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State Bar Court of California Hearing Department San Francisco DISBARMENT		
Counsel For The State Bar Robert A. Henderson Senior Trial Counsel 180 Howard St. San Francisco, CA 94105 (415) 538-2385 Bar # 173205	Case Number(s): 12-O-12866-LMA 12-O-12481 12-O-13030 12-O-14319	For Court use only PUBLIC MATTER FILED 10 SEP 17 2013 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In Pro Per Respondent Gregory Thomas Flahive P.O. Box 1993 Folsom, CA 95763 (916) 870-2152 Bar # 190088	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT DISBARMENT <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: GREGORY THOMAS FLAHIVE Bar # 190088 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 November 25, 1997.
- (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 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.
- (4) A statement of acts or omissions acknowledged by respondent as cause or causes for discipline is included under "Facts."

(Effective January 1, 2011)

Disbarment

- (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):
- ☒ Costs to be awarded to the State Bar.
- ☐ Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
- ☐ Costs are entirely waived.
- (9) ORDER OF INACTIVE ENROLLMENT:
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 5.111(D)(1).

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**
- (a) ☒ State Bar Court case # of prior case 09-O-18811 [See Attachment at p. 9]
- (b) ☒ Date prior discipline effective August 11, 2012.
- (c) ☒ Rules of Professional Conduct/ State Bar Act violations: Rules of Professional Conduct, rules:
- 1-300 - (aiding unauthorized practice of law [7 counts]);
- 3-110(A) - (failing to perform competently [21 counts]);
- 3-700(D)(1) - (failing to return client file [1 count]);
- 3-700(D)(2) - (failing to refund unearned advanced fees [13 counts]);
- Business and Professions Code, sections:
- 6068(m) - (failing to communicate [1 count]);
- 6103 - (disobeying a court order [1 count]); and
- 6106.3 - (taking advance fees in a loan modification matter prior to performing all services [8 Counts]).
- (d) ☒ Degree of prior discipline Four-years stayed suspension, five-years probation with three-years actual suspension along with other conditions of probation.
- (e) ☐ If respondent has two or more incidents of prior discipline, use space provided below:

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- (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 - Additional Facts Re Aggravating Circumstances" at p. 10.
- (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. See "Attachment to Stipulation - Additional Facts Re Aggravating Circumstances" at p. 9-10.
- (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.

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- (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:

D. Discipline: **Disbarment.**

E. Additional Requirements:

- (1) **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.
- (2) ☒ **Restitution:** Respondent must make restitution to Carlos and Martha Rodriguez and Berry and Vicki Moore in the amount of \$ 1,395.00 and \$1,295.00, respectively, plus 10 percent interest per year from March 8, 2010 and July 26, 2010, respectively. If the Client Security Fund has reimbursed Carlos and Martha Rodriguez or Berry and Vicki Moore for all or any portion of the principal amount, respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5. Respondent must pay the above restitution and furnish satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles no later than 365 days from the effective date of the Supreme Court order in this case.
- (3) ☐ **Other:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: GREGORY THOMAS FLAHIVE

CASE NUMBERS: 12-O-12866-LMA; 12-O-12481; 12-O-13030; 12-O-14319

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-12866 (Complainant: Marilyn and Keith Iden)

FACTS:

1. On April 29, 2010, Marilyn and Keith Iden ("the Idens") employed Respondent to negotiate and obtain a loan modification for their home mortgage.
2. On May 3, 2010, the Idens paid Respondent \$1,495 as advanced attorney's fees in the loan modification matter.
3. Between April 29, 2010 and August 2010, Respondent did not perform any work of value on the Idens' loan modification, nor did he undertake any effort to negotiate with the Idens' lender regarding a loan modification.
4. In August 2010, the bank foreclosed on the Iden's home.

