


ORIGINAL

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

<b>Counsel For The State Bar</b>  <b>Kim Kasreliovich</b> <b>Deputy Trial Counsel</b> <b>845 S. Figueroa Street</b> <b>Los Angeles, CA 90017</b> <b>(213) 765-1378</b>  <b>Bar # 261766</b>	<b>Case Number(s):</b> <b>13-O-13039;</b> <b>13-O-13368</b>	<b>For Court use only</b>  <b>PUBLIC MATTER</b>  <b>FILED</b> <b>JUN 03 2014</b> <b>STATE BAR COURT</b> <b>CLERK'S OFFICE</b> <b>LOS ANGELES</b>
<b>Counsel For Respondent</b>  <b>Susan L. Margolis</b> <b>Margolis &amp; Margolis LLP</b> <b>2000 Riverside Dr</b> <b>Los Angeles, CA 90039</b> <b>(323) 953-8996</b>  <b>Bar # 104629</b>	<b>Submitted to: Assigned Judge</b>  <b>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</b>  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> <b>PREVIOUS STIPULATION REJECTED</b>	
<b>In the Matter of:</b> <b>WALTER RICHARD URBAN</b>  <b>Bar # 63059</b>  <b>A Member of the State Bar of California (Respondent)</b>	<b>kwiktag® 048 639 753</b> 	

**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 20, 1974**.
- (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.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

(Do not write above this line.)

- (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: **two 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 **96-O-05464**
  - (b) ☒ Date prior discipline effective **August 8, 1998**
  - (c) ☒ Rules of Professional Conduct/ State Bar Act violations: **rule 3-110(A), section 6068(m) and rule 3-700(D)(2)**
  - (d) ☒ Degree of prior discipline **Private Reprimand**
  - (e) ☒ If Respondent has two or more incidents of prior discipline, use space provided below.

For additional discussion of Prior Record of Discipline, see page 8.

- (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.
- (5) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

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- (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) ☐ **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.
- (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.

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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:**

**For Additional Mitigating Circumstances, see 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 1.2(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 **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 1.2(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.

(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:**

**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:                      WALTER RICHARD URBAN

CASE NUMBERS:                      13-O-13039; 13-O-13368

**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-13039 (Complainant: Bernard Burton)

**FACTS:**

1. On August 8, 2011, Bernard Burton hired Respondent to represent him in a pending criminal appeal. Burton's girlfriend, Ronesia Melchor, acting on behalf of Burton, who was incarcerated, met with Respondent and signed the fee agreement. From August 8, 2011 through December 31, 2012, Melchor made monthly payments to Respondent, totaling \$20,000.
2. On August 12, 2011, Burton filed a notice of appeal. On November 9, 2011, the court appointed counsel from the California Appellate Project to represent Burton. On November 18, 2011, the court-appointed attorney filed the Appellant's Opening Brief on behalf of Burton.
3. On December 14, 2011, Respondent formally substituted into the case and thereafter, the court appointed attorney was relieved. Court appointed counsel sent Respondent a copy of the file and spoke with him on several occasions about the case.
4. On March 6, 2012, the court granted Respondent's request for additional time to file the Appellant's Responsive Brief. The court extended the deadline to April 11, 2012. Respondent never filed an Appellant's Responsive Brief and on June 28, 2012, the court issued its decision denying Burton's appeal based only on the Opening Brief filed by court appointed counsel.
5. Respondent performed legal research and read through two trial transcripts and the record on appeal in the underlying case. After performing this work, Respondent determined that he did not have any additional legal arguments to raise and no new rebuttal argument to make that the court-appointed attorney had not already made.
6. Respondent never informed Burton of his intention *not* to file a responsive brief or to pursue other avenues of relief.
7. Between May 29, 2012 and August 5, 2013, Burton sent Respondent eight letters requesting a status update on his case. Respondent received Burton's letters but did not respond.
8. On January 23, 2014, Respondent refunded \$15,000 to Melchor and provided an accounting to both Burton and Melchor showing \$5,000 worth of work performed.

