

ORIGINAL

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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
PUBLIC MATTER		
Counsel For The State Bar Lee Ann Kern Deputy Trial Counsel 1149 South Hill Street Los Angeles, California 90015 (213) 765-1272 Bar # 156623	Case Number(s): 12-O-12809	For Court use only <div style="text-align: center;"> FILED FEB 07 2013 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
In Pro Per Respondent William Frank Vogel 6314 Van Nuys Boulevard, Suite 204 Van Nuys, California 91401 (818) 481-2897 Bar # 119421	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: William Frank Vogel Bar # 119421 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 10, 1985.
- (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 13 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)



- (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. See Attachment to Stipulation, at p. 9.
- (5) ☒ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct. See Attachment to Stipulation, at p. 9.

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- (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 Attachment to Stipulation, at p. 9.
- (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 Attachment to Stipulation, at p. 9.

D. Discipline:

- (1) ☒ **Stayed Suspension:**

- (a) ☒ Respondent must be suspended from the practice of law for a period of one 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 two 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 30 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 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.**

☐ 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: OTHER CONDITIONS OF PROBATION:** Within 90 days of the effective date of discipline, Respondent must pay judicial sanctions in the amount of \$4,500 as ordered by the court on December 20, 2011, in the matter entitled Quon vs. Quon, Los Angeles Superior Court Case No. KC053984, and provide satisfactory proof of payment to the Office of Probation with his next due quarterly report. Respondent must make his check or money order payable to "LA Suprior Court" and mail his payment to the superior court's collection vendor, GC Services, c/o Bernardine Crisp, P.O. Box 7835, Baldwin Park, California 91706.

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: William Frank Vogel

CASE NUMBER(S): 12-O-12809

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. 12-O-12809 (State Bar Investigation)

FACTS:

1. At all relevant times, Respondent was counsel for defendants/cross-defendants Carter Group, defendants Madison Group, and defendant/cross-defendant Camarino Islas in the matter entitled, *Gregory C. Quon vs. Jeffrey Harold Quon*, et al., Los Angeles County Superior Court Case No. KC053984.

2. On March 15, 2011, Respondent appeared in court for a Case Management Conference, as well as for a hearing on his clients' opposition to a motion to strike. On that date, the court referred the case to the Court Alternative Dispute Resolution Program for a voluntary settlement conference to be completed by November 15, 2011. The court also set a Final Status Conference for November 15, 2011, ordered the parties to submit certain documents relative to the Final Status Conference pursuant to Los Angeles County Superior Court rule 3.25, and set a trial date for November 29, 2011. Respondent received oral notice of the court's ruling on March 15, 2011. On March 16, 2011, Respondent was served with written notice of the court's March 15, 2011 ruling. Respondent received the written notice.

3. On November 15, 2011, Respondent failed to appear at the Final Status Conference. On that date, the court scheduled a Mandatory Settlement Conference ("MSC") for December 20, 2011, and also set an order to Show Cause ("OSC") for that date as to why sanctions should not be imposed on Respondent and his clients for their failure to submit the Final Status Conference documents, their failure to attend the Final Status Conference, and their failure to cooperate in court-ordered mediation, which was to have been completed by November 15, 2011. The court served Respondent with written notice of its November 15, 2011 ruling. Respondent received the written notice.

4. On December 20, 2011, Respondent and his clients failed to appear at the MSC and OSC. On that date, the court imposed sanctions against Respondent and his clients, jointly and severally, as follows: \$1,500 to be paid to the court by January 20, 2012, for their failure to attend the Final Settlement Conference on November 15, 2011; \$1,500 to be paid to the court by January 20, 2012, for their failure to submit Final Status Conference documents; and, \$1,500 to be paid to the court by January 20, 2012, for their failure to cooperate in the court-ordered mediation.

5. On December 20, 2011, the court served Respondent with written notice of its December 20, 2011 ruling. Respondent received the court's written notice. On December 23, 2011, counsel for the plaintiff also served Respondent with written notice of the court's December 20, 2011 ruling. Respondent received counsel for the plaintiff's written notice.

