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State Bar Court of California Hearing Department San Francisco ACTUAL SUSPENSION		
Counsel For The State Bar Erica L. M. Dennings Senior Trial Counsel 180 Howard Street San Francisco, CA 94105 (415) 538-2285 Bar # 145755	Case Number(s): 13-O-13847-LMA	For Court use only
Counsel For Respondent Jonathan I. Arons Law Office of Jonathan I. Arons 100 Bush Street, Suite 918 San Francisco, CA 94104 (415) 957-1818 Bar # 111257	PUBLIC MATTER	FILED <i>ff</i> JUL 14 2014 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In the Matter of: SUZANNE FOLEY SPRAGUE Bar # 213078 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.

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A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted June 4, 2001.
- (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."

(Effective January 1, 2014)

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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: (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
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline
 - (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.
- (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.

(Effective January 1, 2014)

Actual Suspension

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- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. See Attachment to Stipulation, p. 9.
- (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 \$ \$17,375.52 on March 26, 2012 in restitution to the trust without the threat or force of disciplinary, civil or criminal proceedings. See attachment to Stipulation, p. 9.
- (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. See attachment to Stipulation, p. 9.
- (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.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.

(Effective January 1, 2014)

Actual Suspension

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- (13) No mitigating circumstances are involved.

Additional mitigating circumstances:

**No Prior Discipline. See Attachment to Stipulation, p. 9.
Pretrial Stipulation. See Attachment to Stipulation, p.9.**

D. Discipline:

- (1) **Stayed Suspension:**

(a) Respondent must be suspended from the practice of law for a period of two (2) 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 (2) 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 one (1) year.

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: SUZANNE FOLEY SPRAGUE
CASE NUMBER: 13-O-13847

STATEMENT OF STIPULATED FACTS

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

FACTS AND CONCLUSIONS OF LAW

Case No. 13-O-13847 (Complainant: Stephanie Atigh)

FACTS:

1. On August 26, 1994, the Edward J. Foley Family Trust (the "Trust") was created. On October 6, 2008, respondent was named as the successor trustee of the Trust in the event of the current trustee's death. The beneficiaries of the trust were respondent, her three siblings, and Stephanie Atigh ("Atigh").
2. On December 30, 2009, Edward J. Foley, the trustee, died and respondent became trustee of the Trust. At all times thereafter, respondent was represented by counsel in her capacity as trustee for the Trust.
3. On April 21, 2010, respondent opened a checking and savings account in the name of the Trust with Wells Fargo Bank. The last 4 digits of the accounts were: 2262 [checking account], and 1827 [savings account]. (The complete account numbers are omitted to protect the security of the accounts.) Respondent did not regularly reconcile the two Trust accounts, nor did she regularly reconcile her personal account.
4. It is grossly negligent for the trustee of a trust to fail to regularly reconcile the funds which come into the trustee's possession.
5. On July 27, 2010, respondent asked the beneficiaries to execute a waiver of accounting. Atigh did not sign the waiver, thereby obligating respondent to provide an accounting to Atigh. It was not until on November 19, 2010 that respondent, through her attorney, sent a letter to the beneficiaries regarding the administration of the Trust. The letter stated a preliminary distribution of trust proceeds in the amount of \$250,000 would be made within 45 days of the letter. Respondent also informed the beneficiaries that she anticipated distributing the reserve Trust monies, \$120,545, less any final expenses and costs in early 2011, and that the trustee had paid all known obligations of Edward Foley and/or the Trust and had liquidated the Trust assets as directed. It was not until December 30, 2011, that respondent notified all of the beneficiaries that

she had signed off on the accounting.

6. On April 5, 2011, Respondent telephoned Wells Fargo Bank and requested that her personal checking account be linked to her personal savings account. Thereafter, Wells Fargo Bank erroneously linked respondent's personal checking account to the Trust's savings account. Respondent was unaware that the two accounts were linked until approximately March 2012.

7. From April 6, 2011, to March 26, 2012, respondent misdirected \$17,375.52 from the Trust savings account to her personal checking account, due to the bank erroneously linking the two accounts. Since respondent was not performing a regular accounting of the Trust's funds, she was unaware of these disbursements until March 2012. In March 2012, after being made aware of the bank error, respondent repaid the \$17,352.52 to the trust.

