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**State Bar Court of California
Hearing Department
San Francisco
ACTUAL SUSPENSION**

<p>Counsel For The State Bar</p> <p>Jonathan Ceseña Deputy Trial Counsel 180 Howard Street San Francisco, CA 94105 (415) 538-2183</p> <p>Bar # 289721</p>	<p>Case Number(s): 14-C-00180-LMA</p>	<p>For Court use only</p> <p>PUBLIC MATTER</p> <p>FILED </p> <p>FEB 02 2015</p> <p>STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>Counsel For Respondent</p> <p>Jerome Fishkin Fishkin & Slatter LLP 1575 Treat Blvd. Ste 215 Walnut Creek, CA 94598</p> <p>Bar # 47798</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: EDMUND CHARLES GIL</p> <p>Bar # 159127</p> <p>A Member of the State Bar of California (Respondent)</p>		

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **June 8, 1992**.
- (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".

(Effective January 1, 2014)



- (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: **two billing cycles from 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.
- (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.
- (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.
- (8) **Restitution:** Respondent failed to make restitution.
- (9) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

Intentional Misconduct See Attachment at page 9.

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.
See Attachment at page 9.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.

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

Additional mitigating circumstances:

Pretrial Stipulation. See Attachment at page 9.

No Prior Discipline. See Attachment at page 9.

D. Discipline:

- (1) **Stayed Suspension:**

- (a) Respondent must be suspended from the practice of law for a period of **one 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:
- (b) The above-referenced suspension is stayed.

- (2) **Probation:**

Respondent must be placed on probation for a period of **two 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 **90 days**.
- 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:
 - Substance Abuse Conditions Law Office Management Conditions
 - Medical Conditions 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**

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: **August 27, 2014.**
- (5) **Other Conditions:**

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: EDMUND CHARLES GIL

CASE NUMBER: 14-C-00180-LMA

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that the facts and circumstances surrounding the offense for which he was convicted involved misconduct warranting discipline.

Case No. 13-C-16966 (Conviction Proceedings)

PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING:

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On December 6, 2013, the California Attorney General's Office filed a criminal complaint in Madera County Superior Court case number MCR047816 charging respondent with Count One, violating Penal Code section 470(b) [Forgery], a misdemeanor.
3. On January 30, 2014, the Madera County Superior Court entered respondent's no contest plea to Count One of the complaint filed in Madera County Superior Court, case no. MCR047816, which charged respondent with violating Penal Code section 470(b) [Forgery], a misdemeanor.
4. On June 26, 2014, the Madera County Superior Court sentenced respondent to one year of bench probation and to pay penalties and assessments of \$1,000.
5. On August 27, 2014, as a result of his conviction, respondent was placed on interim suspension by the Review Department of the State Bar of California, in State Bar case number 14-C-00180, for violating Penal Code section 470(b) [Forgery], a misdemeanor involving moral turpitude, pursuant to the Review Department order issued on August 6, 2014.
6. On October 9, 2014, the Review Department of the State Bar Court issued an order, ordering respondent remain on interim suspension and referred the matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed in the event that the Hearing Department finds that the facts and circumstances surrounding the offenses for which respondent was convicted involved moral turpitude or other misconduct warranting discipline.

FACTS:

7. On November 19, 2008, respondent was employed as a Deputy District Attorney ("DDA") in Madera County. Respondent was assigned to prosecute a murder case involving the defendant Gran. Defendant Gran was represented by defense counsel. During the case, the defense sought the opinion of

a privately retained expert. This expert was to review, evaluate, and render an opinion on Defendant Gran's cell phone records. Defense counsel specifically requested respondent not contact their expert. Nevertheless, respondent contacted the defense's expert. Respondent contacted the defense expert and provided the defense expert with the prosecutions' information regarding the cell phone records.

8. On March 6, 2013, defense counsel filed a motion to dismiss the murder trial based on respondent's purported inappropriate contact with the defense's expert.

9. On April 12, 2013, Madera County DDA Linda Dunn contacted respondent to discuss the response to the motion to dismiss. Respondent requested Dunn include a declaration from Mary Ariz.

10. DDA Linda Dunn drafted a response to the motion to dismiss.

11. On April 12, 2013, Mary Ariz, a victim witness assistant for the Madera Community Action Partnership and DDA Dunn met and drafted Ms. Ariz's declaration. During this meeting, DDA Dunn showed Ms. Ariz the letters submitted by the victim's family and friends. Ariz signed the original declaration on April 12, 2013 in the presence of DDA Dunn.

12. On April 16, 2013, respondent contacted DDA Dunn and told her he needed to make some changes to Ms. Ariz's declaration. Respondent stated that some of the letters were illegible and that he wanted to add the names of the family and friends that submitted letters. Respondent asked DDA Dunn to email him a copy of the April 12, 2013 declaration. On April 16, 2013, DDA Dunn emailed a copy of the declaration to respondent.

13. On April 16, 2013, respondent approached Sandra Sanderson, a Madera County Program Assistant. Respondent asked Ms. Sanderson for a "favor." Respondent told Ms. Sanderson, he had just spoken with Ms. Ariz who stated she could not come to the DA's office to sign the declaration and asked respondent to have someone sign the declaration for Ms. Ariz. Sanderson signed Ariz's name to the April 16, 2013 declaration.

14. Ms. Ariz did not have any contact with respondent on April 16, 2013.

15. On April 16, 2013, the response to the motion to dismiss was filed, with the April 16, 2013 declaration of Mary Ariz attached.

16. On April 17, 2013, Ms. Ariz was contacted by respondent about a different case. While on the phone, respondent admitted to Ms. Ariz that he had forged her name on the April 16, 2013 declaration. Thereafter, Ms. Ariz went to respondent's office regarding another case and respondent showed Ms. Ariz the declaration signed April 16, 2013. Respondent told Ms. Ariz that, "he forged her name and did a pretty good job."