## CONCLUSIONS OF LAW:

9. By failing to respond to any of Burton's eight letters requesting a status update, Respondent failed to respond promptly to reasonable status inquiries of a client in a matter in which Respondent had agreed to provide legal services in willful violation of the Business and Professions Code section 6068(m).

10. By failing to inform Burton that he had decided not to file a responsive brief in Burton's appeal and to let the matter be decided based on the briefing by appointed counsel, Respondent failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services in willful violation of Business and Professions Code section 6068(m).

### Case No. 13-O-13368 (Complainant: Freddy Hughey)

## FACTS:

11. Freddy Hughey is a prison inmate serving a sentence of 29 years to life for theft with two strike priors. On July 25, 2009 Huey's father hired Respondent and paid \$10,000 for legal representation for Huey. The funds used to hire Respondent were strictly funds belonging to Huey's father.

12. Respondent did not obtain Hughey's written informed consent to the representation when he accepted funds from Hughey's father.

13. On March 6, 2012, Respondent had Hughey's father sign a declaration. The declaration stated, in part, "I have told Walter R. Urban on more than one occasion to continue representing my son Freddy, regardless of any disputes Freddy brings up. I have talked with Freddy and told him I want Mr. Urban handling this case" and acknowledges that Respondent would file a Writ of Habeas Corpus. Thereafter, Respondent did file a Writ of Habeas Corpus.

## CONCLUSIONS OF LAW:

14. By failing to obtain written informed consent from Hughey to accept compensation from Hughey's father and thereafter obtaining a declaration from Hughey's father which substitutes Hughey's wishes for those of his father, Respondent accepted compensation for representing a client from one other than the client without (1) complying with the requirement that Respondent obtained the client's informed written consent and (2) complying with the requirement that there was no interference with Respondent's independence of professional judgment or with the client-lawyer relationship in willful violation of the Rules of Professional Conduct, rule 3-310(F).

## AGGRAVATING CIRCUMSTANCES.

**Prior Record of Discipline (Std. 1.5(a)):** Respondent has three prior records of discipline. The first discipline was a private reproof, effective in 1998, case no. 96-O-05464. This case was a single client matter in which Respondent failed to perform, failed to communicate and failed to refund unearned fees. The client in this case was also a prison inmate. Respondent subsequently refunded the unearned fees.



In 1999, Respondent was again disciplined with a private reproof, case no. 96-O-05465. In this matter, Respondent failed to comply with the conditions of a prior Agreement in Lieu of Discipline, failed to perform by failing to file an appellate brief for his client, failed to communicate, improperly withdrew from the case, failed to promptly refund unearned fees and thereafter failed to respond to the investigation.

In 2004, Respondent was disciplined with a public reproof in two client matters, case nos. 03-O-03084 and 03-O-03089. In the first case Respondent failed to timely perform services and failed to communicate. In the second case, Respondent failed to supervise his staff who gave incorrect information to a client, failed to perform, failed to communicate, and failed to release a client file for approximately seven months.

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

**Prefiling Stipulation:** Respondent is entering into this stipulation as to facts and culpability prior to filing the Notice of Disciplinary Charges and therefore is entitled to mitigation. (*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 purposes 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 ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

In this matter, Respondent admits to committing three 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 applicable standard in the present case is Standard 2.15. Standard 2.15 states that suspension not to exceed three years or reproof is appropriate for a violation of a provision of the Rules of Professional Conduct not specified elsewhere in the Standards. This standard applies to Respondent's violation of rule 3-310(f) of the Rules of Professional Conduct.

Also applicable in the present case is standard 1.8(b). Standard 1.8(b) states that if a member has a record of two prior impositions of discipline then disbarment is appropriate where (1) actual suspension was ordered in the underlying matters, (2) the prior disciplinary matters coupled with the present matter demonstrate a pattern of misconduct, or (3) the prior disciplinary matters coupled with the present matter demonstrate the members inability or unwillingness to conform to ethical standards. In the instant case, none of these three factors indicating disbarment apply.