8. On June 10, 2012, an attorney for Atigh sent respondent a letter requesting information regarding taxes owed from a 2010 IRA distribution and how the remaining trust assets would be distributed. Respondent received the letter, but did not respond in a timely manner.

9. On March 3, 2014, respondent filed a 1041 tax return for the year ending 2010 which included the 2010 IRA distribution as income.

10. On May 8, 2014, respondent sent a letter to the beneficiaries regarding administration of the trust. Respondent enclosed an accounting for 2012, 2013, and through April 25, 2014, with the letter. In her letter, respondent asked the beneficiaries to sign a waiver of accounting. Respondent also stated that upon execution of the waiver by all beneficiaries, she could make the final distributions and terminate the Trust following a final accounting, circulate a distribution agreement, file a final tax return, and pay all final administrative costs and expenses. As of June 3, 2014, respondent has prepared the final accounting and provided it to the beneficiaries. Respondent will make a final distribution of trust assets after a waiver to object to the accounting by all beneficiaries or 180 days after the accounting was provided (May 8, 2014) pursuant to Probate Code §16464.

CONCLUSIONS OF LAW

11. By not timely closing the administration of the Trust, and by failing to provide accountings and a final accounting, respondent breached her fiduciary duty owed to the beneficiaries of the trust in wilful violation of Business and Professions Code, section 6068(a).

12. By failing to regularly reconcile the Trust accounts and by permitting \$17,375.52 from the Trust to be misappropriated to her personal checking account, respondent through gross negligence, committed acts involving moral turpitude, dishonesty, or corruption in wilful violation of Business and Professions Code section 6106.

AGGRAVATING CIRCUMSTANCES

Multiple Acts of Misconduct (Std. 1.5(b)): Respondent's breach of fiduciary duty and multiple unauthorized withdrawals from the trust bank account and other trust assets over a period of more than two years represent multiple acts of misconduct.

MITIGATING CIRCUMSTANCES

Extreme Emotional Difficulties (Standard 1.6(d)): Beginning in 2010 and continuing to the present, respondent experienced extreme emotional difficulties and stress stemming from marital, physical, and financial issues: respondent was distraught after her father passed away in December 2009. Respondent was diagnosed with infertility after trying for many years to have a child. She also suffered a failed attempt with a surrogate. Respondent also experienced significant marital difficulties and she and her husband separated in 2013. These emotional issues interfered with respondent's ability to properly monitor the administration of the trust. Respondent has been seeing a licensed clinical social worker since January 2014 and is committed to regular sessions until her stress symptoms are resolved. (*In the Matter of Kaplan* (1993) 2 Cal. State Bar Ct. Rptr. 509, 519 [where court gave Kaplan mitigation credit for marital difficulties].)

Restitution (Standard 1.6(j)): Respondent replaced all funds that were misappropriated by March 2012 without the threat or force of administrative, disciplinary, civil, or criminal proceedings.

ADDITIONAL MITIGATING CIRCUMSTANCES

No Prior Discipline: Respondent was admitted to the State Bar of California on June 4, 2001, and has no prior record of discipline. Although the present misconduct is serious, respondent is entitled to mitigation credit for having no prior record of discipline. (*In the Matter of Stamper* (1990) 1 Cal. State Bar Ct. Rptr. 96, 106).

Pretrial Stipulation: Respondent demonstrated cooperation with the State Bar of California by entering into this stipulation. (*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 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).)

In this matter, respondent admits to committing two 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.” Standard 2.1 applies to respondent’s misappropriation. It provides: “disbarment or actual suspension is appropriate for misappropriation involving gross negligence.”