6. Respondent failed to pay any portion of the \$4,500 in sanctions by January 20, 2012. Respondent did not appeal or otherwise seek relief from the court's December 20, 2012 order.

7. Respondent failed to notify the State Bar in writing of the three December 20, 2011 sanction orders in which he was sanctioned \$1,500 each, for a total of \$4,500.

8. On January 24, 2012, another attorney specially appeared in court on behalf of Respondent's clients. Respondent's clients, as defendants in the litigation, stipulated to a judgment in favor of the plaintiff. On that date, and because Respondent's clients continued to be cross-defendants in the litigation, the court ordered Respondent and his clients to appear at a MSC scheduled for February 28, 2012. On January 25, 2012, counsel for the plaintiff served Respondent with written notice of the court's January 24, 2012 ruling. Respondent received the written notice.

9. On February 28, 2012, the MSC was continued to March 19, 2012. On March 1, 2012, counsel for the plaintiff served Respondent with written notice of the court's February 28, 2012 ruling, which included the date to which the MSC was continued. Respondent received the written notice.

10. On March 19, 2012, Respondent failed to appear at the MSC. The court continued the MSC to April 4, 2012, and set an OSC for that date as to why Respondent and his client, Camarino Islas, should not be sanctioned in an amount not to exceed \$1,500 for their failure to attend the MSC. On March 21, 2012, counsel for the plaintiff served Respondent with written notice of the court's March 19, 2012 ruling, which included the date to which the MSC/OSC was continued. Respondent received the written notice.

11. On April 4, 2012, Respondent failed to appear at the MSC/OSC. On April 4, 2012, the court continued the MSC/OSC to April 12, 2012. On April 6, 2012, counsel for the plaintiff served Respondent with written notice of the court's April 4, 2012 ruling, which included the date to which the MSC/OSC were continued. Respondent received the written notice.

12. On April 12, 2012, Respondent failed to appear at the MSC/OSC. On that date, the court discharged the OSC on the basis that a settlement agreement had been reached.

CONCLUSIONS OF LAW:

13. By failing to obey the court's orders to attend the Case Management Conference, pay a total of \$4,500 in sanctions, submit documents for the Final Status Conference, attend the Final Status Conference, participate in court-ordered mediation, attend the December 20, 2011 OSC, attend the March 19, 2012 MSC, attend the April 4, 2012 OSC/MSC, and attend the April 12, 2012 OSC/MSC, Respondent willfully disobeyed or violated orders of the court requiring him to do or forbear an act connected with or in the course of Respondent's profession which he ought in good faith to do or forbear, in willful violation of Business and Professions Code section 6103.

14. By failing to report the imposition of a total of \$4,500 in sanctions, Respondent failed to report to the agency charged with attorney discipline, in writing, within 30 days of the time Respondent had knowledge of the imposition of any judicial sanctions against Respondent, in willful violation of Business and Professions Code section 6068(O)(3).

ADDITIONAL FACTS RE AGGRAVATING CIRCUMSTANCES.

Harm to the Administration of Justice: Judicial time and resources were expended when the court was made to address Respondent's multiple violations of court orders. (*In the Matter of Hunter* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 63, 80 [harm to the administration of justice resulted when court spent judicial time and resources attempting to compel attorney's presence in court rather than adjudicating the legal matter before it].)

Indifference: Respondent has not paid any portion of the \$4,500 in sanctions imposed on him on December 20, 2011. (*In the Matter of Blum* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 170, 177 [indifference toward rectification found in attorney's failure to pay judicial sanctions].)

Multiple Acts of Misconduct: Respondent willfully disobeyed multiple court orders and failed to report the imposition of judicial sanctions to the State Bar. (*In the Matter of Malek-Yonan* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 627, 638 [multiple acts of misconduct found when attorney threatened to bring criminal action and engaged in two violations of failure to supervise resulting in trust fund violations].)

ADDITIONAL MITIGATING CIRCUMSTANCES.

Respondent has no prior record of discipline in 27 years of practice. Although the misconduct in the instant matter is serious, the Supreme Court has nonetheless considered the absence of a prior record of discipline in mitigation. (*Edwards vs. State Bar* (1990) 52 Cal.3d 28, 31-32, 36, 39 [mitigative credit given for almost 12 years of discipline-free practice despite intentional misappropriation and commingling].)

