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ORIGINAL

State Bar Court of California
Hearing Department
Los Angeles
DISBARMENT

<p>Counsel For The State Bar</p> <p>Hugh G. Radigan Deputy Trial Counsel 845 South Figueroa Street Los Angeles, California 90017-2515 213-765-1206</p> <p>Bar # 94251</p>	<p>Case Number(s): 13-O-14362-LMA 14-O-01243</p>	<p>For Court use only</p> <p>PUBLIC MATTER</p> <p>FILED <i>[Signature]</i></p> <p>DEC 10 2014</p> <p>STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>In Pro Per Respondent</p> <p>Brian Bamshad Alavi 1875 Century Park East, Suite 700 Los Angeles, California 90067</p> <p>Bar # 217433</p>	<p>Submitted to: Settlement Judge</p>	
<p>In the Matter of: BRIAN BAMSHAD ALAVI</p> <p>Bar # 217433</p> <p>A Member of the State Bar of California (Respondent)</p>	<p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT</p> <p>DISBARMENT</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</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 **December 2, 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 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."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."

(Effective January 1, 2014)

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- (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
 - (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. **See attachment at page 9.**
- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct. **See attachment at page 10.**
- (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.

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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 at page 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 \$ _____ 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.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

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Additional mitigating circumstances:

See attachment at page 9.

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: Restitution: Respondent must make restitution to Barbara Dik in the amount of \$18,430 plus 10 percent interest per year from July 15, 2013. If the Client Security Fund has reimbursed Barbara Dik 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.**

August 1, 2013	Discover	\$ 390.66
August 3, 2013	Premier Business Centers	\$1,364.36
August 5, 2013	DMV	\$ 407.00

CONCLUSIONS OF LAW:

9. By failing to maintain a balance of \$7,370 in his CTA on behalf of McKinney prior to distribution on August 5, 2013, Respondent intentionally, recklessly, or willfully violated the Rules of Professional Conduct, rule 4-100(A).

10. By issuing a series of checks from his CTA for payment of personal obligations, Respondent commingled funds belonging to Respondent in a client trust account in willful violation of the Rules of Professional Conduct, rule 4-100(A).

11. By failing to render an appropriate accounting to McKinney regarding the settlement proceeds upon the termination of Respondent's employment on July 12, 2013, Respondent willfully violated the Rules of Professional Conduct, rule 4-100(B)(3).

12. By allowing the balance in Respondent's client trust account to fall to \$69.09 on December 6, 2012, prior to any distribution of the settlement proceeds to McKinney, Respondent dishonestly or grossly negligently misappropriated for Respondent's own purposes \$7,300.91 (\$7,370 - \$69.09) that McKinney was entitled to receive, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code section 6106.

Case No. 14-O-01243 (Complainant: Barbara Dik)

13. Respondent was employed on March 22, 2013, to pursue a personal injury claim on behalf of Barbara Dik ("Dik").

14. Defendant's insurance carrier, Farmers, issued their settlement draft in the amount of \$29,000 on July 15, 2013 payable to Dik and Respondent. At no time prior to the issuance of this draft, did Respondent advise Dik of the offer or secure her authority to accept such sum.

15. On April 17, 2013, Barbara Dik sent a detailed e-mail to Respondent to facilitate distinguishing the treatment course attributable to her injuries and her damage contentions associated with each injury.

16. On August 15, 2013, Barbara Dik e-mailed Respondent advising him of an additional neck surgery recently incurred and enclosing the associated medical billings.

17. On September 12, 2013, Respondent left a voice message for Jim Dik, Barbara's husband, expressing that the defendant insurance carrier needed more time to sort out Barbara's medical bills and distinguish a prior unrelated injury from the new one. This representation was false inasmuch as the matter had already been settled by Respondent without authorization.

18. On December 5, 2013, Respondent left a message for Jim Dik advising that he had sent some documents to him for their review and signature approximately a month earlier.

19. On December 9, 2013, Jim Dik requested that Respondent re-send the documents since they had earlier received nothing. Concerned when Respondent failed to return their phone calls and having received no documentation from Respondent as promised, Jim Dik contacted the defendant's carrier, Farmers, directly on January 8, 2014, at which time he was advised the matter had settled approximately five months earlier.