CONCLUSIONS OF LAW:

5. By failing to perform any work of value on the loan modification for the Idens, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).
6. By offering to perform a home mortgage loan modification for the Idens for a fee and demanding, charging, collecting and receiving fees from the Idens prior to fully performing each and every service Respondent contracted to perform or represented he would perform, Respondent negotiated, arranged or otherwise offered to perform a mortgage loan modification for a fee paid by the borrower, and demanded, charged, collected or received such fee prior to fully performing each and every service respondent had contracted to perform or represented that he would perform in violation of section 2944.7(a) of the Civil Code, respondent willfully violated Business and Professions Code section 6106.3.

Case No. 12-O-12481 (Complainant: Carlos and Martha Rodriguez)

FACTS:

7. On February 4, 2010, Carlos and Martha Rodriguez ("the Rodriguezes"), employed Respondent to represent them in a Chapter 7 Bankruptcy ("Bankruptcy matter"). On the same date, the Rodriguezes entered into a written fee agreement wherein they agreed to pay Respondent advanced attorney's fees in the amount of \$1,295, plus a \$299 court filing fee and a credit validation fee of \$150, for total advanced fees and advanced costs of \$1,744 for Respondent to represent them in their Bankruptcy matter.

8. The Rodriguezes paid Respondent \$872 on February 4, 2010, and \$523 on March 8, 2010, for a total of \$1,395 in advanced attorney's fees in the Bankruptcy matter.

9. Respondent failed to take any affirmative action on the Rodriguezes' Bankruptcy matter.

10. On January 20, 2011, Respondent's representative informed the Rodriguezes that they did not qualify for a Chapter 7 Bankruptcy.

11. Between February 4, 2010 and January 20, 2011, Respondent provided no service of value to the Rodriguezes.

12. To date, Respondent has failed to refund any portion of the \$1,395 in unearned advanced fees and advanced costs to the Rodriguezes.

CONCLUSIONS OF LAW:

13. By failing to perform any service of value for the Rodriguezes in the Bankruptcy matter and by waiting until January 20, 2011, to inform the Rodriguez family that they did not qualify for a Chapter 7 Bankruptcy, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

14. By failing to promptly refund any portion of the \$1,395 in unearned fees to the Rodriguezes, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 12-O-13030 (Complainant: Berry and Vicki Moore)

FACTS:

15. On July 15, 2010, Berry and Vicki Moore ("the Moores") hired Respondent to assist them with a loan modification. The Moores agreed to pay Respondent a total of \$1,295 in advanced fees in exchange for Respondent providing them with a "do it yourself" loan modification package.

16. The Moores paid Respondent \$650 on July 15, 2010, and \$645 on July 26, 2010, for a total of \$1,295 in advanced attorney's fees.

17. On July 15, 2010, Respondent provided the Moores with a loan modification package to present to their lender. The package consisted of a "cut and paste" document in which Respondent filled in the blanks with the Moores' specific loan information. The letter included with the package was addressed "To Whom It May Concern." The loan modification package provided to the Moores was so deficient so as to be worthless to the Moores.

18. Respondent's form letter and package were of no value to the Moores. Respondent earned none of the \$1,295 in advanced fees paid by the Moores.

19. To date Respondent has failed to refund any part of the \$1,295 in advanced fees paid by the Moores.

CONCLUSIONS OF LAW:

20. By failing to promptly refund any portion of the \$1,295 in unearned fees to the Moores, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 12-O-14319 (Complainant: Stuart and Elizabeth Douglass)

FACTS:

21. On February 16, 2010, Stuart and Elizabeth Douglass ("the Douglasses") hired Respondent to negotiate and obtain loan modifications on their first and second mortgages, both of which were held by Bank of America. The Douglasses informed Respondent that the two loans needed to be modified simultaneously so they could make reduced payments on both of the loans. The Douglasses informed Respondent that if the two loans were not modified simultaneously they would be unable to keep the home and the work would be useless.

