

STATE BAR COURT OF CALIFORNIA HEARING DEPARTMENT 845 S. Figueroa Street, Los Angeles, CA 90017-2515	FOR CLERK'S USE ONLY: FILED OCT 24 2017 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
In the Matter of: THEODORE EDWARD MALPASS, A Member of the State Bar, No. 112914.	Case Nos: 12-O-12597, 15-C-12745, 13-F-14057 ORDER GRANTING PARTIAL RELIEF FROM COSTS

On October 16, 2017, Respondent filed a motion for relief from the remaining portion of the costs owed in the captioned matters. Those costs are stated to be approximately \$18,000. The basis for the requested relief is financial hardship. In support of his motion, Respondent attached his own declaration and the required financial statement, which here shows no earned income, limited monthly disability benefits, and no significant assets, the total of which is insufficient to pay Respondent's outstanding obligations.

On October 23, 2017, the State Bar filed an opposition to the request for complete relief, arguing that Respondent should instead be put on a payment plan with an acceleration clause.

Respondent has been literally fighting for his own life for the last decade against what was diagnosed years ago as terminal cancer. While he is continuing to win that battle on the health front, it has wreaked havoc with the other areas of his life. He is now fully disabled, unemployed, and ineligible to practice law and has substantial outstanding obligations for child support,¹ past due income taxes, and obligations owed to the State Bar for payments by the Client Security Fund and for disciplinary costs.

Rule 5.130(B) authorizes this court to grant cost relief for reasons of "hardship," including "financial hardship." Respondent's dire situation clearly falls within the scope of that authorization.

Good cause appearing, the unpaid costs in the captioned matters are hereby reduced to a total sum of \$9,000. In addition, the time for such costs to be paid is extended so that such costs will be due and payable in three equal annual installments, with annual payments of \$3,000 to be paid by Respondent on or before February 1 of the years 2021, 2022, and 2023. If Respondent fails to pay any of the above installment payments more than 10 days after its due date without the prior written approval of the State Bar or the State Bar Court, the remaining unpaid balance of the

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¹ Respondent still has two minor children and a third child who is college-age.

costs will be due immediately and be enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

IT IS SO ORDERED.

Dated: October 24, 2017


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 24, 2017, I deposited a true copy of the following document(s):

ORDER GRANTING PARTIAL RELIEF FROM COSTS

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

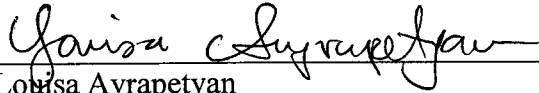
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

THEODORE EDWARD MALPASS
LAW OFFICES OF T. EDWARD MALPASS
1278 GLENNEYRE ST # 420
LAGUNA BEACH, CA 92651

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

ABRAHIM BAGHERI, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 24, 2017.



Louisa Ayrapetyan
Case Administrator
State Bar Court