20. On January 28, 2014, Gerald Labovitch, Esq. e-mailed Respondent on behalf of the Diks and inquired as to the disposition of the settlement proceeds. Respondent failed to respond to Labovitch.

21. On or about February 5, 2014, the Diks received a letter from Respondent dated January 26, 2014, intimating that as they had previously discussed, the distribution of the settlement proceeds was held up by a significant Medicare lien. There were no prior discussions and this was the first notice they had received from Respondent acknowledging either a settlement or a lien concern.

22. To date, there has been no accounting from Respondent, no disbursements of settlement proceeds to Barbara Dik, nor any explanation from Respondent regarding the unauthorized settlement of this matter.

23. Respondent's client trust account ("CTA") records reflect that the settlement draft was deposited by Respondent on July 24, 2013 and that without having made any disbursements to the client or on her behalf, the CTA balance fell to \$4.00 by October 24, 2013.

CONCLUSIONS OF LAW:

24. By settling Diks's claim without her knowledge or consent on July 15, 2013 and by failing to negotiate Dik's medical liens. Respondent intentionally, recklessly, or repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A).

25. By learning of a written offer of settlement made to his client on July 15, 2013, while Respondent was representing Respondent's client, Barbara Dik, in a civil matter and failing to communicate promptly to the client all terms and conditions of the offer, Respondent willfully violated Rules of Professional Conduct, rule 3-510.

26. By receiving on behalf of Respondent's client, Barbara Dik, a settlement check from Farmers Insurance Company made payable to Respondent and Client in the sum of \$29,000, and depositing the \$29,000 into Respondent's client trust account, of which the client was entitled to \$18,430 (\$29,000 minus fees of \$9,570), and by failing to maintain a balance of \$18,430 on behalf of the client in Respondent's client trust account, Respondent willfully violated Rules of Professional Conduct, rule 4-100(A).

27. By receiving on behalf of Respondent's client, Barbara Dik, a settlement check from Farmers Insurance Company made payable to Respondent and Client in the sum of \$29,000 and depositing the \$29,000 into Respondent's client trust account, of which sum, the client was entitled to \$18,430 (\$29,00 minus fees of \$9,570) and by allowing the balance in Respondent's client trust account to fall to \$4 on October 24, 2013, Respondent dishonestly or grossly negligently misappropriated for Respondent's own purposes \$18,426 (\$18,430 minus \$4) that Respondent's client, was entitled to receive, and thereby committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code section 6106.

28. By failing to notify the client until January 26, 2014, of Respondent's receipt on July 15, 2013, of a settlement check from Farmers Insurance Company made payable to Respondent and Client in the sum of \$29,000, Respondent willfully violated Rules of Professional Conduct, rule 4-100(B)(1).

29. By receiving on July 15, 2013, on behalf of Respondent's client, Barbara Dik, a settlement check from Farmers Insurance Company made payable to Respondent and Client in the sum of \$29,000 and failing to render an appropriate accounting to the client regarding those funds upon demand by the client's representative on January 28, 2014, Respondent willfully violated the Rules of Professional Conduct, rule 4-100(B)(3).

30. By misrepresenting to his client, Barbara Dik, on January 26, 2014, both that Respondent had previously discussed with her that he had settled her matter with Farmers Insurance Company and that they previously discussed that the disbursement of the settlement proceeds was delayed due to a significant Medicare lien, when Respondent knew both statements were false, Respondent committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, section 6106.

ADDITIONAL FACTS RE MITIGATING CIRCUMSTANCES.

No Prior Discipline: Although his misconduct is serious, Respondent is entitled to significant mitigation by virtue of his eleven years of discipline free practice pre-misconduct herein. (*Hawes v. State Bar* (1990) 51 Cal. 3rd 587, 596 [10 years given "significant weight" in mitigation.]; *Cooper v. State Bar* (1987) 43 Cal. 3rd 1016, 1029 noting that the Supreme Court has repeatedly given mitigation for no prior record of discipline in cases in which the misconduct was serious.)

Pretrial Stipulation: Respondent has stipulated to misconduct and thereby demonstrated his cooperation with the State Bar and saved the State Bar's resources. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigation credit was given for entering into a stipulation as to facts and culpability].)