22. On February 17, 2010, the Douglasses entered into four separate written fee agreements with Respondent. For each loan, Respondent required the Douglasses to sign two fee agreements. The first fee agreement for each loan stated that Respondent would charge the Douglasses fees of \$1,495 for Respondent to perform legal services, including that Respondent would: "Prepare and draft a loan modification economic hardship packet for submission to Bank." The second agreement for each loan stated that Respondent would charge the Douglasses fees of \$955 for Respondent to perform legal services, including that Respondent would "Negotiate with Client's current Bank regarding Client's property in order to restructure Client's mortgage. . ." The total amount charged for each loan was \$2,490.

23. The Douglasses paid Respondent \$2,490 on February 16, 2010, and \$995 on May 21, 2010, for a total of \$3,485 in advanced attorney's fees.

24. Respondent failed to follow the Douglasses' directive to negotiate the two loans simultaneously. Respondent performed some service for the first loan, but the service was of no value to the Douglasses as Respondent did not negotiate the two loans simultaneously. Respondent entirely failed to negotiate with the bank for a loan modification of the second loan. Respondent performed no service of value on either loan.

25. Between February 16, 2010 and December 2010, the Douglasses were never able to communicate directly with Respondent. All of the information and legal advice that they received pursuant to the contracts was from Respondent's non-attorney staff. Respondent permitted his non-attorney staff to: (1) be the primary contact with the Douglasses and the bank; (2) review and process the loan modification paper work; (3) discuss the loan modification process with the Douglasses; (4) discuss possible terms for the loan modification with the Douglasses and the bank; (5) advise the Douglasses regarding the loan modification terms offered by the bank; and (6) advise the Douglasses regarding the consequences of delinquent loan payments.

26. In December 2010, the bank initiated foreclosure proceedings on the Douglasses' residence.

CONCLUSIONS OF LAW:

27. By failing to negotiate both loans simultaneously and by failing to supervise the non-attorney staff to ensure they did not engage in the unauthorized practice of law, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

28. By allowing his non-attorney staff to give legal advice to the Douglass family, Respondent aided a person or entity in the unauthorized practice of law in willful violation of Rules of Professional Conduct, rule 1-300(A).

29. By offering to perform a home mortgage loan modification for the Douglasses for a fee and demanding, charging, collecting and receiving fees from the Douglasses prior to fully performing each and every service Respondent contracted to perform or represented he would perform, Respondent negotiated, arranged or otherwise offered to perform a mortgage loan modification for a fee paid by the borrower, and demanded, charged, collected or received such fee prior to fully performing each and every service respondent had contracted to perform or represented that he would perform in violation of section 2944.7(a) of the Civil Code, respondent willfully violated Business and Professions Code section 6106.3.

ADDITIONAL FACTS RE AGGRAVATING CIRCUMSTANCES.

Prior Record of Discipline (Std. 1.2(b)(i)): Respondent has one prior record of discipline, effective on August 11, 2012. Respondent stipulated to misconduct involving fifteen client matters and one referral from the Bankruptcy Court. The misconduct predominantly related to Respondent's work in the loan modification and Bankruptcy areas of law. The common issue in the misconduct involved Respondent's repeated failure to perform competently and his failure to refund unearned fees. The discipline involved fifty-two acts of misconduct. The discipline included a three-year actual suspension from the practice of law.

Pattern of Misconduct (Std. 1.2(b)(ii)): Respondent's current misconduct involved four different clients. Respondent's prior discipline, which became effective August 11, 2012, involved fifteen client matters and one referral from the Bankruptcy court with fifty-two acts of misconduct. The current and prior acts of misconduct predominantly fall in the years 2009 and 2010. Taken together, there is a

pattern of misconduct. (*Twohy v. State Bar* (1989) 48 Cal.3d 502, 512-513; *In the Matter of Kaplan* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 547, 564, fn. 15.)

Harm (Std. 1.2(b)(iv)): Respondent's conduct in accepting legal representation and advanced fees from his clients and thereafter failing to provide the legal services for which he was retained and failing to refund the money, harmed his clients.

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 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.)