Respondent stipulated to facts, conclusions of law, and disposition in order to resolve his disciplinary proceedings as efficiently as possible. (*Silva-Vidor v. State Bar* (1989) 49 Cal. 3d 1071, 1079 [mitigative credit given to the attorney for admitting facts and culpability in order to simply the disciplinary proceedings against her].)

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct 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 Silvertown* (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.)

The sanction applicable to Respondent’s misconduct is found in standard 2.6, which applies to Respondent’s violations of both Business and Professions Code sections 6103 and 6068(o)(3). Standard 2.6 provides that culpability of a member of a violation of Business and Professions Code sections 6103 and 6068(i) shall result in disbarment or suspension depending on the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.

Respondent’s multiple acts of misconduct in the single client matter resulted in harm to the administration of justice, but did not result in harm to his clients. Although Respondent’s misconduct is aggravated by his failure to pay the sanctions, it is mitigated by his 27 years of discipline-free practice and his willingness to enter into this stipulation. Application of the Standards to the facts of this case demonstrates that 30 days’ actual suspension is the appropriate sanction for Respondent’s misconduct.

The stipulated disposition is consistent with case law. In *In the Matter of Wolff* (Review Dept. 2006) 5 Cal. State Bar Ct. Rptr. 1, 18 months actual suspension was imposed when an attorney abandoned numerous clients, failed to obey court orders, and failed to inform her clients of significant developments. In mitigation, Wolff had no prior record of discipline in 10 years of practice and the Review Department weighed as considerable mitigation the State Bar’s 5-year delay in initiating the disciplinary proceedings. In aggravation, the attorney engaged in multiple acts of misconduct not constituting a pattern, caused significant harm to the administration of justice, and demonstrated indifference and lack of remorse.

A lesser sanction than that imposed in *Wolff* is warranted in the instant matter since Respondent’s ethical violations are less extensive and Respondent has a greater period of time in practice with no prior record of discipline. The recommended discipline of 30 days’ actual suspension, one year stayed suspension, and two years’ probation is adequate to protect the public, the courts, and the legal profession.

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was January 25, 2013.

DISMISSALS.

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

Case No.	Count	Alleged Violation
12-O-12809	Three	Business and Professions Code Section 6106 (Misrepresentation to the State Bar)

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of January 25, 2013, the prosecution costs in this matter are \$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: William Frank Vogel	Case number(s): 12-O-12809
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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.

<u>01-25-13</u> Date	<u>W.F. Vogel</u> Respondent's Signature	<u>William Frank Vogel</u> Print Name
<u>1/25/13</u> Date	<u>[Signature]</u> Respondent's Counsel Signature	<u>Lee Ann Kern</u> Print Name
	<u>Deputy Trial Counsel's Signature</u>	<u>Print Name</u>

(Do not write above this line.)

In the Matter of:
William Frank Vogel

Case Number(s):
12-O-12809

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 1- A. (3) - DELETE "13". INSERT "12".
PAGE 4- D. (2) - PLACE CHECKMARK 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.)**

Date

02-04-2013


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 February 7, 2013, 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:

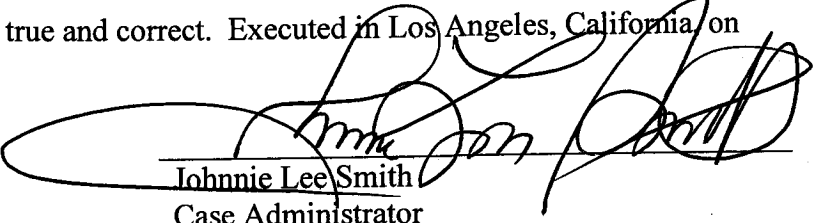
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

WILLIAM FRANK VOGEL
LAW OFFICE OF WILLIAM F VOGEL
6314 VAN NUYS BLVD
STE 204
VAN NUYS, CA 91401

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

Lee A. Kern, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California on February 7, 2013.



Johnnie Lee Smith
Case Administrator
State Bar Court