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<p><b>State Bar Court of California</b>  <b>Hearing Department</b>  <b>Los Angeles</b>  <b>DISBARMENT</b></p> <p style="font-size: 2em; font-weight: bold; margin-left: 200px;">PUBLIC MATTER</p>		
<p>Counsel For The State Bar</p> <p><b>Ashod Mooradian</b>  <b>Senior Trial Counsel</b>  <b>845 S. Figueroa Street</b>  <b>Los Angeles, CA 90017</b>  <b>(213) 765-1004</b></p> <p>Bar # <b>194283</b></p>	<p>Case Number(s):  <b>13-O-13509-RAH</b></p>	<p>For Court use only</p> <p style="text-align: center; font-size: 2em; font-weight: bold;">FILED</p> <p style="text-align: center;">MAY 06 2014 ✓</p> <p style="text-align: center;">STATE BAR COURT          CLERK'S OFFICE          LOS ANGELES</p>
<p>In Pro Per Respondent</p> <p><b>William Stephen Bonnheim</b>  <b>77-700 Enfield Ln.</b>  <b>Suite C-1</b>  <b>Palm Desert, CA 92211</b>  <b>(760) 408-0812</b></p> <p>Bar # <b>68963</b></p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND          DISPOSITION AND ORDER APPROVING; ORDER OF          INVOLUNTARY INACTIVE ENROLLMENT</p> <p><b>DISBARMENT</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of:  <b>WILLIAM STEPHEN BONNHEIM</b></p> <p>Bar # <b>68693</b></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 **June 24, 1976**.
- (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 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."

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(Effective January 1, 2014)

Disbarment

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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):
- Costs to be awarded to the State Bar.
  - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
  - Costs are entirely waived.
- (9) ORDER OF INACTIVE ENROLLMENT:  
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 5.111(D)(1).

**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 **08-O-12673; 08-O-14850 (See Attachment at page 9.)**
  - (b)  Date prior discipline effective **October 9, 2011**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Business and Professions Code section 6106 [Misappropriation]; Rules Prof. Conduct, rule 4-100(A) [Failure to Maintain Client Funds in Client Trust Account].**
  - (d)  Degree of prior discipline **Three years' suspension, stayed; Four years' probation with conditions including a two year actual suspension and until Respondent complies with former standard 1.4(c)(ii) [now standard 1.2(c)(1)].**
  - (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. **See Attachment at page 9.**
- (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 9.**
- (8)  **Restitution:** Respondent failed to make restitution.
- (9)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

None.

**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 subsequent rehabilitation.
- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances:**

**See Attachment at pages 9-10.**

**D. Discipline: Disbarment.**

**E. Additional Requirements:**

- (1) **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.
- (2)  **Restitution:** Respondent must make restitution to \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ plus 10 percent interest per year from \_\_\_\_\_. If the Client Security Fund has reimbursed \_\_\_\_\_ for all or any portion of the principal amount, respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5. Respondent must pay the above restitution and furnish satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles no later than \_\_\_\_\_ days from the effective date of the Supreme Court order in this case.
- (3)  **Other:**

**ATTACHMENT TO**

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

IN THE MATTER OF:                      WILLIAM STEPHEN BONNHEIM

CASE NUMBER:                            13-O-13509-RAH

**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-13509 (Complainant: Samuel E. Christen)

FACTS:

1. On April 28, 2011, Respondent entered into a Stipulation re: Facts, Conclusions of Law, Disposition and Order Approving (“Stipulation”) in case numbers 08-O-12673, et al. wherein he agreed to discipline of three years’ stayed suspension, four years’ probation and two years’ actual suspension and until Respondent shows compliance with former Standard 1.4(c)(ii) [now Standard 1.2(c)(1)].

2. In addition, as part of the Stipulation, Respondent entered into a financial condition requiring him (or a certified public accountant on his behalf) to report, in any period in which a quarterly report is due, whether he was holding client funds, the account where said funds were held and whether he was maintaining the required written ledgers and journals regarding said funds, among other things. If Respondent was not holding any funds, then this fact must also be reported in his quarterly report.

