

<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b> <b>ACTUAL SUSPENSION</b>		
<b>Counsel For The State Bar</b>  Maria L. Ghobadi Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 Tel. (213) 765-1165  Bar # 242945	<b>Case Number(s):</b> 13-O-11149 13-O-11867	<b>For Court use only</b>  <b>FILED</b> <b>DEC 13 2013</b> <b>STATE BAR COURT</b> <b>CLERK'S OFFICE</b> <b>LOS ANGELES</b>
<b>In Pro Per Respondent</b>  Adrian Henry Triminio P.O. Box 20322 Fountain Valley, CA 92728 (714) 615-2770  Bar # 192894	<b>Submitted to: Settlement Judge</b>  <b>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</b>  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
<b>In the Matter of:</b> <b>ADRIAN HENRY TRIMINIO</b>  Bar # 192894  A Member of the State Bar of California (Respondent)		

**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 9, 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 11 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."

- (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 [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 11-O-16057 (See Attachment at page 8).
  - (b) ☒ Date prior discipline effective May 10, 2013.
  - (c) ☒ Rules of Professional Conduct/ State Bar Act violations: 3-110(A), 6106, 6103, 6068(m).
  - (d) ☒ Degree of prior discipline Two-year stayed suspension, three years of probation, and 90 days actual suspension.
  - (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.

(Do not write above this line.)

---

- (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.
- (8) ☐ **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

Prior Discipline. See Attachment at page 8.

**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.

(Do not write above this line.)

- (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:**

Prefiling Stipulation. See Attachment at 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 three 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 1.4(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.

(Do not write above this line.)

- (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: Respondent has been ordered to provide proof of attendance and passage of the test given at the end of Ethics School in State Bar Case no. 11-O-16057 by May 10, 2014. (See rule 5.135(A), Rules Proc. of State Bar [Ethics School required unless completed within preceeding two years or otherwise ordered by Supreme Court]).
- (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 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 has been ordered to provide proof of passage of the MPRE in State Bar Case no. 11-O-16057 by May 10, 2014. 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:                      ADRIAN HENRY TRIMINIO

CASE NUMBER:                          13-O-11149 and 13-O-11867

**FACTS AND CONCLUSIONS OF LAW.**

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

Case No. 13-O-11149 (State Bar Investigation)

**FACTS:**

1. From May 10, 2012 through May 9, 2013 Respondent was suspended from the practice of law for failing to pay child support. Respondent has also been suspended continuously since July 3, 2013, for nonpayment of his State Bar membership fees.
2. On August 1, 2012, and January 18, 2013, knowing that he was suspended from the practice of law, Respondent filed two motions on behalf of a friend, Julio Gallardo ("Gallardo") in Orange County Superior Court in the matter of *Julio Cesar Gallardo vs. Eusebio Ilie Chilintan*, case no. 30-2011-00453182CU. On January 30, 2013, Respondent appeared before the same court and argued the motions orally, without informing the court or Gallardo of his suspension from practice.
3. On February 11, 2013, the court having become aware of Respondent's suspension, vacated the earlier motions and continued the matter to March, 27, 2013, causing Gallardo to suffer a three-month delay in his matter.

**CONCLUSIONS OF LAW:**

4. By filing two motions and appearing in court on behalf of Gallardo at a time when Respondent was suspended, Respondent held himself out as entitled to practice law and actually practiced law when he was not an active member of the State Bar in wilful violation of Business and Professions Code sections 6125 and 6126, and thereby failed to support the laws of the State of California in wilful violation of Business and Professions Code section 6068(a).
5. By filing two motions and making a court appearance on behalf of Gallardo when he was not entitled to practice law and when he knew he was not entitled to practice law, and by failing to disclose to the court that he was suspended from the practice of law, Respondent committed an act involving moral turpitude, dishonesty or corruption.

