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State Bar Court of California
Hearing Department
Los Angeles
ACTUAL SUSPENSION

PUBLIC MATTER

<p>Counsel For The State Bar</p> <p>Maria L. Ghobadi Deputy Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017 (213) 765-1165</p> <p>Bar # 242945</p>	<p>Case Number(s): 12-O-16944 - RAP 13-O-10169 14-O-0811 (unfiled)</p>	<p>For Court use only</p> <p>FILED</p> <p>FEB 26 2014</p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> 
<p>In Pro Per Respondent</p> <p>Michelle A. Perfili Law Offices of Michelle A. Perfili P.O. Box 1034 Lakeside, CA 92040 (619) 966-9003</p> <p>Bar # 107580</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: MICHELLE A. PERFILI</p> <p>Bar # 107580</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 **December 3, 1982**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **13** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

(Effective January 1, 2014)

ASD
2/18/14



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- (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: **Three billing cycles following the effective date of the Supreme Court Order.** (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 [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(f) & 1.5]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline**
- (a) State Bar Court case # of prior case **10-O-05300 and 10-O-07622 (See Attachment at page 10).**
 - (b) Date prior discipline effective **February 23, 2012.**
 - (c) Rules of Professional Conduct/ State Bar Act violations: **Business and Professions Code section 6068(a) [unauthorized practice of law while not entitled], Rules of Professional Conduct, rules 3-300 [avoiding interests adverse to a client], and 4-200(A) [illegal fees].**
 - (d) Degree of prior discipline **One-year stayed suspension, two years of probation, and 30 days of actual suspension.**
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) **Dishonesty:** Respondent's misconduct was intentional, 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 at page 10.**
- (8) **Restitution:** Respondent failed to make restitution.
- (9) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standards 1.2(g) & 1.6]. 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, the public, or the administration of justice.
- (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 with a good faith belief that was honestly held and reasonable.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical or mental 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 the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (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.

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- (11) **Good Character:** Respondent's extraordinarily 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:

Pretrial Stipulation. See Attachment at page 10.

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 1.2(c)(1) 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 **six months**.
- 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 1.2(c)(1), 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 1.2(c)(1), Standards for Attorney Sanctions for Professional Misconduct.

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- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
 - No Ethics School recommended. Reason: _____
- (9) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) The following conditions are attached hereto and incorporated:
 - Substance Abuse Conditions Law Office Management Conditions
 - Medical Conditions 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

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Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**

No MPRE recommended. Reason: **Respondent provided proof of passage of the MPRE in State Bar case nos. 10-O-05300 and 10-O-07622 on December 6, 2013. The protection of the public and the interests of the respondent therefore do not require passage of the MPRE in this case. (See in the Matter of Respondent G (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr 181).**

- (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:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: MICHELLE A. PERFILI

CASE NUMBERS: 12-O-16944, 13-O-10169, and 14-O-00811

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-16944 (Complainant: Karen Sivy)

FACTS:

1. On August 28, 2012, the State Bar of California received a complaint about Respondent from Karen Sivy and as a result, the State Bar opened an investigation into the alleged acts of professional misconduct.
2. On October 22, 2012, an investigator from the State Bar sent Respondent an investigative letter to Respondent's official membership address advising Respondent of the substance of Sivy's complaint and directing Respondent to provide a written response by November 6, 2012. Respondent received the letter but did not respond.
3. On October 23, 2012, the investigator sent a copy of the October 22, 2012, investigative letter to Respondent's official membership email address. Respondent received the email but did not respond.
4. On November 7, 2012, the investigator sent a follow-up letter by email and U.S. mail to Respondent's official membership address directing her to respond by November 20, 2012. Respondent received the letter and email but did not respond.
5. Between October 22, 2012, and February 25, 2013, Respondent did not communicate with the State Bar investigator and she did not otherwise participate in the disciplinary investigation of Sivy's complaint.
6. On February 25, 2013, the State Bar filed formal disciplinary charges arising out of Sivy's complaint.
7. On February 28, 2013, Respondent contacted the State Bar, Office of Chief Trial Counsel and sent various documents that had been requested during the investigation. As a result of the information and documents provided by Respondent, three counts of misconduct relating to the Sivy complaint were dismissed.

CONCLUSIONS OF LAW:

8. By failing to respond to the two letters dated October 22, 2012, and November 7, 2012, and the two emails dated October 23, 2012, and November 7, 2012, that Respondent had received from a State Bar investigator, and by not otherwise participating in the State Bar investigation of the allegations of Sivy's complaint, Respondent failed to cooperate and participate in a disciplinary investigation in wilful violation of Business and Professions Code section 6068(i).

Case No. 13-O-10169 (Complainant: Stephen Russow)

FACTS:

9. On June 15, 2012, Stephen Russow hired Respondent to represent him in a real property matter, specifically to enforce an easement and paid Respondent \$1,000 in advanced fees.

