STATE BAR COURT OF CALIFORNIA HEARING DEPARTMENT 1149 S. Hill St., 5th Fl., Los Angeles, CA 90015	FOR CLERK'S USE ONLY: FILED MAR 25 2014 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
In the Matter of: **STEPHEN DOUGLAS ZUCKERMAN, Member No. 47329,** A Member of the State Bar	Case No(s): 12-O-13220-DFM **ORDER GRANTING AND DENYING MOTION FOR RELIEF RE MPRE AND DENYING MOTION TO TERMINATE PROBATION**

On October 10, 2013, Respondent sent a letter request to this court containing "a request for a 6 month delay in fulfilling my requirements of probation." The letter referred to medical problems and an inability to pay, but was unaccompanied by any declaration or supporting documents.

On October 16, 2013, the Office of Probation filed an opposition to the motion, noting the uncertainty of what was being requested and the lack of supporting information.

On October 24, 2013, this court issued an order granting and denying Respondent's requests. In that order, the court noted:

> A review of the obligations created by the Supreme Court's order reveals that Respondent is obligated to provide quarterly reports, present proof of passage of the State Bar Ethics School by May 22, 2014, and present proof of passage of the MPRE by that same date. The MPRE is not a condition of probation, but a separate obligation imposed by the Supreme Court order.
>
> In addition, Respondent is obligated to pay costs as part of his State Bar dues in 2014. Again, that is not a condition of probation.
>
> In the event that Respondent wished to delay his obligation to present proof of passage of the Ethics School and/or the MPRE, he needs to so state. If he is basing his request on medical problems, he needs to provide his own declaration and supporting medical evidence. If he is basing the request on an inability to pay for the classes, he needs to attach a completed and accurate financial statement, using the form available on the State Bar's website. In that regard, Respondent is advised to investigate the possibility of a cost waiver or other financial assistance with regard to the State Bar Ethics class.
>
> There needs to be no basis for delaying or deferring Respondent's obligation to provide quarterly reports. They cost no money to complete and submit, and there is no basis established for this court to conclude that Respondent would be unable to fill out the forms.
>
> To the extent that October 10, 2013 report was due at the time that Respondent made his October 10, 2013 request for an extension, the deadline for that one report is extended for 30

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days, until November 10, 2013. That extension does not affect the deadline for Respondent's filing of the required January 10, 2014 quarterly report or any of the other required reports.

Except as provided in the foregoing paragraph, the balance of Respondent's request is DENIED without prejudice.

On March 10, 2014, Respondent filed the instant motion in letter form, seeking complete relief from his obligation to take the MPRE and asking that his probation be terminated and his record of discipline be expunged.

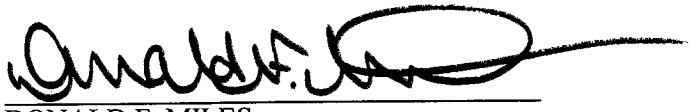
On March 14, 2014, the State Bar Office of Probation filed an opposition to the motion. In that opposition, the Office of Probation, inter alia, noted the absence of any authority of this court (1) to waive that portion of the Supreme Court's order requiring Respondent to take and pass the MPRE; or (2) to expunge Respondent's record of discipline.

The court concurs with the legal conclusions advanced by the Office of Probation. Nor has any good cause been shown to terminate Respondent's probation. Accordingly, Respondent's requests to waive his obligation to take the MPRE, to terminate his probation, and to expunge his prior discipline are DENIED.

However, Respondent has demonstrated good cause to extend the deadline for him to take and pass the MPRE. Accordingly, the deadline for him to do so, and to present proof of that fact to the Office of Probation, is extended to May 22, 2015.

IT IS SO ORDERED.

Dated: March 21, 2014



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 March 25, 2014, I deposited a true copy of the following document(s):

ORDER GRANTING AND DENYING MOTION FOR RELIEF RE MPRE AND DENYING MOTION TO TERMINATE PROBATION

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

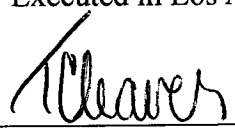
☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

STEPHEN DOUGLAS ZUCKERMAN
ATTORNEY AT LAW
10390 WILSHIRE BLVD STE 1610
LOS ANGELES, CA 90024

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

ASHOD MOORADIAN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on March 25, 2014.



Tammy Cleaver
Case Administrator
State Bar Court