**FACTS:**

6. On June 5, 2009, Yu-Ling Teng ("Teng") hired Respondent to represent her in an immigration matter, specifically to amend her Certificate of Naturalization.
7. On November 19, 2009, Respondent filed the petition to amend Teng's naturalization papers in the United States District Court, Central District of California.
8. From August 2010 to October 2010 Teng telephoned and emailed Respondent multiple times and left detailed messages requesting that Respondent provide a status report on the progress of the matter.
9. Despite Respondent's receipt of the multiple messages from Teng, Respondent did not return any of Teng's telephone calls or emails, and did not otherwise provide a status report to Teng for three months.
10. On September 29, 2010, due to Respondent's failure to diligently pursue the matter, the United States District Court ordered Respondent to show cause in writing, no later than October 13, 2010, as to why the court should not dismiss the Teng legal matter for failure to prosecute. Respondent received notice of the order but he did not file the court ordered response to the order to show cause.
11. On November 10, 2010, the United States District Court dismissed Teng's petition due to lack of prosecution after Respondent failed to file a response to the court's order to show cause.

**CONCLUSIONS OF LAW:**

12. By failing to diligently pursue Teng's legal matter, and by failing to respond to the order to show cause re dismissal, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).
13. By failing to respond to Teng's multiple telephone and email messages requesting a status report from August 2010 to October 2010, Respondent willfully failed to respond promptly to reasonable status inquiries of a client in a matter in which Respondent had agreed to provide legal services in violation of Business and Professions Code section 6068(m).

**AGGRAVATING CIRCUMSTANCES.**

**Prior Record of Discipline (Std. 1.2(b)(i)):** On December 3, 2012, Respondent entered into a stipulation with the State Bar of California, Office of the Chief Trial Counsel in case no. 11-O-16057 which became effective on May 10, 2013. Respondent was suspended from the practice of law for 90 days for misconduct committed from February 2006 to October 2007, involving a single client and consisting of violations of Rules of Professional Conduct, rule 3-110(A) (failure to perform with competence) and Business and Professions Code sections 6103 (failure to pay a sanction order), 6106 (moral turpitude), and 6068(m) (failure to communicate).

## MITIGATING CIRCUMSTANCES.

**Prefiling 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 his 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 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 admits to committing multiple 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 professional misconduct is for violating Business and Professions Code section 6106 and is found in standard 2.3, which states that culpability of an attorney for an act of moral turpitude, fraud, or intentional dishonesty toward a court, client or another person or a concealment of a material fact to a court, client, or another person shall result in actual suspension or disbarment depending on the extent to which the victim of the misconduct was harmed or misled and depending upon the magnitude of the misconduct and the degree to which it relates to the practice of law.

Standard 1.7(a) further provides that if a member 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. Respondent’s prior discipline in State Bar case no. 11-O-16057, arose from misconduct that occurred during February 2006, to October 2007. The misconduct in the present matter involves two cases: State Bar case no. 13-O-11867, in which the misconduct commenced in August 2010, when Respondent failed to communicate with his client and then failed to file a motion which resulted in the client’s matter being dismissed and; State Bar case no. 13-O-11149, in which the misconduct occurred between August 1, 2012, to January 30, 2013, when

Respondent engaged in the unauthorized practice of law. The prior misconduct and the current misconduct did not occur contemporaneously and therefore, progressive discipline is warranted. (See *In the Matter of Sklar* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 602,618 [Review Department held that the impact of a prior disciplinary matter was diminished because it occurred during the same time as the misconduct in the case at issue]). Further, a prior record of discipline is especially aggravating when the prior discipline was imposed before the present misconduct was committed, or even where disciplinary charges were pending in the prior matter when the present misconduct was committed. (See *Barnum v. State Bar* (1990) 52 Cal.3d 104, 112.) Misconduct committed under such circumstances suggests that an attorney is “unwilling or unable to learn from past professional mistakes.” (*Id.*) That is the case here. Respondent signed the stipulation for discipline in State Bar case no. 11-O-16057 on December 3, 2012, and then one month later, on January 18, 2013, and January 30, 2013, Respondent committed two acts of misconduct by knowingly practicing law while suspended. Therefore, the aggravating weight of Respondent’s prior record of discipline must be taken into account.