10. Between June 15, 2012, and February 1, 2013, Respondent performed some services but failed to complete the services necessary to enforce the easement.

11. Between November 23, 2012, and December 17, 2012, Russow called Respondent numerous times and emailed her on several occasions each time leaving a message requesting a status update. Respondent received these phone messages and emails but did not return Russow's calls or emails.

12. On December 11, 2012, Russow emailed Respondent requesting the return of his file and on December 17, 2012, Russow confirmed his request for his file and terminated Respondent's services by email.

13. On December 26, 2012, the State Bar of California received a complaint about Respondent from Russow and as a result, the State Bar opened an investigation into the alleged acts of professional misconduct.

14. Between November 23, 2012, and late February 2013, Russow had no contact with Respondent despite his repeated requests for a status update.

15. On February 28, 2013, Respondent contacted the State Bar, Office of Chief Trial Counsel and sent various documents requested during the investigation. Respondent also returned Russow's file in March 2013, and on April 22, 2013, Respondent refunded the \$1,000 in advanced fees to Russow.

CONCLUSIONS OF LAW:

16. By failing to complete the legal services necessary to enforce Russow's easement, Responder 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 not returning Russow's client files and papers until March 2013, three months after her services were terminated and after the client requested the files and papers, Respondent failed to promptly return client files and papers in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

18. By not providing Russow with a refund of the unearned fees until April 22, 2013, four months after Respondent's services were terminated, Respondent failed to promptly refund any part of a fee paid in advance that was not earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

19. By failing to respond to Russow's numerous telephone messages and emails requesting a status report from November 23, 2012, to March 2013, Respondent willfully failed to respond promptly to reasonable status inquires of a client in violation of Business and Professions Code section 6068(m).

Case No. 14-O-00811 (State Bar Investigation)

FACTS:

20. By order entered on January 24, 2012, and effective February 23, 2012, based on a stipulation between Respondent and the State Bar of California, the Supreme Court of California suspended Respondent from the practice of law for 30 days, and placed her on disciplinary probation with terms and conditions in effect for two years. The Supreme Court served the order on the date it was entered and Respondent received a copy of the order.

21. The Supreme Court order required that Respondent comply with terms and conditions of probation, including the following:

- a) Contact the Office of Probation and schedule a meeting with her assigned probation deputy within 30 days from the effective date of the discipline.
- b) Submit written quarterly reports to the Office of Probation not later than, April 10, 2012, July 10, 2012, October 10, 2012, January 10, 2013, April 10, 2013, July 10, 2013, October 10, 2013, January 10, 2014;
- c) Provide to the Office of Probation satisfactory proof of attendance at a session of State Bar Ethics School and passage of the test given at the end of that session not later than February 23, 2013.

22. On April 10, 2012, Respondent scheduled a meeting with her assigned probation deputy due on March 24, 2012.

23. Respondent untimely submitted three quarterly reports to the Office of Probation. On April 30, 2012, Respondent submitted late her quarterly report due April 10, 2012; on January 14, 2013, Respondent submitted late her quarterly report due on January 10, 2013; and on January 14, 2014, Respondent submitted late her quarterly report due on January 10, 2014.

24. To date, Respondent has neither attended State Bar Ethics School nor provided proof of attendance to the Office of Probation.

CONCLUSIONS OF LAW:

25. By failing to timely schedule a meeting with her probation deputy, by failing to submit quarterly reports to the Office of Probation, and by failing to submit proof of attendance at a session of Ethics School, Respondent failed to comply with the conditions of her attached to her discipline in willful violation of Business and Professions Code section 6068(k).

AGGRAVATING CIRCUMSTANCES.

Prior Record of Discipline (Std. 1.5(a)): Respondent has a prior record of discipline involving two client matters. The misconduct occurred from January through August 2007, and involved the unauthorized practice of law stemming from Respondent performing legal services during a period when she was not entitled to practice law for failing to pay State Bar membership dues, the collection of a fee for legal services while not entitled to practice, and for obtaining a \$2,000 loan from a client without providing a written agreement explaining the terms of the loan and advisement of the client's right to seek independent counsel. The discipline imposed included a 30-day actual suspension, one year of stayed suspension, and two years of probation with conditions.

Multiple Acts of Misconduct (Std. 1.5(b)): Respondent violated Rules of Professional Conduct, rule 3-110(A) (failure to act competently), 3-700(D)(1) (failure to promptly return client papers), and 3-700(D)(2) (failure to refund advanced fees), and Business and Professions Code, sections 6068(m) (failure to communicate) and 6068(i) (failure to cooperate with the State Bar in a disciplinary matter). Respondent also failed to timely schedule a meeting with her probation deputy, failed to timely submit her April 2012, January 2013, and January 2014, quarterly reports to the Office of Probation and failed to submit proof of attendance at a session of Ethics School. Respondent's multiple acts of misconduct constitute an aggravating factor pursuant to Standard 1.5(b).

MITIGATING CIRCUMSTANCES.

