

(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles REPROVAL		
Counsel For The State Bar Hugh G. Radigan Deputy Trial Counsel 1149 South Hill Street Los Angeles, California 90015 213-765-1206 Bar # 94251	Case Number(s): 12-O-15197 RAH	For Court use only <div style="text-align: center;"> FILED P.B. SEP 11 2013 STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Counsel For Respondent Weisenberg & Nelson John W. Nelson 12437 Lewis Street, Suite 204 Garden Grove, California 92840 714-703-7070 Bar # 73958	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING	
In the Matter of: BRENDA LYNN McCUNE Bar # 186945 A Member of the State Bar of California (Respondent)	PUBLIC REPROVAL <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

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 16, 1996.
- (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 11 pages, not including the order.

(Effective January 1, 2011)



(Do not write above this line.)

- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (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 are added to membership fee for calendar year following effective date of discipline (public reproof).
 - ☐ Case ineligible for costs (private reproof).
 - ☐ 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.
- (9) The parties understand that:
- (a) ☐ A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
 - (b) ☐ A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
 - (c) ☒ A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

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 or a separate attachment entitled "Prior Discipline."
- (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.
- (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 at page 8.
- (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

(Do not write above this line.)

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. See attachment to stipulation at page 7.
- (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:

Respondent is entitled to mitigation as a result of her sixteen (16) plus years of discipline-free practice. See attachment to stipulation at page 7.

D. Discipline:

- (1) ☐ **Private reproof (check applicable conditions, if any, below)**
- (a) ☐ Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b) ☐ Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

- (2) ☒ **Public reproof (Check applicable conditions, if any, below)**

E. Conditions Attached to Reproval:

- (1) ☒ Respondent must comply with the conditions attached to the reproof for a period of one year.
- (2) ☒ During the condition period attached to the reproof, 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.

(Do not write above this line.)

- (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 condition period attached to the reprobation. 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 the reprobation during the preceding calendar quarter. Respondent must also state in each report 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 (thirty) days, that report must be submitted on the next following 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 condition period and no later than the last day of the condition period.

- (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 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 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 conditions attached to the reprobation.
- (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) ☒ 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 within one year of the effective date of the reprobation.
- ☐ No MPRE recommended. Reason: .

- (11) ☐ 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:

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: BRENDA LYNN MCCUNE

CASE NUMBER: 12-O-15197

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that she is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 12-O-15197 (Complainant: Joseph McBride)

FACTS:

1. On January 20, 2012, Joseph McBride ("McBride") hired Respondent to represent him in a family law matter involving custody and visitation issues ("family law matter"). On January 20, 2012, McBride paid Respondent \$5,000 in advanced fees.
2. On February 27, 2012, McBride sent an email to Respondent's employees together with documentation necessary for the preparation of McBride's petition and declaration in connection with the family law matter.
3. On March 15, 2012, an employee of Respondent told McBride that Respondent would have a declaration ready for him by the beginning of the following week.
4. On March 22, 2012, McBride contacted Respondent's office regarding the declaration. McBride spoke with an employee of Respondent and requested a status update on the family law matter and an accounting of all the time spent by Respondent on the family law matter. Respondent had knowledge of McBride's request, but failed to provide McBride with the declaration, a status update, or an accounting.
5. On March 23, 2012, an employee of Respondent told McBride that Respondent hoped to have a declaration ready by the following week. However, Respondent failed to provide McBride with a declaration or any other documents in connection with the family law matter the following week.
6. On March 25, 2012, McBride sent Respondent's office an email, again requesting an accounting. Respondent had knowledge of McBride's request, but failed to provide an accounting.
7. On April 17, 2012, McBride telephoned Respondent's office to request a status update, and spoke with a member of Respondent's office staff. McBride scheduled a phone meeting with Respondent on April 19, 2012.
8. On April 19, 2012, Respondent cancelled the phone meeting with McBride.

9. On April 25, 2012, McBride sent Respondent an email directing Respondent to cease all work on the family law matter, and requesting a refund of advanced fees. Respondent received the email, but failed to provide McBride's a refund of advanced fees.

