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**State Bar Court of California  
Hearing Department  
Los Angeles  
ACTUAL SUSPENSION**

<p>Counsel For The State Bar</p> <p>Agustin Hernandez Deputy Trial Counsel 1149 South Hill St. Los Angeles, CA 90015 (213) 765-1713</p> <p>Bar # 161625</p>	<p>Case Number(s): 12-O-15875-DFM</p>	<p>For Court use only</p> <p><b>PUBLIC MATTER</b></p> <p><b>FILED</b></p> <p><b>SEP 20 2013</b></p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> 
<p>Counsel For Respondent</p> <p>David Cameron Carr 530 B Street, Suite 1410 San Diego, CA 92101 (619) 696-0526</p> <p>Bar # 124510</p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: <b>MARJAN MORTAZAVI</b></p> <p>Bar # 189701</p> <p>A Member of the State Bar of California (Respondent)</p>		

**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 August 7, 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 entirely 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.

(Effective January 1, 2011)



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- (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):
  - 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.

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- (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, page 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.

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(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, page 9.

**D. Discipline:**

(1)  **Stayed Suspension:**

(a)  Respondent must be suspended from the practice of law for a period of two years.

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 90 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.

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- (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**

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**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:**

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5. Respondent represented Donald S. McCraig and Dhyana L. McCraig (“McCraig’s”) in a Chapter 13 bankruptcy petition pending in Bankruptcy Court (“McCraig matter”).

6. On July 26, 2012, when Respondent was not entitled to practice law in California, and therefore, not eligible to practice law in Bankruptcy Court, Respondent prepared, signed as “Attorney for Debtors,” and filed in Bankruptcy Court a motion for a finding that the McCraigs’s creditors had violated the automatic stay pursuant to 11 U.S.C. § 362(c) (“motion”).

7. At no time during the time that Respondent was not entitled to practice law did she inform her clients, opposing counsel, the bankruptcy trustees, or the court that she was not entitled to practice law from July 3, 2012, through July 30, 2012.

8. On July 31, 2012, opposing counsel in the McCraig matter asked Respondent about her status with the State Bar. Respondent acknowledged and admitted to opposing counsel that she had not been entitled to practice law between July 3, 2012, and July 30, 2012.

9. On August 2, 2012, the Bankruptcy Court in the McCraig matter ordered Respondent to file a declaration explaining the circumstances of her inactive status. Thereafter, Respondent contacted the McCraigs, the Guidis, the Galindos, Jones, Crossland, and Castillo (clients referenced in paragraph 4, above) and informed them that she had not been entitled to practice law between July 3, 2012, and July 30, 2012.

10. On August 9, 2012, Respondent entered into an agreement with the bankruptcy trustee to return a portion of the attorney’s fees to some of her clients. The attorney’s fees that were to be returned were all advanced to Respondent prior to her becoming ineligible to practice law, but were actually incurred for legal services performed while she was ineligible to practice law. Pursuant to this agreement with the bankruptcy trustee, Respondent returned to the McCraigs, the Guidis, the Galindos, Jones, Crossland, and Castillo a combined total of \$11,736.50 in attorney’s fees that were incurred during the time that she was not entitled to practice law.

11. On August 14, 2012, Respondent filed a declaration with the Bankruptcy Court explaining her inactive status as she was ordered to do. On August 28, 2012, the Bankruptcy Court issued an order finding that Respondent’s representation of the McCraigs during the time that she was not entitled to practice law did not affect their case and permitted Respondent to continue representing them.

12. On October 15, 2012, Respondent notified Weise, Vasquez, Tapia, Davis, Landini, Martin, Vidaca, and the Johnsons that she had not been entitled to practice law between July 3, 2012, and July 30, 2012.

#### CONCLUSIONS OF LAW:

13. By filing 13 bankruptcy petitions and a motion in Bankruptcy Court when she was not eligible to practice law in that jurisdiction, Respondent held herself out as entitled to practice law and actually practiced law in a jurisdiction where practicing law is a violation of the regulations of the profession in that jurisdiction and of this state, in willful violation of Rules of Professional Conduct, rule 1-300(B).

14. By knowingly holding herself out as entitled to practice law and actually practicing law when she was not entitled to practice law, and failing to disclose to her clients, opposing counsel, the bankruptcy trustees, and the court that she was not entitled to practice law, Respondent committed acts involving moral turpitude, dishonesty or corruption, in willful violation of Business and Professions Code, section 6106.

#### **ADDITIONAL FACTS RE AGGRAVATING CIRCUMSTANCES.**

**Multiple Acts of Misconduct (Std. 1.2(b)(ii)):** Respondent committed multiple acts of misconduct consisting of filing 13 bankruptcy petitions and a motion with the Bankruptcy Court when she knew that she was not entitled to practice law. She also implied to her clients, opposing counsel, the bankruptcy trustees, and the court that she was entitled to practice law when she knew that she was not entitled to practice law.

#### **ADDITIONAL FACTS RE MITIGATING CIRCUMSTANCES.**

**No Prior Discipline:** Although Respondent's current misconduct is serious, Respondent has almost 16 years of practice without discipline, which is entitled to substantial mitigation. (*In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, 49 [attorney with seventeen years of discipline-free practice entitled to mitigation despite serious misconduct]; *Edwards v. State Bar* (1990) 52 Cal.3d 28, 38-39 [mitigative credit given to attorney with twelve years of practice without discipline despite serious misconduct].)

**Prefiling Stipulation:** Respondent is entitled to mitigation for entering into a full stipulation to resolve this matter prior to filing a Notice of Disciplinary Charges and trial, thereby preserving State Bar Court time and resources. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability].)

