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STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT – SAN FRANCISCO

In the Matter of)	Case No. 12-H-17379-PEM (S212056)
)	
GAYLE ANNE-MARIE GUTEKUNST,)	NUNC PRO TUNC ORDER MODIFYING
)	PROBATION CONDITION AND
Member No. 91826,)	EXTENDING TIME FOR PAYMENT OF
)	RESTITUTION
A Member of the State Bar.)	
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TO ALL PARTIES AND COUNSEL IN THE ABOVE ENTITLED MATTER:

On November 4, 2015, respondent Gayle Anne-Marie Gutekunst filed a motion to modify probation to extend the time within which she could pay restitution based on financial difficulties. Specifically, she asked for an extension of eight months to pay the interest of \$23,379.04. She had paid the principal in April 2015.

On November 19, 2015, the Office of Probation of the State Bar of California, represented by supervising attorney Terrie Goldade (Office of Probation), opposed the request, arguing, among other things, that respondent's probation had terminated on October 25, 2015.

Having carefully considered respondent's motion and the Office of Probation's response, the court concludes that respondent's financial condition warrants an extension of time to pay the remaining balance of restitution.

Good cause appearing, the court **GRANTS** respondent's motion to modify the probation condition to extend the time for restitution payment and **ORDERS, nunc pro tunc**, the following:

1. Respondent's probation period is extended by eight months to **June 30, 2016**;
2. Respondent must comply with the applicable conditions of probation imposed by the Supreme Court in S212056, including the quarterly reports;
3. Respondent must pay the entire balance of restitution (**\$23,379.04** in interest) due James and Paula Steinway (or reimburse the Client Security Fund, to the extent of any payment from the fund to James and Paula Steinway, in accordance with Business and Professions Code section 6140.5);
4. Respondent must make minimum quarterly payments of \$8,000 due James and Paula Steinway (or reimburse the Client Security Fund, to the extent of any payment from the fund to James and Paula Steinway, in accordance with Business and Professions Code section 6140.5);
5. Respondent's first minimum installment payment of **\$8,000** is due on or before **December 31, 2015**;
6. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report; and
7. Respondent must make any necessary final payment in order to complete the interest payment of restitution, in full, no later than 30 days (**May 31, 2016**) prior to the expiration of the period of probation.

IT IS SO ORDERED.

Dated: November 25, 2015


PAT McELROY
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 San Francisco, on November 25, 2015, I deposited a true copy of the following document(s):

NUNC PRO TUNC ORDER MODIFYING PROBATION CONDITION AND
EXTENDING TIME FOR PAYMENT OF RESTITUTION

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 San Francisco, California, addressed as follows:

GAYLE ANNE-MARIE GUTEKUNST
1819 POLK ST # 315
SAN FRANCISCO, CA 94109

- 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 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:

Terrie L. Goldade, Office of Probation, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on November 25, 2015.


George Hue
Case Administrator
State Bar Court