17. On May 9, 2013, Ms. Ariz was shown a copy of the April 16, 2013 declaration. Ms. Ariz stated she did not sign that declaration. Ms. Ariz further stated she did not give respondent or anyone else permission to sign her name on the declaration.

CONCLUSIONS OF LAW:

18. The facts and circumstances surrounding the above described violation involved moral turpitude and involved other misconduct warranting discipline.

ADDITIONAL FACTS RE AGGRAVATING CIRCUMSTANCES.

Intentional Misconduct (Std. 1.5(d)): Respondent's misconduct was intentional when he coerced his assistant, Sandra Sanderson, to sign the name of Mary Ariz on a declaration which was filed with the court.

Significant Harm to the Administration of Justice (Std. 1.5(f)): When respondent coerced his assistant, Sandra Sanderson, to forge the name of Mary Ariz on a declaration, respondent caused significant harm to the administration of justice. Although respondent did not misuse his position for financial gain as did the deputy attorney general in *In re Utz* (1989) 48 Cal.3d 468, 485, it is widely acknowledged the special position a prosecutor holds. "People who occupy prominent positions dealing with public confidence have a duty not to misuse their position and their power. . . The very appearance of it, the likelihood of it appearing, is a matter of public concern, interest, and they [the public] need to be protected from it." Respondent's misconduct goes to the integrity of the judicial system and the ability of the courts, the public, and the profession to rely on statements made under penalty of perjury.

ADDITIONAL FACTS RE MITIGATING CIRCUMSTANCES.

Pre-trial Stipulation: Respondent is entitled to mitigation for entering into a full stipulation with the Office of Chief Trial Counsel prior to trial, thereby saving State Bar Court time and resources. (*In the Matter of Downey* (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 151, 156; *In the Matter of Van Sickle* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 980, 993-994.)

No Prior Discipline (Std. 1.6(a)): Respondent practiced law for 20 years without discipline before the first instance of misconduct herein occurred. Respondent is entitled to mitigating credit for no prior discipline even where the underlying conduct is found to be serious or significant. (*In the Matter of Stamper* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 96, 106, fn.13.; *In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, 49.)

Good Character (Std. 1.6(f)): Respondent provided 17 good character declarations signed under penalty of perjury. These declarations are from the Tulare County District Attorney, Deputy District Attorneys, attorneys, church members, pastors, and members of the community who attest to respondent's good character and are fully aware of the misconduct.

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).)

Standard 2.11(c) provides that: “Disbarment or actual suspension is appropriate for final conviction of a misdemeanor involving moral turpitude.”

Here, respondent was convicted of violating Penal Code section 470(b) [Forgery], a misdemeanor when he coerced his assistant to sign Ms. Ariz’s name to the declaration. On August 27, 2014, the Review Department placed respondent on interim suspension because the forgery conviction involved moral turpitude. The present misconduct is serious and it is related to the practice of law. In aggravation, respondent’s misconduct was intentional and caused harm to the administration of justice. In mitigation, respondent has no prior record of discipline in 20 years of practice, entered into a pretrial stipulation acknowledging his misconduct, and provided evidence of good character in the form of 17 character declarations from a wide swath of the community including, the District Attorney of Tulare County, Deputy District Attorneys, pastors, church members, and members of the community. As such, a period of actual suspension recommended by the standard is appropriate.

Case law is informative in determining the appropriate level of discipline. As a Deputy District Attorney respondent held a special position of authority and violated the public trust and sanctity of the office when he committed the misconduct herein. In, *In re Bogart*, 9 Cal. 3d 743 (1973), respondent was convicted of three counts of grand theft and three counts of forgery. In that case, respondent was disbarred because the crimes involved moral turpitude and respondent presented no evidence in mitigation, was not candid in the criminal or disciplinary proceedings, and had violated the interim order of suspension entered on his conviction. The present case can be distinguished from *Bogart*. Respondent was convicted of a sole count of forgery, was candid during the criminal proceedings, admitted in his verified answer that he committed forgery, and provided substantial mitigation in the form of character declarations in addition to practicing law for 20 years without discipline before the misconduct occurred. As a result, disbarment is not appropriate in the present case.

Respondent’s post-misconduct actions evidence his willingness and ability to conform to ethical responsibilities required of attorneys. Guided by the applicable standards and in consideration of the

surrounding circumstances, the purposes of attorney discipline will be served by the imposition of a one year suspension, stayed, two years of probation, and a 90 day actual suspension.

COSTS OF DISCIPLINARY PROCEEDINGS.


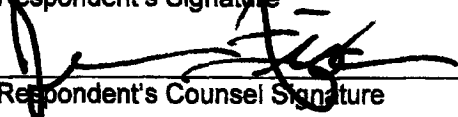
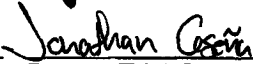
Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of January 14, 2015, the prosecution costs in this matter are \$2,447.00. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

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In the Matter of: EDMUND CHARLES GIL	Case number(s): 14-C-00180
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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.

1-15-15		Edmund C. Gil
Date	Respondent's Signature	Print Name
Jan 15, 2015		Jerome Fishkin
Date	Respondent's Counsel Signature	Print Name
1-16-15		Jonathan Cezzia
Date	Deputy Trial Counsel's Signature	Print Name

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In the Matter of: EDMUND CHARLES GIL	Case Number(s): 14-C-00180
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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

Feb 2, 2015



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 February 2, 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 San Francisco, 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:

SUSAN CHAN, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on February 2, 2015.



Bernadette C.O. Molina
Case Administrator
State Bar Court