



(Do not write above this line.)

State Bar Court of California
Hearing Department **PUBLIC MATTER**
Los Angeles
STAYED SUSPENSION

<p>Counsel For The State Bar</p> <p>Lara Bairamian Deputy Trial Counsel 845 South Figueroa Street Los Angeles, CA 90017 (213) 765-1338</p> <p>Bar # 253056</p>	<p>Case Number(s): 13-O-16736 [pre-filing]</p>	<p>For Court use only</p> <p align="center">FILED</p> <p align="center">JAN 08 2015</p> <p align="center">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Jerome Fishkin 1575 Treat Blvd Ste 215 Walnut Creek, CA 94598 (925) 944-5600</p> <p>Bar # 47798</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>STAYED SUSPENSION; NO ACTUAL SUSPENSION</p> <p><input checked="" type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: MOIRA DOHERTY</p> <p>Bar # 165967</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 **November 15, 1993**.
- (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."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".

DS
 12.8.14.

(Do not write above this line.)

- (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 are added to membership fee for calendar year following effective date of discipline.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: **three (3) billing cycles following the effective date of the Supreme Court order.** (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure). If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(f) & 1.5]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline**
- (a) State Bar Court case # of prior case
 - (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 or a separate attachment entitled "Prior Discipline."
- (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 to Stipulation, at page 8.**
- (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.
- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. **See Attachment to Stipulation, at page 8.**

(Do not write above this line.)

- (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.

(Do not write above this line.)

Additional mitigating circumstances

- No Prior Discipline - See Attachment to Stipulation, at page 8.**
- Profiling Stipulation - See Attachment to Stipulation, at page 9.**
- Civic Service - See Attachment to Stipulation, at page 9.**
- Good Character - See Attachment to Stipulation, at page 9.**

D. Discipline:

(1) **Stayed Suspension:**

(a) Respondent must be suspended from the practice of law 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:

The above-referenced suspension is stayed.

(2) **Probation:**

Respondent is placed on probation for a period of **one (1) year**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court.)

E. Additional Conditions of Probation:

- (1) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2) 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.
- (3) 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.
- (4) 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.

- (5) 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.

(Do not write above this line.)

- (6) 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.
- (7) 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 State Bar Ethics School, and passage of the test given at the end of that session.
- No Ethics School recommended. Reason: .
- (8) 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.
- (9) 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 within one year. **Failure to pass the MPRE results in actual suspension without 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) **Other Conditions:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: MOIRA DOHERTY

CASE NUMBER: 13-O-16736

FACTS AND CONCLUSIONS OF LAW.

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.

Case No. 13-O-16736 (Complainant: Rhetta Vander Ploeg obo Lassen County)

FACTS:

1. In order to remain as an active member of the State Bar, Respondent was required to complete 25 hours of minimum continuing legal education ("MCLE") during the period of February 1, 2010 through January 31, 2013 and report her compliance by February 1, 2013.
2. Although Respondent completed 58.75 hours of MCLE during the compliance period, Respondent did not report her compliance until March 22, 2013. As such, a \$75 late fee was assessed against Respondent.
3. Between May 1, 2013 and June 7, 2013, the State Bar sent notices to Respondent informing her that, if she failed to pay the \$75 late fee by July 1, 2013, she would be placed on "Not Eligible to Practice Law" status. Respondent received the notices.
4. On June 27, 2013, Respondent sent an email to the State Bar claiming that she timely reported her MCLE compliance. Respondent requested that the \$75 late fee be removed.
5. On June 28, 2013, the State Bar responded to Respondent's June 27, 2013 email informing Respondent that the State Bar had no record of Respondent's timely MCLE submission and that the late fee could not be waived.
6. On July 1, 2013, Respondent signed a six (6) month contract with Lassen County to provide legal services for the Lassen County Department of Child Support Services ("DCSS").
7. When Respondent failed to pay the \$75 late fee by July 1, 2013, effective July 2, 2013, Respondent was suspended from the practice of law for non-payment of the \$75 late fee and, therefore, was not eligible to practice law.
8. On July 12, 2013, the State Bar sent a letter to Respondent at Respondent's official membership records address informing Respondent that she had been placed on "Not Eligible to Practice Law" status effective July 2, 2013.

9. After signing the contract with DCSS, Respondent forwarded her mail from her membership services address in Santa Monica, California to a temporary residence in Susanville, California. Despite her efforts to have her mail forwarded, the July 12, 2013, letter remained in Santa Monica. On August 2, 2013, after returning to Santa Monica, Respondent opened the July 12, 2013, notification that she had been placed on "Not Eligible to Practice Law" status and paid the \$75 late fee to the State Bar. Respondent was reinstated to active status that same day.