In evaluating Respondent’s misconduct and assessing the level of discipline, the standards require suspension. Based on the fact Respondent has a prior record of discipline, the standards also require progressive discipline. Respondent committed an act of moral turpitude, dishonesty or corruption by filing two motions and appearing in court on behalf of Gallardo when he knew he was suspended. These acts relate directly to the practice of law and caused harm to the administration of justice. (See *In the Matter of Trousil* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr 229, 240 [harm to the public and the administration of justice and risk of harm to the client is inherent in the unauthorized practice of law].) Further, Respondent’s failure to notify Gallardo or the court of his suspension led to Gallardo’s legal matter being continued causing further harm to his client. In mitigation, by voluntarily agreeing to enter into a prefiling stipulation Respondent has admitted his culpability and consented to discipline for his misconduct, thereby saving State Bar and the court resources.

In light of the gravity of Respondent’s misconduct and the aggravating and mitigating circumstances, a six month actual suspension, two years of stayed suspension, and three years of probation achieves the purposes of attorney discipline as defined by the Supreme Court and standard 1.3 and is consistent with standard 2.3.

### **COSTS OF DISCIPLINARY PROCEEDINGS**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of November 22, 2013 the prosecution costs in these matter are approximately \$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**

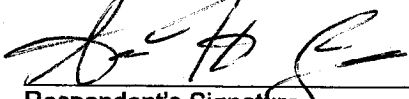
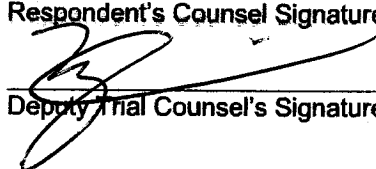

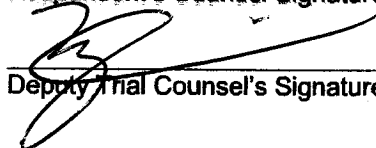
Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: <b>ADRIAN HENRY TRIMINIO</b>	Case number(s): <b>13-0211149 and 13-0211867</b>
---	---

### 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.

<b>11/26/13</b> Date	 Respondent's Signature	<b>ADRIAN HENRY TRIMINIO</b> Print Name
<b>11/27/13</b> Date	 Respondent's Counsel Signature	 Print Name
<b>11/27/13</b> Date	 Deputy Trial Counsel's Signature	<b>MARIAL CIBOBADI</b> Print Name

In the Matter of: ADRIAN HENRY TRIMINIO	Case Number(s): 13-O-11149; 13-O-11867
--	---

### 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.

On page 7, paragraph number 5, the following is added to the end of the last sentence of the paragraph: "in violation of Business and Professions Code section 6106."

On page 8, at the top of the page, the parenthetical "(Complainant: Kyle Todd)" is deleted as it appears to be a typographical error.

On page 10, at the bottom of the page, the heading "EXCLUSION FROM MCLE CREDIT" and the text under the heading is deleted as State Bar Ethics School is not recommended in this case.

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

12-13-13

  
GEORGE E. SCOTT, JUDGE PRO TEM  
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 December 13, 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:

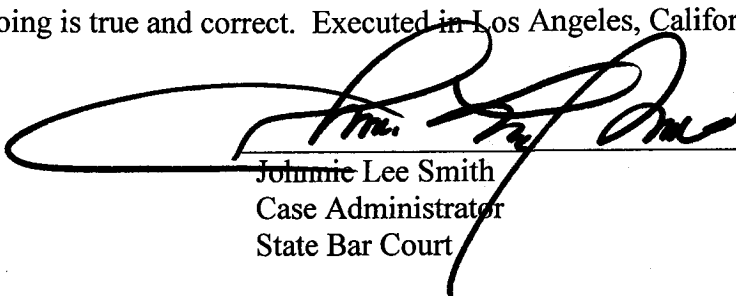
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ADRIAN H. TRIMINIO  
TRIMINIO LAW OFFICE  
PO BOX 20322  
FOUNTAIN VALLEY, CA 92728

- ☒ 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 December 13, 2013.

  
\_\_\_\_\_  
Johnnie Lee Smith  
Case Administrator  
State Bar Court