State Bar Court of California Hearing Department Los Angeles ALTERNATIVE DISCIPLINE PROGRAM			
Counsel For The State Bar	Case Number (s)	(for Court's use)	
Millions Toold	14-C-03722		
William Todd		PUBLIC MATTER	
Deputy Trial Counsel 845 South Figueroa Street			
Los Angeles, California 90017-2515			
213-765-1491		FILED ,	
Bar # 259194		FEB 1 3 2015	
In Pro Per Respondent			
Oner Mark Atta			
Oren Mark Atias		STATE BAR COURT CLERK'S OFFICE	
9219 Spectrum Irvine, California 92618		SAN FRANCISCO	
949-281-6823			
343-201-0023			
	Submitted to: Program Judge		
Bar # 263534			
In the Matter Of:	STIPULATION RE FACTS AND CONCLUSIONS OF LAW		
OREN MARK ATIAS			
Bar # 263534	PREVIOUS STIPULATION REJECTED		
A Member of the State Bar of California (Respondent)			

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

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted May 28, 2009.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition (to be attached separately) are rejected or changed by the Supreme Court. However, except as otherwise provided in rule 804.5(c) of the Rules of Procedure, if Respondent is not accepted into the Alternative Discipline Program, this stipulation will be rejected and will not be binding on the Respondent or the State Bar.
- (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, except for Probation Revocation proceedings. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **b** pages, excluding 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."

(Stipulation form approved by SBC Executive Committee 9/18/2002. Rev. 1/1/2014.)



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- (6) 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.
- (7) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7 and will pay timely any disciplinary costs imposed in this proceeding.

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

- (1) **Prior record of discipline**
 - (a) 🗌 State Bar Court case # of prior case
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below:
- (2) Dishonesty: Respondent's misconduct was intentional, surrounded by, or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) Trust Violation: Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) Indifference: Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (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:

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 convincing proof of subsequent rehabilitation.
- (13) No mitigating circumstances are involved.

Additional mitigating circumstances:

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: OREN MARK ATIAS

CASE NUMBER: 14-C-03722

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 other misconduct warranting discipline.

Case No. 14-C-03722 (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 June 18, 2013, the Orange County District Attorney filed a criminal complaint in the Orange County Superior Court, case no. 13HM05340, charging Respondent with a one-count violation of Vehicle Code section 14601.2(a) [Driving on a Suspended License], a misdemeanor.

3. On June 21, 2013, the court entered Respondent's plea of guilty to the count of violation of Vehicle Code section 14601.2(a) [Driving on a Suspended License], a misdemeanor, and based thereon, the court found Respondent guilty of that count.

4. On June 21, 2013, the court ordered Respondent to serve 10 days in the Orange County Jail with three days credit for time served and three days credit for good conduct. The court also ordered Respondent to pay a \$500 fine plus penalty assessments, pay a mandatory state restitution fine of \$140, pay a \$40 court operations fee, and pay a \$30 criminal conviction assessment fee.

5. On August 6, 2014, the Review Department of the State Bar Court issued an order referring 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 offense(s) for which Respondent was convicted involved moral turpitude or other misconduct warranting discipline.

FACTS:

6. On May 31, 2013, Respondent was driving his vehicle westbound on Alton Parkway in Irvine, California at 925 p.m. An Irvine Police Department officer on patrol in the area watched as Respondent drove westbound in the number one lane, with his right turn signal flashing. The officer noticed that Respondent's vehicle lacked license plate lamps in violation of California Vehicle Code section 24252(a). The officer followed the vehicle until it turned into a nearby parking garage. After Respondent's vehicle entered the parking garage, the officer executed a traffic stop. During the stop, Respondent admitted that his driver's license was suspended after numerous prior DUIs, and the officer

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cited Respondent for violation of California Vehicle Code section 14601.2(a) [Driving on a Suspended License].

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CONCLUSIONS OF LAW:

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7. The facts and circumstances surrounding Respondent's May 31, 2013 offense involved misconduct warranting discipline.

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Case number(s):	
14-C-03722	
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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.

Oren Mark Atias Date Respondent's Signature Print Name

Date

Respondent's Counsel Signature 12-4-14

Deputy Trial Counsel's Signature

Print Name

William Todd Print Name

Date

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In the Matter of: OREN MARK ATIAS

Case Number(s): 14-C-03722

ALTERNATIVE DISCIPLINE PROGRAM ORDER

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

The stipulation as to facts and conclusions of law is APPROVED.

The stipulation as to facts and conclusions of law is APPROVED AS MODIFIED as set forth below.

All court dates in the Hearing Department 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; or 3) Respondent is not accepted for participation in the Program or does not sign the Program Contract. (See rule 5.58(E) & (F) and 5.382(D), Rules of Procedure.)

Jeb. 13,2015

Date

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PAT E. McELROY 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 February 13, 2015, I deposited a true copy of the following document(s):

STIPULATION RE FACTS AND CONCLUSIONS OF LAW

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:

OREN M. ATIAS 9219 SPECTRUM IRVINE, CA 92618

by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

by overnight mail at , California, addressed as follows:

- By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

William Todd, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on February 13, 2015.

22

George Hue Case Administrator State Bar Court