10. During her suspension, Respondent held herself out as entitled to practice law between July 2, 2013, and August 1, 2013, both dates inclusive, and continued to practice law by acting as counsel for DCSS per the terms of her employment contract with Lassen County. Respondent performed legal work on behalf of DCSS, including appearing in the Lassen County Superior Court one time and filing pleadings with the Lassen County Superior Court. Respondent charged and collected \$2,245 in attorney's fees for services performed during her suspension.

11. Between December 6, 2013 and January 30, 2014, after the initiation of a State Bar complaint by Lassen County, Respondent refunded the \$2,245 in attorney's fees collected from Lassen County for services she performed on behalf of DCSS during her suspension.

CONCLUSIONS OF LAW:

12. By performing legal services on behalf of DCSS while she was suspended, Respondent failed to support the Constitution and laws of the United States and of this State, in willful violation of Business and Professions Code, section 6068(a), by practicing law and holding herself out as entitled to practice law when she was not an active member of the State Bar, in willful violation of Business and Professions Code section 6125 and 61226.

13. By charging and collecting \$2,245 from Lassen County as compensation for her legal services while she was suspended, Respondent collected an illegal fee in willful violation of the Rules of Professional Conduct, rule 4-200(A).

AGGRAVATING CIRCUMSTANCES.

Multiple Acts of Misconduct (Std. 1.5(b)): In this matter, Respondent held herself out as entitled to practice law and actually practiced law on multiple instances when she was not an active member of the State Bar of California.

Harm (Std. 1.5(f)): By holding herself out as a licensed practitioner, Respondent caused harm to the public and the administration of justice. (*In the Matter of Trousil* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 229, 240.

ADDITIONAL MITIGATING CIRCUMSTANCES.

No Prior Discipline: Respondent was admitted to the practice of law on November 15, 1993 and has no prior record of discipline. Even though the misconduct is serious, Respondent is entitled to mitigation for her 20 years of practice without discipline prior to commencing the misconduct. (*In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, 49 [attorney's practice of law for more than 17 years was considered to be a significant mitigating circumstance even though the misconduct at issue was serious].)

Prefiling Stipulation: Respondent is entitled to mitigation for entering into a full stipulation with the Office of Chief Trial Counsel prior to the filing of disciplinary charges, thereby avoiding the necessity of a trial and saving the State Bar Court 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].)

Civic Service: Respondent has performed civic service as a member of the American Cancer Society and the Rotary Club of Santa Monica since 2011. As the chair of the volunteer team with the Red Cross, Respondent reached out to the Los Angeles Chicana Services Action Center to place inner city youth in employment through a grant by working with the American Cancer Society and Relay for Life. Respondent also performed community outreach as a member of the Band of Christians Fellowship since 2013 wherein she provided meals to the homeless and those seeking recovery from addiction, participated in organizing faith based activities and planned events to support her community. (*Calvert v. State Bar of California* (1981) 54 Cal. 3d 765, 785 [service to the community is a mitigating factor that is entitled to “considerable weight”].)

Good Character: Respondent provided twelve letters from members of the legal and general communities who were aware of Respondent’s misconduct and attested to her extraordinary good character.

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct “set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances.” (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to Standards are to this source.) The Standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a Standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) “Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure.” (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given Standard, in addition to the factors set forth in the specific Standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member’s willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

In this matter, Respondent admits to committing 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.”

The most severe sanction applicable to Respondent’s misconduct is found both in Standards 2.3(b) and 2.6(b), which provide for discipline ranging from reproof to suspension. Standard 2.3(b) specifically addresses Respondent’s violation of Rules of Professional Conduct, rule 4-200(A). Standard 2.6(b) applies to Respondent’s violation of Business and Professions Code sections 6068(a), 6125 and 6126.

Standard 2.3(b) provides that suspension or reproof is appropriate for entering into an agreement for, charging, or collecting an illegal fee for legal services. Standard 2.6(b) provides that suspension or reproof 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 inactive status or actual suspension for non-disciplinary reasons, such as non-payment of fees or MCLE non-compliance. The degree of sanction depends on whether the member knowingly engaged in the unauthorized practice of law.

In this matter, Respondent received the May 1, 2013, and June 7, 2013, notices informing her that she would be placed on “Not Eligible to Practice Law Status” and knew that she had not paid the \$75 late fee by July 1, 2013. Thus, Respondent should have known that, as of July 2, 2013, she would be placed on “Not Eligible to Practice Law” status. Accordingly, on July 2, 2013, Respondent was placed on “Not Eligible to Practice Law” status. Respondent committed multiple acts of misconduct, which included receiving illegal fees as a result of the legal work performed while she was on non-disciplinary suspension. In order to rectify her misconduct, albeit after the State Bar complaint was made by Lassen County, Respondent reimbursed Lassen County for the entirety of the illegal fees. Moreover, Respondent was on inactive status for only one month, until she reinstated her active status by paying the \$75 late fee.