3. On October 9, 2011, the suspension imposed on Respondent in the Stipulation became effective.

4. Respondent has remained not entitled to practice law from October 9, 2011 up through the present date.

5. In January 2012, Samuel E. Christen (“Christen”), a disabled, retired doctor over the age of 70, who had several investments was referred to Respondent who represented himself to be an expert in securities law. Christen needed legal assistance in resolving a dispute Christen had with his insurer and his stockbroker. Respondent agreed to represent Christen with these two disputes by providing legal advice, drafting legal documents and corresponding with the opposing party on Christen’s behalf. Respondent did not inform Christen at this time that he was currently suspended from the practice of law.

6. On July 3, 2012, Christen and Respondent entered into an agreement. The agreement listed Respondent as “William S. Bonnheim, PLC.” Respondent also signed the agreement as “William S. Bonnheim, PLC.” Respondent did not inform Christen at this time that he was currently suspended from the practice of law.

7. "PLC" stands for "Professional Law Corporation." Respondent incorporated "William S. Bonnheim, PLC" on January 12, 1998 with the stated purpose of engaging in the profession of law.

8. On October 2, 2012, Respondent submitted his quarterly report for period July 1, 2012 through September 30, 2012. In his quarterly report, Respondent stated that during the preceding calendar quarter that he had complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and that he did not practice law at any time in the preceding calendar quarter or portion thereof during which he was suspended. In truth and fact, these statements by Respondent were false because during the preceding calendar quarter Respondent had not complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and he had practiced law and held himself out as entitled to practice law while suspended.

9. On November 21, 2012, Christen and Respondent entered into a second agreement. The second agreement listed Respondent as "William S. Bonnheim, PLC." Respondent also signed the second agreement as "William S. Bonnheim, PLC." Respondent did not inform Christen at this time that he was currently suspended from the practice of law.

10. On January 4, 2013, Respondent submitted his quarterly report for period October 1, 2012 through December 31, 2012. In his quarterly report, Respondent stated that during the preceding calendar quarter that he had complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and that he did not practice law at any time in the preceding calendar quarter or portion thereof during which he was suspended. In truth and fact, these statements by Respondent were false because during the preceding calendar quarter Respondent had not complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and he had practiced law and held himself out as entitled to practice law while suspended.

11. Between December 2012 and May 2013, Respondent communicated with Allianz Life Insurance Company of North America by telephone, email and written correspondence on behalf of Christen regarding the settlement of a dispute involving an annuity contract. Respondent negotiated the terms of the settlement on behalf of Christen by advocating a legal interpretation of the annuity contract which directly affected the amount of the settlement that Christen was entitled to receive. In addition, Respondent represented himself as an attorney to Allianz Life Insurance Company of North America representative Nick Squires and sent Mr. Squires letters on "William S. Bonnheim, PLC" letterhead. Respondent did not inform Christen, Mr. Squires or any other representative of Allianz Life Insurance Company of North America at this time that he was currently suspended from the practice of law.

12. On April 3, 2013, Respondent submitted his quarterly report for period January 1, 2013 through March 31, 2013. In his quarterly report, Respondent stated that during the preceding calendar quarter that he had complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and that he did not practice law at any time in the preceding calendar quarter or portion thereof during which he was suspended. In truth and fact, these statements by Respondent were false because during the preceding calendar quarter Respondent had not complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and he had practiced law and held himself out as entitled to practice law while suspended.

13. On May 13, 2013, Christen discovered for the first time that Respondent was not entitled to practice law and confronted Respondent. Respondent then admitted to Christen for the first time that he was in fact suspended and had not been entitled to practice law since October 9, 2011.

14. On June 14, 2013, Christen submitted a complaint to the State Bar of California regarding Respondent.

15. On July 9, 2013, Respondent submitted his quarterly report for period April 1, 2013 through June 30, 2013. In his quarterly report, Respondent stated that during the preceding calendar quarter that he had complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and that he did not practice law at any time in the preceding calendar quarter or portion thereof during which he was suspended except that Respondent stated for the first time that he had entered into a loan with Christen. However, Respondent made no mention of his unauthorized practice of law that began in early 2012 and continued up through May 2013. In truth and fact, these statements by Respondent (other than the statement indicating that he entered into a loan with Christen) were false because during the preceding calendar quarter Respondent had not complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and he had practiced law and held himself out as entitled to practice law while suspended.