AGGRAVATING CIRCUMSTANCES.

Harm, Standard 1.5(f): Respondent's failure to properly keep his clients advised of the progress of settlement discussions, unauthorized settlement of the clients claims without advising one client or disbursing settlement proceeds, severely prejudiced his clients best interests and exposed the clients to additional problems with lienholders who are now looking to the clients for payment, resulting in significant harm and delay to the client. (*In the Matter of Bach* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 631, where attorney's loss of client's cause of action constituted significant harm.)

Multiple Acts of Misconduct, Standard 1.5(b): Respondent committed multiple acts of misconduct, specifically violations of Rules of Professional Conduct, rule 3-110(A) [failure to perform], rule 4-100(B)(3) [failure to account], Rule 4-100(A) [failure to maintain client funds in client trust account], Rule 4-100(A)(1) [commingling], Business and Professions Code section 6106 [moral turpitude/misappropriation], Rule 3-510 [failure to communicate settlement offer], Rule 4-100(A) [failure to maintain client funds in client trust account], Rule 4-100(B)(1) [failure to notify of receipt of client funds], and Business and Professions Code section 6106 [moral turpitude/misrepresentations to client]. *In the Matter of Conner* (Review Dept. 2008) 5 Cal. State Bar Ct. Rptr. 93.

Indifference, Standard 1.2(b)(v): Respondent failed to make any payment to his client, Barbara Dik, despite having received the settlement proceeds on July 15, 2013.

AUTHORITIES SUPPORTING DISCIPLINE.

Analysis:

The Standards for Attorney Sanctions for Professional Misconduct provide a “process of fixing discipline” pursuant to a set of written principles to “better discharge the purposes of attorney discipline as announced by the Supreme Court.” (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, Introduction (all further references to standards are to this source).) The primary purposes of disciplinary proceedings and of the sanctions imposed are “the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession.” (*In re Morse* (1995) 11 Cal.4th 184, 205; std 1.3.)

Although not binding, the standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) Any discipline recommendation different from that set forth in the applicable standards should clearly explain the reasons for the deviation. (*Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

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 eleven 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 1.7(b) provides where aggravating circumstances are found and the net effect demonstrates a greater sanction is needed to fulfill the primary purposes of discipline, it is appropriate to recommend greater discipline than otherwise specified in a given standard.

The most severe sanction applicable to Respondent’s misconduct is found in standard 2.1, which applies to Respondent’s violation of section 6106 of the Business and Professions Code. Standard 2.1 provides that disbarment is appropriate for intentional or dishonest misappropriation of entrusted funds or property, unless the amount misappropriated is insignificantly small or the most compelling mitigating circumstances clearly predominate. Neither of these exceptions apply here. Similarly, standard 2.7 provides that disbarment is appropriate for an act of moral turpitude, dishonesty, fraud, corruption or concealment of a material fact, depending upon the extent to which the victim of the misconduct is harmed or misled and depending upon the magnitude of the act of misconduct and the degree to which it relates to the member’s acts within the practice of law.

In analyzing the factors of standard 2.1, Respondent misappropriated over \$25,000 which is significant. Respondent has failed to present any mitigating circumstances, let alone the most compelling mitigation, that would explain this behavior.

In analyzing the factors of standard 2.7, first the magnitude of the misconduct is significant. Respondent's conduct in misrepresenting to his clients the status of their respective settlements constitutes moral turpitude, as he was attempting to cover up the other bad acts. Respondent's overwhelming dishonesty and manipulation of the truth is readily apparent in these acts of misconduct, all of which occurred during Respondent's practice of law. The attendant harm visited upon one of the clients who has been left to negotiate with Medicare directly without the benefit of any of their settlement proceeds, is both significant and real.

The gravamen of the Respondent's misconduct herein sounds primarily in his misappropriation of settlement funds. Respondent's unilateral behavior in negotiating and resolving the client's personal injury cases without maintaining any meaningful communication with the client, aggravated his misconduct. Not only was one of the clients misled as to the terms of the settlement, but no breakdown of the settlement proceeds was ever memorialized, and no disbursement of settlement proceeds was ever effectuated. Further, nothing appears to have been done to address the client's multiple liens. Instead, in one instance the client only learns of the settlement by direct contact with the defendant's carrier who advised the client that the case has been resolved without her authorization or knowledge.