In evaluating Respondent’s misconduct and assessing the level of discipline, both Standard 2.3(b) and 2.6(b) provide a range of sanctions ranging from reproof to suspension. In this matter, Respondent does not have a prior record of discipline, provided evidence of civic service, provided 12 character references and entered into this pre-filing stipulation, which mitigates her misconduct. Respondent’s misconduct is aggravated by the presence of multiple acts of misconduct and the harm to the public and the administration of justice.

In light of Respondent’s misconduct, the applicable standards, the aggravating and mitigating circumstances, a discipline consisting of a one-year suspension, stayed, and a one-year probation serves the purpose of State Bar discipline to protect the public, the courts and the legal profession, to maintain high professional standards by attorneys, and to preserve public confidence in the legal profession. (Std. 1.3.)

The stipulated level of discipline is in line with case law involving similar misconduct. In *Chasteen v. State Bar* (1985) 40 Cal.3d 586, an attorney with one prior record of discipline committed misconduct including a failure to perform services, commingling, misappropriation and the unauthorized practice of law while under suspension by the Bar for nonpayment of dues. (*Chasteen v. State Bar*, supra, 40 Cal.3d 586 at 592.) In mitigation, the attorney presented evidence that he had marital problems, was an alcoholic, and that he was seeking help including participation in alcohol rehabilitation programs. (*Chasteen v. State Bar*, supra, 40 Cal.3d 586 at 591.) The Supreme Court ordered the attorney suspended for five years, stayed, and placed on a five year probation including a two month actual

suspension from the practice of law. The court held that the two month suspension adequately took into account the seriousness of his misconduct and the evidence presented in mitigation.

Like *Chasteen*, Respondent committed multiple acts of misconduct when she engaged in the unauthorized practice of law while under non-disciplinary suspension. However the current matter is not as serious as *Chasteen* and, unlike *Chasteen*, Respondent does not have a prior record of discipline and did not fail to perform services, commingle funds, or misappropriate funds. Furthermore, *Chasteen* was decided when the discipline under former Standard 2.6(d) called for discipline ranging from suspension to disbarment, whereas Standard 2.3(b) sets forth discipline ranging from reproof to suspension. Therefore a one-year suspension, stayed, and a one-year probation, as outlined herein, is appropriate.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of December 8, 2014, the prosecution costs in this matter are \$2,992. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

EXCLUSION FROM MCLE CREDIT

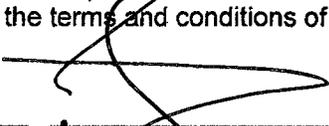
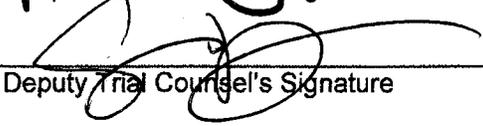
Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: MOIRA DOHERTY	Case number(s): 13-O-16736
------------------------------------	-------------------------------

SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

<u>12/11/14</u> Date	 Respondent's Signature	<u>Moira Doherty</u> Print Name
<u>12/17/14</u> Date	 Respondent's Counsel Signature	<u>Jerome Fishkin</u> Print Name
<u>12/18/14</u> Date	 Deputy Trial Counsel's Signature	<u>Lara Bairamian</u> Print Name

(Do not write above this line.)

In the Matter of: MOIRA DOHERTY	Case Number(s): 13-O-16736
------------------------------------	-------------------------------

STAYED 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:

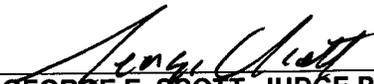
- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

1. On page 8 of the stipulation, numbered paragraph 12, "section 6125 and 61226" is deleted, and in its place is inserted "sections 6125 and 6126."

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

1-7-15


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 January 8, 2015, 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:

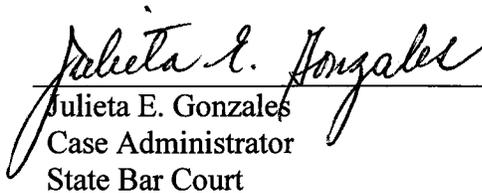
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

JEROME FISHKIN
FISHKIN & SLATTER LLP
1575 TREAT BLVD STE 215
WALNUT CREEK, CA 94598

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

Lara Bairamian, Enforcement, Los Angeles
Terrie Goldade, Office of Probation, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 8, 2015.



Julieta E. Gonzales
Case Administrator
State Bar Court