To begin, none of Respondent's prior disciplinary matters ever involved actual suspension. Second, although the misconduct is similar in Respondent's prior disciplinary matters, there are only six client matters over the course of 15 years, the most recent occurring 10 years ago, which does not amount to a pattern. (See *In the Matter of Crane and DePew* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 139, 157, ["The Supreme Court has limited this characterization to "only the most serious instances of repeated misconduct over a prolonged period of time." (*Young v. State Bar* (1990) 50 Cal.3d 1204, 1217 (quoting *Lawhorn v. State Bar* (1987) 43 Cal.3d 1357, 1367); see also *Levin v. State Bar* (1989) 47 Cal.3d 1140, 1149, fn. 14; *Olguin v. State Bar* (1980) 28 Cal.3d 195, 201.)"].) Finally, the amount of time which has elapsed between each case does not indicate that Respondent is unwilling to conform to ethical standards.

Although under the new Standard 1.8(b), disbarment is not appropriate, actual suspension must be imposed and is appropriate under Standard 2.15. Respondent failed to inform one client of a highly significant decision in the case and failed to protect the independent will of his client in favor of a third-party payor. The conduct may not be highly egregious but when coupled with the vulnerability of Respondent's clients it is concerning. However, Respondent did enter into this stipulation as to facts and culpability prior to filing is receiving mitigation for doing so. In consideration of the present misconduct, Respondent's mitigation and Respondent's three priors, none of which involved actual suspension, 90 days of actual suspension is appropriate to fulfill the purposes of attorney discipline.

Case law also supports the proposition that not every case in which 1.8(b) (previously 1.7(b)) is applicable is automatically disbarment. Even in the absence of compelling mitigation, the Supreme Court has not in every instance ordered disbarment pursuant to section 1.7(b). ( *Conroy v. State Bar* (1991) 53 Cal.3d 495 [one-year actual suspension despite lack of compelling mitigation].) Ultimately, we are guided by the Supreme Court, which does not apply Standard 1.7(b) in a rote fashion. Rather, we "examine the nature and chronology of respondent's record of discipline. [Citation.] Merely declaring that an attorney has [two prior] impositions of discipline, without more analysis, may not adequately justify disbarment in every case." ( *In the Matter of Miller* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 131, 136.) Moreover, the new standards modified the seemingly mandatory nature of prior Standard 1.7(b), and as set forth in the discussion above, disbarment is not required under the new standards. Considering the purposes of the standards which are public protection, preservation of high legal standards, and maintaining public confidence, 90 days of actual suspension is warranted in this case.

### **COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of April 23, 2014, 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. (Rules Proc. of State Bar, rule 3201.)

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In the Matter of:  
WALTER RICHARD URBAN

Case number(s):  
13-O-13039; 13-O-13368

### 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>5-14-14</u> Date	<u>Walter R Urban</u> Respondent's Signature	<u>Walter Richard Urban</u> Print Name
<u>5-14-14</u> Date	<u>[Signature]</u> Respondent's Counsel Signature	<u>Susan Lynn Margolis</u> Print Name
<u>5-16-14</u> Date	<u>[Signature]</u> Deputy Trial Counsel's Signature	<u>Kim Kasrellovich</u> Print Name

(Do not write above this line.)

In the Matter of:  
WALTER RICHARD URBAN

Case Number(s):  
13-O-13039; 13-O-13368

### 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.

- At p. 2, item B.(1)(b), the effective date of the private reproof is August 9, 1998;
- At p. 9, first paragraph, the effective date of the private reproof in case no. 96-O-05464 is November 12, 1999; and
- At p. 9, second paragraph, the effective date of the public reproof in case no. 03-O-03084 is November 16, 2004.

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

5/28/14

Judge of the State Bar Court

**DONALD F. MILES**

## 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 June 3, 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:

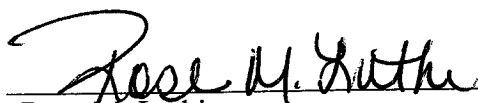
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

SUSAN LYNN MARGOLIS  
MARGOLIS & MARGOLIS LLP  
2000 RIVERSIDE DR  
LOS ANGELES, CA 90039

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

KIMBERLY KASRELIOVICH, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 3, 2014.



Rose M. Luthi  
Case Administrator  
State Bar Court