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JAN 02 2014 JB

STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

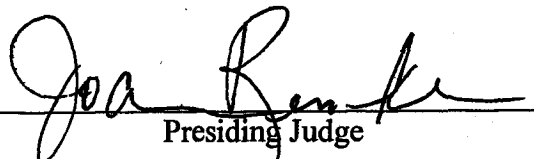
IN BANK

STATE BAR COURT CLERK'S OFFICE
SAN FRANCISCO

In the Matter of) Case No. 13-C-16128
SCOTT B. WHITENACK,) ORDER
A Member of the State Bar, No. 102950.)
_____)

On December 12, 2013, respondent filed a motion to stay interim suspension, vacate interim suspension order, and for confidentiality of proceeding. On December 19, 2013, the State Bar filed its response to respondent's motions along with a motion to strike.

Finding no good cause, respondent's motion is denied and the temporary stay we ordered on December 20, 2013, is lifted, and respondent's suspension is effective February 3, 2014. Although respondent argues that his conviction was unrelated to the practice of law and he intends to seek participation in the Alternative Discipline Program (ADP), he failed to provide sufficient evidence on either contention. Respondent should meet and confer with the State Bar as to the possibility of a resolution of this matter, including stipulating to the facts surrounding his conviction. (See Rules Proc. of State Bar, rule 5.382 [respondent must stipulate to facts and conclusions of law to be eligible for ADP].) Accordingly, this ruling is without prejudice as to a subsequent motion to stay or vacate interim suspension. This case will not be referred to the hearing department until we receive evidence of finality or respondent's waives finality of the conviction. (Rules Proc. of State Bar, rule 5.344(B).)


Presiding Judge



CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on January 2, 2014, I deposited a true copy of the following document(s):

ORDER FILED JANUARY 2, 2014

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

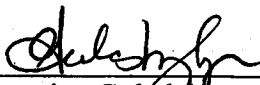
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

**SCOTT B. WHITENACK
LAW OFFICES OF BELLI & BELLI
3388 ORCUTT RD
SANTA MARIA, CA 93455**

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

CHARLES A. MURRAY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on January 2, 2014.



Jasmine Guladzhyan
Case Administrator
State Bar Court