she needed written response to the allegations in case no. 11-O-18907 and her December 13, 2011 and January 6, 2012 letters. Respondent received the email, but did not respond to it.

16. On February 6, 2012, Respondent and Jahraus appeared at a hearing with respect to a small claims case Jahraus filed against Respondent for return of the \$5,000.00 in advanced fees he paid to Respondent. Respondent did perform work for Jahraus and did earn some of the fees, and therefore, the small claims hearing involved a legitimate fee dispute between Respondent and Jahraus. On February 6, 2012, Respondent provided the small claims judge and Jahraus with an invoice. On February 6, 2012, following the hearing, the small claims court entered a judgment in favor of Jahraus and against Respondent in the amount of \$500.00 for unearned attorney's fees. The judgment was served to Respondent's proper street address, but did not contain his suite number. Respondent did not receive a copy of the judgment.

17. In July 2012, after the State Bar filed its Notice of Disciplinary Charges against Respondent in this matter, Respondent returned Jahraus' client file to him and paid the \$500.00 judgment. In August 2012, Respondent also paid the \$86.00 in court costs, which were also awarded as part of the judgment, after he was made aware that the judgment included \$86.00 in court costs.

## CONCLUSIONS OF LAW:

18. By failing to provide Jahraus with an accounting for his fees at any time between July 13, 2011 and February 6, 2012, Respondent failed to render appropriate accounts to a client regarding all funds coming into Respondent's possession in willful violation of rule 4-100(B)(3) of the Rules of Professional Conduct.

19. By failing to provide Jahraus with his file at anytime between January 3, 2012 and July 2012, 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 rule 3-700(D)(1) of the Rules of Professional Conduct.

20. By not responding to Investigator Kim's December 13, 2011 and January 6, 2012 letters and her January 25, 2011 email and telephone messages or otherwise cooperating in the investigation of the matter, Respondent failed to cooperate in a disciplinary investigation in willful violation of Business and Professions Code, section 6068(i).

## DISMISSALS.

The parties respectfully request the Court to dismiss the following alleged violations in the interest of justice:

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
11-O-18907	Two	Rule 3-700(D)(2), Rules of Professional Conduct

## AUTHORITIES SUPPORTING DISCIPLINE.

### Aggravating Circumstances.

**Indifference:** Respondent was indifferent toward rectification of or atonement for the consequences of his misconduct. Respondent did not return the client file or provide an accounting to Jahraus until after the State Bar filed its Notice of Disciplinary Charges against him despite repeated requests from Jahraus, and despite having received repeated letters from State Bar Investigator Kim asking him to respond to Jarhaus's allegations. (Standard 1.2(b)(v).)

**Multiple Acts of Misconduct:** Respondent's actions in violating Rules 4-100(B)(3) and 3-700(D)(1) by failing to promptly return Jahruas' file to him and by failing to provide him with an accounting in response to his letters and emails, coupled with Respondent's subsequent failure to cooperate in the disciplinary investigation in violation of Business and Professions Code, section 6068(i), involved multiple acts of misconduct. (Standard 1.2(b)(ii).)

## **Mitigating Circumstances.**

**Additional Mitigating Circumstances:** Although the misconduct is serious, Respondent, who was admitted to practice law on December 1, 1981 is entitled to mitigation for his more than 30 years of discipline-free practice. In *In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41.

## **Discussion.**

In determining the appropriate level of discipline, the Standards for Attorney Sanctions for Professional Misconduct ("Standard" or "Standards") are entitled to great weight. (*In re Silverton* (2005) 36 Cal.4<sup>th</sup> 81, 89-94.

Standard 1.3 provides that the primary purpose of disciplinary proceedings is the protection of the public, the courts and legal professions, the maintenance of high professional standards by attorneys and the preservation of the public confidence in the legal profession.

Standard 1.6 provides that where culpability is found with respect to more than one violation, the discipline imposed shall be the more or most severe of the different applicable sanctions.

Standard 2.2(b) is the most severe sanction and deviation from the applicable discipline standards in this case is not warranted. (*In re Silverton* (2005) 36 Cal.4<sup>th</sup> 81, 89-94.) Standard 2.2(b) states:

Culpability of a member of commingling entrusted funds or property with personal property or the commission of another violation of rule 4-100 of the Rules of Professional Conduct, none of which offenses result in the willful misappropriation of entrusted funds or property shall result in at least a three month actual suspension from the practice of law, irrespective of mitigating circumstances.

Taking into account, the two aggravating factors and one mitigating factor, a 90-day actual suspension is appropriate here. Respondent did not respond to letters from his client Jahraus demanding an accounting and the client file. Respondent's actions did not stop there. Respondent then failed to cooperate in the State Bar disciplinary investigation after the investigator's repeated attempts to gain cooperation. While Respondent's lengthy years of practice as an attorney are entitled to some weight in mitigation, that must be balanced against the fact that Respondent, as an experienced attorney, should know he has an obligation to cooperate with the State Bar in a disciplinary investigation, and that he has an obligation to render appropriate accounts to his clients and provide them with client files upon request. It would not have taken Respondent much effort to comply with his ethical obligations to Jahraus and to the State Bar.

## **PENDING PROCEEDINGS.**

The disclosure date referred to, on page 2, paragraph A(7), was August 16, 2012.

#### **COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of August 16, 2012, the prosecution costs in this matter are \$5,607.80. 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.

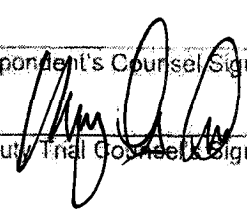
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In the Matter of: Warren L. Brown	Case number(s): 11-O-18907
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### SIGNATURE OF THE PARTIES

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.

8/17/12            WARREN L. BROWN  
Date      Respondent's Signature      Print Name

8/21/12            KIMBERLY G. ANDERSON  
Date      Respondent's Counsel Signature      Print Name  
Deputy Trial Counsel Signature

(Do not write above this line.)

In the Matter of: Warren L. Brown	Case Number(s): 11-O-18907
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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.

*PAGE 2 - SECTION A - (8) - PAYMENT OF DISCIPLINARY COSTS  
INSERT - "2014, 2015, AND 2016" AFTER "SUPREME  
COURT ORDER"*

*PAGE 11 CONCLUSION OF LAW  
PARAGRAPH 20 - 2ND LINE - DELETE "JANUARY 25, 2011"  
INSERT - "JANUARY 25, 2012"*

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.)

*08-30-2012*  
Date

*Richard A. Platel*  
Judge of the State Bar Court

**RICHARD A. PLATEL**

## 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 August 31, 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:

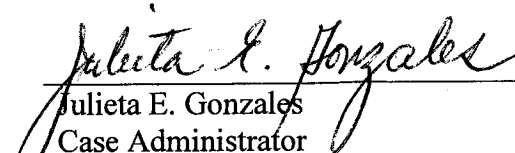
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

WARREN LEON BROWN ESQ  
315 W ARDEN AVE #28  
GLENDALE, CA 91203

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

Kimberly G. Anderson, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 31, 2012.

  
\_\_\_\_\_  
Julieta E. Gonzales  
Case Administrator  
State Bar Court