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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
Counsel For The State Bar Eli D. Morgenstern Senior Trial Counsel Office of the Chief Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 213-765-1334 Bar # 190560	Case Number(s): 11-O-19637-DFM	For Court use only <div style="text-align: center;"> PUBLIC MATTER FILED OCT 29 2012 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Counsel For Respondent Susan L. Margolis, Esq. Margolis & Margolis LLP 2000 Riverside Dr Los Angeles, CA 90039 (323) 953-8996 Bar # 104629	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING	
In the Matter of: Bryan D. Sampson Bar # 143143 A Member of the State Bar of California (Respondent)	ACTUAL SUSPENSION <input checked="" type="checkbox"/> PREVIOUS STIPULATION REJECTED	

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 11, 1989.
- (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.

(Effective January 1, 2011)





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- (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):
 - ☒ 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: (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.

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- (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.
- (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.

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(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 page 9 for discussion re: Additional mitigating circumstances.

D. Discipline:

(1) ☒ **Stayed Suspension:**

(a) ☒ Respondent must be suspended from the practice of law for a period of two (2) 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:

(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.

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- (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 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**

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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:**

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: BRYAN D. SAMPSON

CASE NUMBER: 11-O-19637-DFM

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 on July 5, 2012, and the facts and/or conclusions of law contained in this stipulation and waive the issuance of an Amended 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-19637 (Complainant: Julie Goler and Alissa Goler-Chariton)

Facts:

1. At all times relevant to the stipulated facts herein, Respondent was the attorney of record for MP BHC Hotel, LLC ("MP BHC Hotel") in a deficiency matter titled, *MP BHC Hotel, LLC v. Morris Ostrowiecki, et. al.*, Los Angeles County Superior Court case no. SC 11989 (the "deficiency matter"). The deficiency matter involved an alleged deficiency following the non-judicial foreclosure of hotel property in Bullhead City, Arizona.
2. The law of Arizona governed the deficiency matter. Under Arizona law, the statutory deadline for filing the complaint in the deficiency matter was March 7, 2011.
3. On March 25, 2011, Respondent signed a Complaint for Breach of Contract ("Original Complaint") in the deficiency matter; and on March 28, 2011, outside of the statutory deadline, Respondent caused the Original Complaint to be filed in Los Angeles County Superior Court.
4. On March 28, 2011, Respondent caused the Summons of the Complaint in the deficiency matter to be filed in Los Angeles County Superior Court.
5. On April 26, 2011, Respondent's legal assistant, at Respondent's direction, mailed a copy of the Summons and a copy of the Complaint to Kenneth Gregory, an Arizona attorney. Mr. Gregory represented Julie Goler and Alissa Goler-Chariton, two of the defendants in the deficiency matter, in an Arizona lawsuit which was related to the deficiency matter. The file stamp appearing on the face of the copy of the Summons mailed to Gregory bore a date of March 2, 2011; and the file stamp appearing on the face of the copy of the Complaint mailed to Gregory bore a date of March 2, 2011. The signature page of the copy of the Complaint mailed to Gregory was also different from the signature

page of the Original Complaint which was filed with the court: the signature was different and the date next to the signature was March 2, 2011, not March 25, 2011.

6. Respondent was responsible for the altered filing stamps on the copies of the Summons and Complaint and the signature block on the copy of the Complaint, and was responsible for having those altered documents mailed to Mr. Gregory in order to conceal that the original Complaint had been filed beyond the statutory filing deadline.

7. On May 1 and 2, 2011, at Respondent's direction, copies of the Summons and Complaint in the deficiency matter, with the altered file date stamps, as well as the altered signature page on the Complaint, were served on four separate defendants in the case: Julie Goler, Anna Deutch, Morris Ostrowiecki, and Alissa Goler-Chariton.

Conclusions of Law:

8. By altering the copies of the Summons and the Complaint in the deficiency action, and by causing the altered documents to be mailed to Mr. Gregory and served upon the defendants in the deficiency matter, Respondent committed an act of moral turpitude, dishonesty, or corruption in violation of Business and Professions Code section 6106.

OTHER FACTS IN CONSIDERATION.

On May 31, 2011, the attorney for Ms. Goler and Ms. Goler-Chariton (collectively, "the Golars") filed an Answer to the Complaint in the deficiency action. At the time that the attorney filed the Answer, he believed that the Complaint had been timely filed on March 2, 2011. The attorney did not know that the Original Complaint was actually filed on March 28, 2011.

In or about mid-June 2011, after reviewing the original Complaint in the court file, Ms. Deutsch's attorney informed the attorney for the Golars that the Complaint in the deficiency matter had actually been filed on March 28, 2011.

On July 6, 2011, Ms. Deutsch's attorney served an Answer to the Complaint and a Demurrer to the Complaint on her behalf on all parties raising, among other things, that the complaint was barred by the applicable statute of limitations, as well as the issue of the altered dates.

On July 6, 2011, the attorney for the Golars faxed a letter to Respondent informing him of the discrepancy in the filing stamps on the Original Complaint and the copies served on the Golars and requesting that the deficiency matter be dismissed on the grounds that the Original Complaint was not timely filed. Respondent acknowledged that the Original Complaint was filed on March 28, 2011. Respondent stated that he would not dismiss the Complaint at that time, explained that he believed the filing date was tolled by certain provisions in the statute, and stated that he would wait for the court's ruling on the tolling issue when the Court ruled on Deutsch's demurrer.

When asked, Respondent never denied that the Complaint was filed on March 28, 2011. Respondent granted extensions of time to file an answer to the complaint to the attorneys for the Golars, Mrs. Deutsch, and Mr. Ostrowiecki, respectively.