**Community Service:** In 2009, Respondent co-founded Miracle Babies and is currently a member of the Board of Trustees. Miracle Babies is a non-profit organization that provides support and financial assistance to families who have newborns that are critically ill. Miracle Babies helps an average of 25 families per month. (See *Calvert v. State Bar* (1991) 54 Cal.3d 765, 785; *Schneider v. State Bar* (1987) 43 Cal.3d 784, 799.)

#### **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.)

Respondent practiced law in violation of the rules and regulations of the Bankruptcy Court while representing 14 separate clients when she knew that she was not entitled to practice law. By practicing law in Bankruptcy Court when she was not entitled to practice, Respondent committed two different acts of misconduct: she violated the rules and regulations of the Bankruptcy Court and of this state, and she committed acts of moral turpitude by holding herself out as entitled to practice law and knowingly practiced law in Bankruptcy Court when she was not entitled. Standard 1.6 (a) requires that where a Respondent commits 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 2.3, which applies because Respondent committed acts of moral turpitude by holding herself out as entitled to practice law and knowingly practicing law in Bankruptcy Court when she was not entitled to practice.

Standard 2.3 provides that culpability of an act of moral turpitude, fraud, intentional dishonesty or concealment of a material fact to a court, client or another person shall result in actual suspension or disbarment depending upon the extent to which the victim of the misconduct is harmed or misled and depending upon the magnitude of the act of misconduct and the degree to which it relates to the member's acts within the practice of law.

In the instant case, Respondent filed 13 bankruptcy petitions and a motion with the Bankruptcy Court when she knew that she was not eligible to practice law in the Bankruptcy Court. The misconduct was serious, repeated, involved dishonesty, and impacted 14 clients. However, this is tempered by Respondent returning to her clients \$11,736.50 in attorney's fees that were incurred during the time that she was not entitled to practice law. Also, the Bankruptcy Court issued an order finding that Respondent's representation of the McCraigs during the time that she was not entitled to practice law did not affect their case and permitted Respondent to continue representing them. Respondent's misconduct is also tempered by several mitigating circumstances. First, at the time Respondent committed the misconduct described in this stipulation, she had been practicing law for approximately 15 years without being disciplined. Respondent also deserves mitigation for agreeing to enter into this stipulation prior to filing a notice of disciplinary charges and having a trial. By co-founding Miracle Babies and serving on the Board of Trustees, Respondent has demonstrated a commitment to serving her community. Nevertheless, Respondent's misconduct is serious. And, despite the presence of these mitigating circumstances, Respondent's misconduct still warrants a period of actual suspension consistent with Standard 2.3.

Based on the facts, aggravating and mitigating circumstances, and the standards, discipline consisting of a two-year stayed suspension and two years of probation subject to certain conditions, including a 90-day actual suspension, is warranted to protect the public, the courts and the integrity of the legal profession.

A 90-day actual suspension is also consistent with case law. *In the Matter of Wells*, a member received a two-year stayed suspension, with six months of actual suspension and two years of probation for engaging in the unauthorized practice of law. The misconduct in *Wells* however, was more egregious

than the misconduct in the instant matter. Wells moved to South Carolina where she represented at least nine clients during the approximately five years that she lived there. The letterhead that Wells utilized did not indicate that she was not licensed in South Carolina or that she was licensed only in California. In some letters, her name was followed by "Esquire." She listed herself as "attny" in a local phone book. Wells also misrepresented to the State Bar of California that she did not practice law in South Carolina. She also made misrepresentations to the South Carolina deputy solicitor general by understating the extent of her practice of law in South Carolina and how long she had lived there. The court found that Wells violated rules 1-300(B) (practicing in a jurisdiction where not licensed) (two counts), 4-200(A) (charging an illegal fee) (two counts), 3-700(D)(2) (failure to refund unearned fees) (two counts), and 4-100(A) (failure to maintain funds in trust), Rules of Professional Conduct, and Business and Professions Code section 6106 (misrepresentations). Wells also had a prior imposition of a private reproof. (*In the Matter of Wells* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 896).

**COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of June 14, 2013, the prosecution costs in this matter are \$2,925. 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 or any other educational course(s) to be ordered as a condition of reproof or suspension. (Rules Proc. of State Bar, rule 3201.)

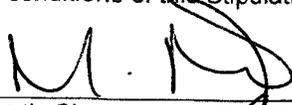
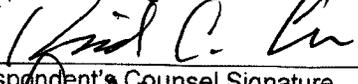
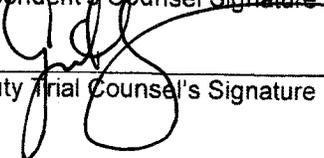
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In the Matter of: MARJAN MORTAZAVI	Case number(s): 12-O-15875-DFM
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**SIGNATURE OF THE PARTIES**

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>8/29/13</u> Date	 Respondent's Signature	<u>MARJAN MORTAZAVI</u> Print Name
<u>8/29/13</u> Date	 Respondent's Counsel Signature	<u>DAVID CAMERON CARR</u> Print Name
<u>September 4, 2013</u> Date	 Deputy Trial Counsel's Signature	<u>AGUSTIN HERNANDEZ</u> Print Name

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In the Matter of: MARJAN MORTAZAVI	Case Number(s): 12-O-15875-DFM
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**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.

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.)**

9/20/13  
Date

  
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 September 20, 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:

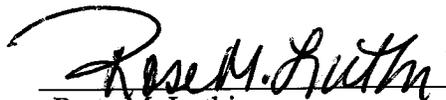
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

DAVID C. CARR  
LAW OFFICE OF DAVID CAMERON CARR PLC  
525 B ST STE 1500  
SAN DIEGO, CA 92101

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

AGUSTIN HERNANDEZ, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 20, 2013.



Rose M. Luthi  
Case Administrator  
State Bar Court