In the current matter, Respondent admits to committing eight acts of misconduct, of which three involved his failure to perform the legal services for which he was paid. The applicable standard for Respondent's conduct is Standard 2.4(a), which states:

"Culpability of a member of a pattern of wilfully failing to perform services demonstrating the member's abandonment of the causes in which he or she was retained shall result in disbarment."

The "pattern" in Respondent's misconduct is demonstrated when we look to both the current misconduct and the prior misconduct which took place during the same time frame. (See *In the Matter of Sklar* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 602.) As in *Sklar*, the misconduct here falls in the same time frame and is of the same type of misconduct. Therefore, as in *Sklar*, when determining what level of discipline should be imposed we look at the totality of the circumstances with less consideration to the prior discipline.

Applying *Sklar*, a "pattern" to Respondent's misconduct is revealed, with a total of nineteen (19) clients and sixty (60) acts of misconduct over a two-year period. The common thread to the misconduct is Respondent's taking advanced fees and then failing to perform on behalf of his clients. Thereafter, Respondent refuses or fails to refund the unearned fees. Compounding the misconduct is Respondent's continued flouting of the law as it relates to taking advanced fees in loan modification matters.

The Supreme Court in *Garlow v. State Bar* (1988) 44 Cal.3d 689, 711, found a "pattern" where an attorney "on several occasions made false statements to the courts, . . . [failed to communicate] with clients, failed to perform services for which he was retained, failed to return client documents and property, and induced others to testify falsely." The Court found "Such a record evidences a serious pattern of misconduct involving recurring types of wrongdoing." (*Id.*) The Supreme Court disbarred Garlow.

Shortly after *Garlow*, the Supreme Court again addressed the issue of a pattern of misconduct in *Twohy*. The Court stated that disbarment, not suspension, is appropriate where a pattern of misconduct is evident. In *Twohy* the disbarment was based on the pattern of misconduct, which included multiple instances of failing to perform and failing to communicate. (*Twohy v. State Bar, supra*, 48 Cal.3d 502, 512-513.)

Respondent, as in *Garlow* and *Twohy*, has a recurring pattern in his misconduct over a two year period. In addition Respondent has a significant aggravating factor in the ongoing harm he has caused his clients by failing to refund the unearned fees. There is no mitigation. Therefore there is no reason to deviate from disbarment.

Disbarment in this matter is appropriate and is the only discipline consistent with the purposes of discipline set forth in standard 1.3.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of September 11, 2013, the prosecution costs in this matter are \$9,887.00. 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.


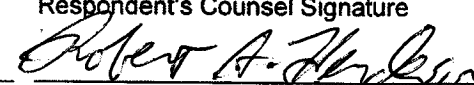
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In the Matter of:
GREGORY THOMAS FLAHIVE

Case number(s):
12-O-12866-LMA
12-O-12481; 12-O-13030; 12-O-14319

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.

Date	<u>9/10/13</u>		Gregory Thomas Flahive
		Respondent's Signature	Print Name
Date	<u>9/13/13</u>		
Date		Deputy Trial Counsel's Signature	Robert A. Henderson
			Print Name

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In the Matter of: GREGORY THOMAS FLAHIVE	Case Number(s): 12-O-12866-LMA 12-O-12481; 12-O-13030; 12-O-14319
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DISBARMENT 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.

At p. 2, item B.(1)(d): add "and until he complies with Rules of Procedure of the State Bar, title IV, Standards for Attorney Sanctions for Professional Misconduct, standard 1.4(c)(ii)" after "actual suspension."

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.)**

Respondent GREGORY THOMAS FLAHIVE is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three (3) calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 5.111(D)(2) of the Rules of Procedure of the State Bar of California, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

Date

Sept. 17, 2013

Judge of the State Bar Court

Ed McElroy

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 September 17, 2013, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND
ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT

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

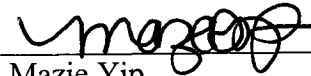
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

GREGORY T. FLAHIVE
PO BOX 1993
FOLSOM, CA 95763

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

ROBERT A. HENDERSON, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on September 17, 2013.



Mazie Yip
Case Administrator
State Bar Court