Here, Respondent misappropriated over \$25,000, rendering disbarment the appropriate sanction under the standards. Moreover, when combined with the many other serious offenses, disbarment is the only sanction sufficient to protect the public.

Case law supports disbarment as well. In *Kelly v. State Bar* (1988) 45 Cal. 3rd 649, Respondent misappropriated \$19,597.05 of funds being in trust for one client. Respondent subsequently contacted the client, whom he knew was then represented by another attorney, without the consent of their attorney and coerced the client into signing a statement that the client had loaned the misappropriated money to the Respondent. The court imposed discipline consisting of disbarment. The court noted that there was no evidence suggesting that Respondent's behavior was an isolated act. The court also noted that Respondent's lack of a prior record of discipline was not especially commendable. In this regard, Respondent had been practicing seven and one half years, which was long enough to know that his conduct was wrong, but not so long as to make his blemish free record surprising.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of November 5, 2014, the prosecution costs in this matter are approximately \$7252. 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

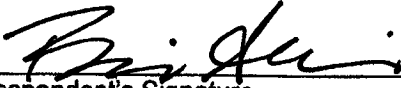
Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of State Bar Ethics School, State Bar Client Trust Accounting School, and/or any other educational course(s) to be ordered as a condition of reapproval or suspension. (Rules Proc. of State Bar, rule 3201.)

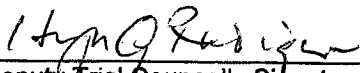
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In the Matter of: BRIAN BAMSHAD ALAVI	Case number(s): 13-O-14362-LMA, 14-O-01243
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SIGNATURE OF THE PARTIES

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.

11-7-14  Brian Bamshad Alavi
Date Respondent's Signature Print Name

November 19 '14  Hugh G. Radigan
Date Deputy Trial Counsel's Signature Print Name

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In the Matter of: BRIAN BAMSHAD ALAVI	Case Number(s): 13-O-14362; 14-O-01243
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DISBARMENT ORDER

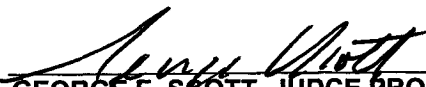
Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- 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.
1. On page 5 of the stipulation, paragraph E.(3), "aany portion" is deleted, and in its place is inserted "any portion".
 2. On page 8 of the stipulation, paragraph 24, "Diks's claim" is deleted, and in its place is inserted "Dik's claim".
 3. On page 8 of the stipulation, paragraph 27, "(\$29,00 minus fees of \$9,570)" is deleted, and in its place is inserted "(\$29,000 minus fees of \$9,570)".
 4. On page 9 of the stipulation, in the paragraph entitled "Harm, Standard 1.5(f)," "settlement of the clients claims" is deleted, and in its place is inserted "settlement of the clients' claims".
 5. On page 9 of the stipulation, in the paragraph entitled "Harm, Standard 1.5(f)," "prejudiced his clients best interests" is deleted, and in its place is inserted "prejudiced his clients' best interests".
 6. On page 9 of the stipulation, in the paragraph entitled "Harm, Standard 1.5(f)," "significant harm and delay to the client" is deleted, and in its place is inserted "significant harm and delay to the clients".
 7. On page 11 of the stipulation, the paragraph entitled "Exclusion from MCLE Credit" is deleted in its entirety, as inapplicable.

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 **BRIAN BAMSHAD ALAVI** 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.

DECEMBER 9, 2014
Date


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 San Francisco, on December 10, 2014, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT

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

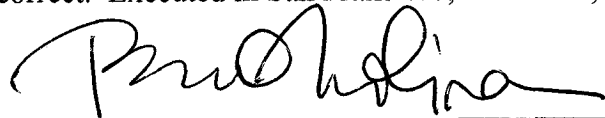
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

BRIAN BAMSHAD ALAVI
ALAVI & ASSOCIATES
1875 CENTURY PARK E STE 700
LOS ANGELES, CA 90067

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

HUGH G. RADIGAN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on December 10, 2014.



Bernadette C.O. Molina
Case Administrator
State Bar Court