16. Respondent did not submit his quarterly report for period July 1, 2013 through September 30, 2013 as required by the Stipulation and which was due by October 10, 2013. In addition, Respondent did not report his compliance with the Client Funds Certificate condition which was also due October 10, 2013.

17. Respondent did not submit his quarterly report for period October 1, 2013 through December 31, 2013 as required by the Stipulation and which was due by January 10, 2014. In addition, Respondent did not report his compliance with the Client Funds Certificate condition which was also due January 10, 2014.

18. Respondent did not submit his quarterly report for period January 1, 2014 through March 31, 2014 as required by the Stipulation and which was due by April 10, 2014. In addition, Respondent did not report his compliance with the Client Funds Certificate condition which was also due April 10, 2014.

#### CONCLUSIONS OF LAW:

19. By representing to Christen that he was entitled to practice law between January 2012 and May 2013, by representing Christen in his dispute with Allianz Life Insurance Company of North America and negotiating a settlement on Christen's behalf between December 2012 and May 2013 and by sending letters to Allianz Life Insurance Company of North America using "William S. Bonnheim, PLC" letterhead between December 2012 and May 2013, all at a time when he was suspended from the practice of law, Respondent held himself out as entitled to practice law and actually practiced law when he was not an active member of the State Bar of California in violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

20. By representing to Christen that he was entitled to practice law between January 2012 and May 2013, by representing Christen in his dispute with Allianz Life Insurance Company of North America and negotiating a settlement on Christen's behalf between December 2012 and May 2013 and by sending letters to Allianz Life Insurance Company of North America using "William S. Bonnheim, PLC" letterhead between December 2012 and May 2013, all at a time when he was suspended from the practice of law, Respondent held himself out as entitled to practice law and actually practiced law when Respondent knew he was not an active member of the State Bar, Respondent committed acts involving



moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

21. By submitting a quarterly report on October 2, 2012, January 4, 2013, April 3, 2013 and July 9, 2013 and stating under penalty of perjury in each quarterly report that during the preceding calendar quarter that he had complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and that he did not practice law at any time in the preceding calendar quarter or portion thereof during which he was suspended, when Respondent knew these statements in each quarterly report were false, Respondent committed an acts involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

22. By failing to comply with the requirement to comply with provisions of the State Bar Act and the California Rules of Professional Conduct, by failing to file a quarterly report by October 10, 2013, by January 10, 2014 and by April 10, 2014 and by not reporting his compliance with the Client Funds Certificate condition by October 10, 2013, by January 10, 2014 and by April 10, 2014, Respondent failed to comply with conditions attached to Respondent's disciplinary probation in case no. 08-0-12673, et al., in willful violation of Business and Professions Code, section 6068(k).

#### **AGGRAVATING CIRCUMSTANCES.**

**Prior Record of Discipline (Std. 1.5(a)):** Effective October 9, 2011, Respondent was suspended for three years, execution stayed, and placed on disciplinary probation for a period of four years, subject to certain conditions, including two years' actual suspension and until Respondent complies with former Standard 1.4(c)(ii) [now Standard 1.2(c)(1)]. In the prior matter, Respondent stipulated to one count of misappropriation of \$63,304.10 of settlement funds held on behalf of a client and to one count of failing to maintain \$63,304.10 of settlement funds held on behalf of a client in a client trust account in violation of Rules Prof. Conduct, rule 4-100(A).

**Indifference (Std. 1.5(g)):** Respondent's misconduct in this matter is magnified by the fact that he committed these multiple violations while he was on probation in his prior disciplinary proceeding. (*In the Matter of Katz* (Review Dept. 1995) 3 Cal. State Bar Ct. Rptr. 430, 438).