10. Thereafter, McBride retained new counsel in connection with the family law matter. On June 12, 2012, McBride's new attorney sent Respondent a letter requesting a final bill, and a refund of advanced fees. Respondent received the letter.

11. On June 13, 2012, Respondent provided McBride with his client file, but failed to provide McBride with an accounting or a refund of any fees.

12. On June 14, 2012, and June 28, 2012, McBride contacted Respondent's office and again requested a final bill and a refund of advanced fees. Respondent had knowledge of McBride's phone calls and requests, but failed to provide an accounting or a refund.

13. On August 29, 2012, Respondent sent McBride a refund check in the amount of \$4,351. On September 13, 2012, Respondent sent McBride a second refund check in the amount of \$200.

14. Respondent failed to provide any legal services of value to McBride and therefore earned no fees.

15. After terminating Respondent, McBride was able to modify both custody and visitation without court intervention.

CONCLUSIONS OF LAW:

16. By failing to file a petition or declaration or otherwise provide any legal services of value to McBride between January 20, 2012, and April 25, 2012, and by failing to communicate during that period, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

17. By failing to refund any portion of unearned advanced fees paid by McBride, between on or about April 25, 2012, and on or about August 29, 2012, 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).

18. By failing to provide McBride an accounting of the advance fees paid by McBride after it was requested on March 25, 2012, Respondent failed to render appropriate accounts to a client regarding all funds coming into Respondent's possession in willful violation of Rules of Professional Conduct, rule 4-100(B)(3).

ADDITIONAL FACTS RE MITIGATING CIRCUMSTANCES.

No Prior Discipline:

Respondent was admitted to practice in California on December 16, 1996 and has no prior record of discipline. Although the current misconduct is serious, Respondent's lack of prior discipline over more than 16 years of practice before the misconduct occurred is entitled to mitigation. (Standard

1.2(e)(1); *In the Matter of Bleecker* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 113, 127 [an attorney with 30 years of practice and no prior discipline was entitled to significant mitigation].)

Family Problems:

Respondent was involved in a protracted divorce which ended her eighteen year marriage. The dissolution petition commenced September 8, 2008, with judgment being entered May 11, 2011. However, the matter continued to be litigated throughout March of 2013 with respect to custody and child support issues. Moreover, after securing primary provider and caregiver status as to her son, the child was involved in two successive life-threatening accidents, a motorcycle accident in April of 2010 resulting in a six day intensive care hospitalization and a baseball injury resulting in a serious head injury in May of 2011, resulting in the insertion of a series of metal plates in his skull. Respondent's experiences with these serious personal events and the heightened ongoing concern she felt for her son's care and welfare thereafter, occupied a great deal of attention and energy, and contributed to her failure to attend to her professional duties and responsibilities in this matter. (*Rose v. State Bar* (1989) 49 Cal. 3rd 646, 667 [marital and other stressful emotional difficulties may be considered in mitigation].)

Pretrial Stipulation:

Respondent has stipulated to misconduct and thereby demonstrated her cooperation with the State Bar and saved the State Bar's resources. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigation credit was given for entering into a stipulation as to facts and culpability].)

ADDITIONAL FACTS RE AGGRAVATING CIRCUMSTANCES.

Multiple Acts of Misconduct:

Respondent committed multiple acts of misconduct, specifically violations of Rules of Professional Conduct, rule 3-110(A), 4-100(B)(3) and 3-700(D)(2). *In the Matter of Conner* (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 93.

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.)

Respondent admits to committing three acts of professional misconduct. Standard 1.6 (a) requires that where a Respondent acknowledges two or more acts of misconduct, and different sanctions are prescribed by the standards that apply to those acts, the sanction imposed shall be the more or most severe prescribed in the applicable standards.

The most severe sanction applicable to Respondent's misconduct is found in standard 2.2(b), which applies to Respondent's violation of Rule of Professional Conduct, rule 4-100(B)(3). Standard 2.2(b) provides that culpability of a member of the commission of a violation of rule 4-100, which offense does not result in the willful misappropriation of entrusted funds or property, shall result in at least a three month actual suspension from the practice of law irrespective of mitigating circumstances.