In this case, respondent’s failure to perform regular accounting of the trust funds resulted in a misappropriation of \$17,375.52 because she was not aware that the bank had erroneously linked her personal checking account with the trust savings account. In addition, respondent failed to provide accountings to finish her duties as trustee. In aggravation, respondent committed multiple acts of misconduct by making multiple withdrawals from the trust bank account over a period of more than two years. In mitigation, respondent has no prior record of discipline in nine years of practice, she suffered extreme stress and emotional difficulties due to the death of her father, coupled with marital and financial problems. Additionally, upon becoming aware her personal and trust accounts were linked, she contacted the bank to unlink the accounts, replaced the funds that had been withdrawn from the trust prior to the State Bar complaint being filed, and agreed to enter into this stipulation, fully resolving this matter without the need for trial, thereby saving the State Bar Court resources and time. Furthermore, Respondent timely disbursed funds to the beneficiaries in November 2010 and another \$15,000 in May 2012. Respondent never had any intent to deprive the beneficiaries of their funds, and, in fact, they have not been deprived of their funds. Following Standard 2.1(b) and considering the totality of the misconduct including the aggravating and mitigating circumstances, a one year actual suspension is appropriate to protect the public, the courts, and the legal profession under Standard 1.1 and will serve the purposes of attorney discipline.

Case law is also instructive. In *Schneider v. State Bar* (1987) 43 Cal.3d 784, the Supreme Court imposed a 30 day actual suspension against an attorney who violated former Rules of Professional Conduct, rule 5-101 for mishandling the trust funds from 2 different trusts, Business and Professions Code, section 6106 for misrepresenting what he used the trust funds for, and Business

and Professions Code section 6068(a) for breaching his fiduciary duty to manage the trust funds for the benefit of trust beneficiaries. In mitigation, Schneider had no prior record of discipline, participated in community service, had financial difficulties, admitted wrongdoing, expressed remorse, and repaid 1 of the loans pursuant to a settlement. In aggravation, Schneider committed multiple acts of misconduct.

In *Murray v State Bar* (1985) 40 Cal.3d 575, the Supreme Court imposed a one year actual suspension against an attorney who commingled and misappropriated funds from an estate, unilaterally withdrew his fees from the estate funds, disbursed estate funds without court approval, and refused to account for the funds to the executors of the estate despite their repeated demands. In aggravation, Murray committed multiple acts of misconduct. The Court gave some mitigation credit to Murray for stress due to domestic problems.

Respondent's case is more serious than the respondent in *Schneider* in that she was grossly negligent in misappropriating \$17,375.52, and more similar to the misconduct of the respondent in *Murray* because she disclosed the misappropriation and repaid the money prior to the filing of the State Bar complaint.

On balance, a one year actual suspension with a two year probationary period will protect the public and is consistent with the goals of attorney discipline.

COSTS OF DISCIPLINARY PROCEEDINGS

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of June 16, 2014, the prosecution costs in this matter are \$7,173.46. 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 of Procedure of the State Bar of California, rule 3201.)

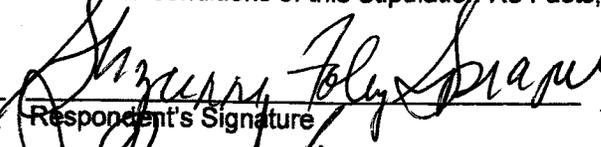
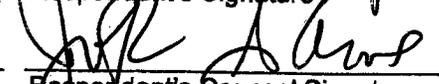
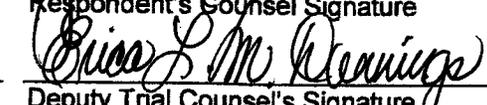
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In the Matter of:
SUZANNE FOLEY SPRAGUE

Case number(s):
13-O-13847

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.

7/9/2014		SUZANNE FOLEY SPRAGUE
Date	Respondent's Signature	Print Name
July 10, 2014		JONATHAN I. ARONS
Date	Respondent's Counsel Signature	Print Name
July 10, 2014		ERICA L. M. DENNINGS
Date	Deputy Trial Counsel's Signature	Print Name

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In the Matter of: SUZANNE FOLEY SPRAGUE	Case Number(s): 13-O-13847
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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.

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 July 14, 2014 _____
Judge of the State Bar Court

LUCY ARMENDARIZ

CERTIFICATE OF SERVICE

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

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, On July 14, 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 San Francisco, California, addressed as follows:

JONATHAN IRWIN ARONS
LAW OFC JONATHAN I ARONS
100 BUSH ST STE 918
SAN FRANCISCO, CA 94104

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

ERICA L. M. DENNINGS, Enforcement, San Francisco
TERRIE GOLDADE, Probation, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on July 14, 2014.



Laurretta Cramer
Case Administrator
State Bar Court