**Multiple Acts of Misconduct (Std. 1.5(b)):** In this matter, Respondent has committed multiple acts of professional misconduct in a single client matter. Respondent held himself out as entitled to practice law and actually practiced law when he was not an active member of the State Bar of California several times between January 2012 and May 2013 in willful violation of Business and Professions Code, section 6068(a). Also, Respondent committed acts involving moral turpitude, dishonesty or corruption resulting in two willful violations of Business and Professions Code, section 6106. Further, Respondent failed to comply with multiple conditions attached to his disciplinary probation in case no. 08-0-12673, et al., in willful violation of Business and Professions Code, section 6068(k).

#### **MITIGATING CIRCUMSTANCES.**

##### **Additional Mitigating Circumstances:**

**Pretrial Stipulation:** Respondent has agreed to enter into this pre-filing stipulation to fully resolve this matter without the necessity of a trial, thereby saving the State Bar time and resources. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering

into a stipulation as to facts and culpability].) However, Respondent did so on the eve of trial so the weight assigned is minimal.

#### **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 Silverton* (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).)

Here, Respondent has stipulated that he committed four counts of professional misconduct in a single client matter. Standards 1.7(b) and (c) require that where a Respondent has committed 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.

In this matter, there are two different Standards that proscribe disbarment as the appropriate sanction. Standard 2.6(a) proscribes disbarment for Respondent’s unauthorized practice of law. In addition, Standard 2.7 proscribes disbarment for Respondent’s representations in four of his quarterly reports, filed under penalty of perjury with the State Bar between October 2012 and July 2013, that he had complied with all provisions of the State Bar Act, the Rules of Professional Conduct, all conditions of probation and that he did not practice law at any time in the preceding calendar quarter or portion thereof during which he was suspended when in truth and fact, these representations were false because during the preceding calendar quarter for each of the four quarterly reports Respondent did practice law and held himself out as entitled to practice law while suspended. Accordingly, the gravamen of Respondent’s misconduct is his knowing unauthorized practice of law and as such the most applicable Standard in this matter is Standard 2.6(a).

Standard 2.6(a) states “[d]isbarment or actual suspension is appropriate when a member engages in the practice of law or holds himself or herself out as entitled to practice law when he or she is on actual

suspension for disciplinary reasons or involuntary inactive enrollment under Business and Professions Code section 6007(b)-(e). The degree of sanction depends on whether the member knowingly engaged in the unauthorized practice of law.”

In the current matter, between January 2012 and September 2013, Respondent intentionally practiced law and held himself out as entitled to practice law while not entitled to do so due to a disciplinary suspension. Specifically, Respondent represented Mr. Christen in a legal dispute and held himself out as “William Stephen Bonnheim, PLC” in written agreements and correspondence with Mr. Christen and Nick Squires of Allianz Life Insurance Company of North America. Further, Respondent’s misconduct in the current matter also involved acts of moral turpitude. Respondent concealed the fact of his suspension from Mr. Christen and Mr. Squires. Mr. Christen and Mr. Squires both were misled and actually believed that Respondent was entitled to practice law. Respondent also made misrepresentations on four of his quarterly report forms filed under penalty of perjury with the State Bar between October 2012 and July 2013. Therefore, the appropriate degree of sanction in the current matter under Standard 2.6(a) should be at the high end because Respondent knowingly engaged in the unauthorized practice of law.

Disbarment is especially appropriate because the aggravating circumstances far outweigh mitigation. In the current matter, there is one mitigating circumstance as described in Standard 1.2(e), namely, Respondent’s agreement to enter into this pre-filing stipulation. However, there are also three aggravating circumstances. First, Respondent has a prior record of discipline that was serious and is not remote in time. (Std. 1.5(a).) Second, Respondent’s misconduct in the current matter demonstrates indifference because the misconduct in the current matter occurred while Respondent was still on probation for the prior disciplinary matter which magnifies the seriousness of the misconduct for the purposes of discipline. (Std. 1.5(g).) Finally, Respondent has committed multiple acts of professional misconduct in a single client matter. (Std. 1.5(b).)

