



STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO

## STATE BAR COURT OF CALIFORNIA HEARING DEPARTMENT – SAN FRANCISCO

) Case Nos.: 13-O-15013-LMA
) (14-O-00021)
)
) ORDER VACATING SUBMISSION;
) ORDER VACATING ORDER DENYING
) AMENDED MOTION TO SET ASIDE
) DEFAULT; ORDER GRANTING
) AMENDED MOTION TO SET ASIDE
) DEFAULT; AND OTHER ORDERS

Following submission of this matter, the court reviewed the record and determined that although respondent Bryan L. Robinson repeatedly failed to timely appear before this court, the language of rule 5.83 of the Rules of Procedure of the State Bar of California provides that his amended motion to set aside default warranted an expedited ruling. In light of the strong public policy favoring the resolution of matters on their merits, <sup>1</sup> and in an effort to insure that all due process concerns have been satisfied, the court issues the following orders:

- 1. The December 16, 2015 order submitting this matter for decision is hereby **VACATED**;
- 2. The December 16, 2015 order denying Respondent's November 6, 2015 amended motion to set aside default is **VACATED**:

<sup>&</sup>lt;sup>1</sup> See In the Matter of Morone (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 207, 214-215.

3. Good cause having been shown, the November 6, 2015 amended motion to set aside Respondent's default is hereby **GRANTED**;

4. Respondent's inactive enrollment, pursuant to Business and Professions Code section

6007, subdivision (e), is **TERMINATED** upon the filing of this order,

5. The parties must appear at an in-person Pretrial Conference that has been calendared

to take place on March 7, 2016, at the hour of the State Bar Court, 180 Howard St.,

6<sup>th</sup> Fl., San Francisco, CA 94105. Pretrial Statements/Proposed Exhibits are due no later than

March 1, 2016. Trial in this matter has been calendared to take place on March 14-18, 2016, at

the hour of part of the State Bar Court, 180 Howard St., 6th Fl., San Francisco, CA 94105;<sup>2</sup>

and

6. The State Bar's petition for disbarment filed on September 14, 2015, is MOOT, as the

court is granting the motion to set aside Respondent's default in this matter.

IT IS SO ORDERED.

Dated: February \_\_\_\_\_\_, 2016

LUCY ARMENDARIZ
Judge of the State Bar Court

<sup>&</sup>lt;sup>2</sup> This matter has a tedious history of Respondent failing to timely appear for court proceedings and hearings. Respondent should take every precaution necessary to insure his timely appearance at all future court dates. Failure to appear at trial may result in the entry of default. (See Rules Proc. of State Bar, rule 5.81.)

## **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 February 8, 2016, I deposited a true copy of the following document(s):

ORDER VACATING SUBMISSION; ORDER VACATING ORDER DENYING AMENDED MOTION TO SET ASIDE DEFAULT; ORDER GRANTING AMENDED MOTION TO SET ASIDE DEFAULT; AND OTHER ORDERS

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:

BRYAN L. ROBINSON LAW OFC BRYAN ROBINSON 945 TARAVAL ST PMB 403 SAN FRANCISCO, CA 94116

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

CATHERINE E. TAYLOR, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on February 8, 2016.

Bernadette Molina Case Administrator State Bar Court