On or about July 13, 2011, Respondent prepared a stipulation to consolidate the Case Management Conference ("CMC") and Ms. Deutsch's demurrer in order to have the statute of limitations issue resolved. The stipulation was signed by all counsel and filed with the Court and the Court then set the CMC and the hearing on the demurrer for October 18, 2011.

On July 15, 2011, Respondent filed a Case Management Conference Statement which stated that the filing date of the Complaint was March 28, 2011.

On September 23, 2011, the attorney for the Golars filed a motion for summary judgment.

On October 18, 2011, at a hearing on the demurrer, the Court rejected Respondent's tolling arguments and granted Ms. Deutsch's demurrer.

Thereafter, Respondent filed a request for dismissal of the case with prejudice as against Mr. Ostrowiecki on October 31, 2011.

On November 29, 2011, Respondent filed a request for dismissal of the case with prejudice as against Julie and Alissa Goler.

ADDITIONAL MITIGATING CIRCUMSTANCES.

1. No Prior Record of Discipline

Respondent was admitted to the State Bar on December 11, 1989, and has no prior record of discipline. The misconduct in this matter is serious. However, some mitigating credit for no prior record of discipline may be given even where the underlying misconduct is found to be serious or significant. (*In the Matter of Stamper* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 96, 106, ft. 13.)

2. Cooperation

Respondent is entitled to mitigation for entering into this stipulation. (See, *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521.)

3. Good Character

Respondent has furnished evidence of an exemplary record of involvement in bar association and community service activities that demonstrate his good moral character and his commitment to the legal profession and the community. (See, *Calvert v. State Bar* (1991) 54 Cal. 3d 765, 785.)

AUTHORITIES SUPPORTING DISCIPLINE.

1. Standards

The Standards for Attorney Sanctions for Professional Misconduct ("Standard") provide a "process of fixing discipline" pursuant to a set of written principles to "better discharge the purposes of attorney discipline as announced by the Supreme Court." (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, Introduction (all further references to standards are to this source).) The primary purposes of disciplinary proceedings and of the sanctions imposed 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.” (*In re Morse* (1995) 11 Cal.4th 184, 205; std 1.3.)

Although not binding, the standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silverton* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) Any discipline recommendation different from that set forth in the applicable standards should clearly explain the reasons for the deviation. (*Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

Here, Respondent admits to committing act(s) of moral turpitude. Accordingly, Standard 2.3 applies. Standard 2.3 provides that culpability of a member of an act of moral turpitude, fraud, or intentional dishonesty towards 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.

2. Case Law

There is no case exactly like this one. However, similar cases provide guidance as to the appropriate discipline. (*In re Morse* (1995) 11 Cal.4th 184, 207-208; *Snyder v. State Bar* (1990) 49 Cal.3d 1302, 1310-1311.)

In *Maltaman v. State Bar* (1987) 43 Cal. 3d 924, the attorney, in one matter, ignored court orders directing him to surrender property in a probate matter in which he had been removed as administrator due to a conflict of interest (decedent had turned over property to the attorney as a result of undue influence). In a second matter, the attorney deliberately prepared a false order for a judge’s signature that misstated everything the judge had ruled. In addition, the attorney failed to comply with a sanction order.

The Supreme Court ordered, as part of a five-year probation, that the attorney be actually suspended for one year.

DISCUSSION.

Respondent’s misconduct herein relates directly to the practice of law. Respondent’s dishonesty caused Mr. Gregory, Ms. Deutsch, Ms. Goler, and Ms. Goler-Chariton to be initially misled as to the actual date that the Original Complaint in the deficiency matter was filed. (See, *Coppock v. State Bar* (1988) 44 Cal. 3d 665, 679-680, quoting *Tomlinson v. State Bar* (1975) 13 Cal. 3d 567, 577 (Acts of dishonesty manifest an “abiding disregard of ‘the fundamental rule of ethics-that of common honesty-without which the profession is worse than valueless in the place it holds in the administration of justice.’”).)

However, ultimately the defendants in the deficiency action were dismissed from the lawsuit and received monetary settlements. In addition, Respondent's many years of discipline-free practice, his contributions to the legal profession and the community, and his willingness to admit to the misconduct herein, when considered together, constitute substantial mitigation.

In consideration of the appropriate standard of discipline, the mitigating circumstances that are present, and the pertinent case law, a discipline consisting of a two-year suspension, stayed, and two years probation with conditions including a one-year actual suspension is warranted and complies with the purposes of attorney discipline.

PENDING PROCEEDINGS.

The disclosure date referred to on page 2, paragraph A(7), was October 18, 2012.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed him that as of October 18, 2012, the prosecution costs in this matter are approximately \$3,349. 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.

EXCLUSION FROM MCLE CREDIT

Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

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In the Matter of:
Bryan D. Sampson

Case number(s):
11-O-19637-DFM

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.

10/25/12
Date


Respondent's Signature


Brian D. Sampson
Print Name

10/23/12
Date


Respondent's Counsel Signature

Susan L. Margolis
Print Name

10/23/12
Date


Deputy Trial Counsel's Signature

Eli D. Morgenstern
Print Name

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In the Matter of:
Bryan D. Sampson

Case Number(s):
11-O-19637-DFM

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 4 - SECTION D.(1)(b) - PLACE CHECK MARK IN BOX.

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.)**

10-29-2012
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 October 29, 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:

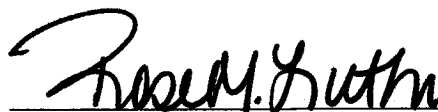
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

SUSAN LYNN MARGOLIS
MARGOLIS & MARGOLIS LLP
2000 RIVERSIDE DR
LOS ANGELES, CA 90039

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

ELI MORGENSTERN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 29, 2012.



Rose M. Luthi
Case Administrator
State Bar Court