Also, pursuant to Standard 1.8(a), professional discipline is progressive in its application. That is, if a member “...has a single prior record of discipline, the sanction must be greater than the previously imposed sanction unless the prior discipline was so remote in time and the previous misconduct was not serious enough that imposing greater discipline would be manifestly unjust.”

Respondent’s prior record of discipline became effective on October 9, 2011 and the misconduct in the current matter first occurred in January 2012 and continued up through May 2013. As stated above, Respondent’s prior record of discipline was a two year actual suspension and until Respondent complies with former Standard 1.4(c)(ii) [now Standard 1.2(c)(1)]. Thus, Respondent’s prior record of discipline is not remote but is only separated by three months from this first misconduct in the current matter. Further, Respondent’s misconduct in the prior matter was very serious since it involved a misappropriation of over \$63,000 of the clients’ settlement funds as well as a client trust account violation. Therefore, pursuant to Standard 1.8(a), the imposition of greater discipline in the current matter than the two years’ actual suspension imposed in the prior discipline is appropriate.

Moreover, Respondent’s misconduct evidences a failure to conform his conduct despite being placed on probation in the prior matter which also supports the imposition of the most severe discipline. In *In the Matter of Taylor* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 563, an attorney who had multiple prior records of discipline continually failed to comply with the conditions of probation in the underlying matter and was disbarred. The Review Department, in explaining why disbarment was appropriate stated:

Respondent has had ample opportunity to conform his conduct to the ethical requirements of the profession, but has repeatedly failed or refused to do so. Probation and suspension have proven inadequate to prevent continued misconduct. Given respondent's past and present misconduct and the record as a whole, we conclude that disbarment is warranted to protect the public, courts, and profession from the substantial risk of future misconduct. (*Id.* at pg. 649.)

Therefore, taking into account that Respondent knowingly engaged in the unauthorized practice of law, that Respondent's misconduct is surrounded by three aggravating and one mitigating circumstances and recognizing the need for progressive discipline in the current matter pursuant to Standard 1.8(a), the appropriate level of discipline under Standard 2.6(a) that best serves the protection of the public, the courts and the profession, as well as the maintenance of high professional standards for attorneys and the preservation of public confidence in the legal profession is disbarment.

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

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of April 11, 2014, the prosecution costs in this matter are \$7,088.00. 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.

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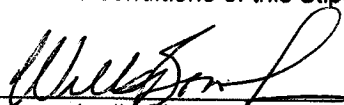
In the Matter of: WILLIAM STEPHEN BONNHEIM	Case number(s): 13-O-13509-RAH
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### SIGNATURE OF THE PARTIES

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.

April 11, 2014

Date



Respondent's Signature

William Stephen Bonnheim

Print Name

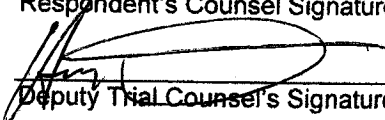
Date

Respondent's Counsel Signature

Print Name

April 14, 2014

Date



Deputy Trial Counsel's Signature

Ashod Mooradian

Print Name

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In the Matter of: WILLIAM STEPHEN BONNHEIM	Case Number(s): 13-O-13509-RAH
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### DISBARMENT ORDER

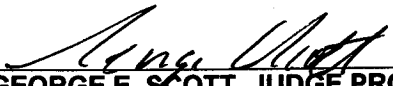
Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

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

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

Respondent William Stephen Bonnheim is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three (3) calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 5.111(D)(2) of the Rules of Procedure of the State Bar of California, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

Date May 2, 2014

  
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 May 6, 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:

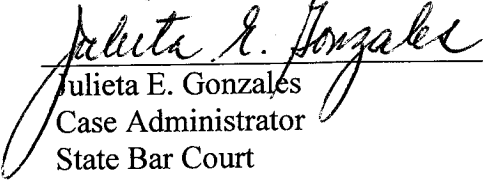
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

WILLIAM STEPHEN BONNHEIM  
WILLIAM S BONNHEIM  
77-700 ENFIELD LN STE C-1  
PALM DESERT, CA 92211

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

Ashod Mooradian, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 6, 2014.

  
\_\_\_\_\_  
Julieta E. Gonzales  
Case Administrator  
State Bar Court