Pretrial Stipulation: Respondent has voluntarily entered into this pretrial stipulation with the State Bar of California Office of the Chief Trial Counsel and should receive mitigation credit for her early admission of culpability and consent to the imposition of discipline. (*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].)

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct "set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances." (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to Standards are to this source.) The Standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

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.) If a recommendation is at the high end or low end of a Standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) "Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure." (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given Standard, in addition to the factors set forth in the specific Standard, consideration is to be given to the primary purpose of discipline, the balancing of all aggravating and mitigating circumstances, the type of misconduct at issue, whether the client, public, legal system or profession was harmed, and the member's willingness and ability to conform to the ethical responsibilities in the future. (Stds 1.7(b) and (c).)

In this matter, Respondent has committed multiple acts of professional misconduct. Standard 1.7(a) requires that where a Respondent "commits two or more acts of misconduct and the Standards specify different sanctions for each act, the most severe sanction must be imposed."

The most severe sanction applicable to Respondent's misconduct is found in Standard 2.10, which provides that culpability of a member of a willful violation of Business and Professions Code section 6068(k), shall result in suspension.

Standard 1.8(a) further provides that if an attorney has a record of one prior discipline, the degree of discipline in the current proceeding shall be greater than the discipline imposed in the prior proceeding, subject to an exception not applicable here. Pursuant to this standard, discipline in this matter should be greater than the discipline in State Bar case nos. 10-O-07622 and 10-O-05300, which discipline included a 30-day actual suspension.

Respondent's initial failure to cooperate with the State Bar in the Sivy matter, her multiple acts of misconduct in the Russow matter, and her failure to conform to the conditions of probation attached to her prior discipline were inconsistent with her professional responsibilities. However, Respondent although untimely, did make efforts to satisfy some of the terms of her probation. Further, Respondent has recognized and taken responsibility for her failure to fully comply with the terms of her probation and has agreed to enter into a pretrial stipulation with the Office of Chief Trial Counsel. Additionally, in the Russow matter, Respondent has returned Russow's paperwork to him and provided him a full refund of all advanced fees paid. Although Respondent is not entitled to mitigation for having provided Russow with a refund of the unearned fees after the commencement of these disciplinary proceedings (*Doyle v. State Bar* (1982) 32 Cal. 3d 12, 24), the fact that Respondent has done so is relevant to an assessment of harm and negates any need for an order of restitution as a part of the discipline herein. Respondent's post-misconduct actions evidence her willingness and ability to conform to ethical responsibilities required of all attorneys. Guided by the applicable standards and in consideration of the surrounding circumstances, the purposes of attorney discipline will be served by the imposition of a two-year suspension, stayed, two years of probation, and six months of actual suspension.

DISMISSALS.

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

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
13-O-10169	Count Five	Business and Professions Code section 6068(i)

EXCLUSION FROM MCLE CREDIT

Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of State Bar Ethics School and or any other educational course(s) to be ordered as a condition of her suspension.
(Rules Proc. of State Bar, rule 3201.)

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In the Matter of: MICHELLE A. PERFILI	Case number(s): 12-O-16944, 13-O-10169, 14-O-0811
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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.

2/19/14 _____ MICHELLE A. PERFILI
Date Respondent's Signature Print Name

2/18/14 _____
Date Respondent's Counsel Signature Print Name

_____ MARIA L. GHOBADI
Deputy Trial Counsel's Signature Print Name

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In the Matter of:
MICHELLE A. PERFILI

Case Number(s):
12-O-16944, 13-O-10169, 14-O-00811

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:

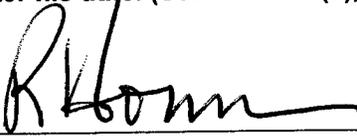
- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

1. On page one of the Stipulation, in the box labeled "Case Number(s)", "14-O-0811" is deleted, and in its place is inserted "14-O-00811"; and
2. On page one of the Stipulation, in the box labeled "Submitted to", "Assigned Judge" is deleted, and in its place is inserted "Settlement Judge".

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

Date

2/21/14


RICHARD A. HONN
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 February 26, 2014, 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:

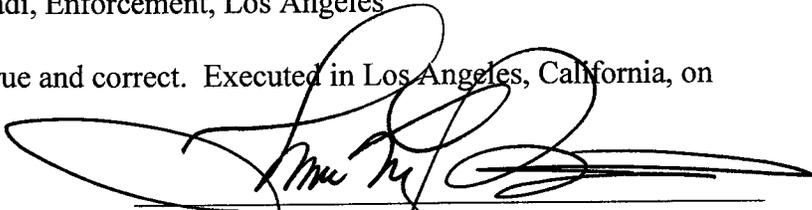
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

MICHELLE A. PERFILI
LAW OFFICES OF MICHELLE A PERFILI
PO BOX 1034
LAKESIDE, CA 92040

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

Maria L. Ghobadi, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on February 26, 2014.



Johnnie Lee Smith
Case Administrator
State Bar Court