Although standard 2.2(b) calls for a minimum three-month actual suspension for a violation of rule 4-100 of the Rules of Professional Conduct, Respondent's act of misconduct herein involves a failure to account for advanced fees as opposed to trust funds. (See *In the Matter of Fonte* (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 752, 757, where the Review department concluded that the duty to account under Rules of Professional Conduct, rule 4-100(B)(3), included a duty to account for advanced fees.) Standard 2.2 was adopted prior to the *Fonte* decision and was intended to apply to violations involving entrusted funds rather than advanced fees. Here, the funds at issue were advanced fees rather than funds required to be held in trust. Therefore, deviation from that standard is warranted.

The standards that address Respondent's other misconduct provide some guidance and are found in both standards 2.4(b) and 2.10, which applies to Respondent's violations of Rules of Professional Conduct, rule 3-110(A) and 3-700(D)(2), respectively. Standard 2.4(b) provides that culpability of a member of willfully failing to perform services in an individual matter not demonstrating a pattern of misconduct or culpability of a member of failing to communicate with a client shall result in reproof or suspension depending upon the extent of the misconduct and the degree of harm to the client. Standard 2.10 provides for reproof or suspension according to the gravity of the offense or the harm to the client for a violation of the Rules of Professional Conduct not specified in the standards, in this instance, rule 3-700(D)(2).

The gravamen of Respondent's misconduct herein consists of her failure to perform the legal services she was hired to do. However, Respondent's misconduct did not cause significant harm to the client who ultimately was able to modify custody and visitation through stipulated agreement with his former spouse without requiring court intervention. Given Respondent's many years in practice without prior discipline, the misconduct appears to be an aberrational situation. Also, Respondent has refunded the total amount of the advanced fees to the client. The net effect of the mitigating factors present, including Respondent's many years of discipline free practice, personal family problems occurring at the time of the misconduct and her cooperation with the State Bar in reaching this stipulation, outweigh the aggravating factor of Respondent's multiple acts of misconduct, and therefore, a level of discipline at the low end of range prescribed by standards 2.4(b) and 2.10 is consistent with the purposes of attorney discipline. A public reproof will serve to remind Respondent of the primary purposes of disciplinary proceedings including protection of the public, the court and the legal profession, maintenance of high professional standards by attorneys, and the preservation of public confidence in the legal profession.

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph (A)7, was September 3, 2013.

DISMISSALS.

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

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
12-O-15197	Three	Rules of Professional Conduct, rule 3-700(D)(1)

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of September 3, 2013, the prosecution costs in this matter are approximately \$5,458. 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, State Bar Client Trust Accounting School, and/or any other educational course to be ordered as a condition of this reproof. (Rules Proc. of State Bar, rule 3201.)

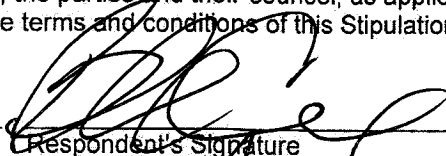
(Do not write above this line.)

In the Matter of: Brenda Lynn McCune	Case number(s): 12-O-15197 RAH
---	-----------------------------------

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.

9/3/13
Date


Respondent's Signature

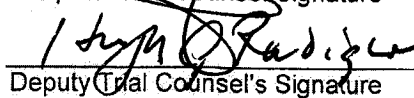
Brenda Lynnn McCune
Print Name

09/03/2013
Date


Respondent's Counsel Signature

John W. Nelson
Print Name

September 5 '13
Date


Deputy Trial Counsel's Signature

Hugh G. Radigan
Print Name

(Do not write above this line.)

In the Matter of:
Brenda Lynn McCune

Case Number(s):
12-O-15197-RAH

REPROVAL ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, 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 REPROVAL IMPOSED.
- ☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- ☐ All court dates in the Hearing Department are vacated.

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.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

Date

09-06-2013


RICHARD A. PLATEL

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 September 11, 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:

**JOHN WILLIAM NELSON ESQ
WEISENBERG & NELSON, INC.
12437 LEWIS ST STE 204
GARDEN GROVE, CA 92840**

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

Hugh Gerard Radigan, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 11, 2013.



Paul Barona
Case Administrator
State Bar Court