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ORIGINAL

State Bar Court of California
Hearing Department
Los Angeles
REPROVAL

PUBLIC MATTER

Counsel For The State Bar	Case Number(s):	For Court use only
Adriana M. Burger **Deputy Trial Counsel** **845 S. Figueroa Street** **Los Angeles, CA 90017** **(213) 765-1229** Bar # **92534**	**14-C-04072-WKM**	FILED JAN 22 2016 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
Counsel For Respondent **Dana Michael Cole** **1925 Century Park East** **Suite 2000** **Los Angeles, CA 90067** **(310) 556-8300** Bar # **89105**	Submitted to: **Assigned Judge** STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING	
In the Matter of: **WILLIAM LOREN DANZIGER** Bar # **245232** A Member of the State Bar of California (Respondent)	**PUBLIC REPROVAL** ☐ PREVIOUS STIPULATION REJECTED	

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 1, 2006**.

(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 **13** 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."

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(5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".

(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 (public reproval).
☐ Case ineligible for costs (private reproval).
☐ Costs are to be paid in equal amounts prior to February 1 for the following membership years: (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.

(9) The parties understand that:

(a) ☐ A private reproval imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproval was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.

(b) ☐ A private reproval imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

(c) ☒ A public reproval imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 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) ☐ **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.

(3) ☐ **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by misrepresentation.

(4) ☐ **Concealment:** Respondent's misconduct was surrounded by, or followed by concealment.

(5) ☐ **Overreaching:** Respondent's misconduct was surrounded by, or followed by overreaching.

(6) ☐ **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code or the Rules of Professional Conduct.

(7) ☐ **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.

(8) ☐ **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.

(9) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

(10) ☐ **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct, or to the State Bar during disciplinary investigations or proceedings.

(11) ☐ **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing.

(12) ☐ **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.

(13) ☐ **Restitution:** Respondent failed to make restitution.

(14) ☐ **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.

(15) ☒ **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standards 1.2(i) & 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 likely to recur.

(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 or to the State Bar during disciplinary investigations and proceedings.

(4) ☐ **Remorse:** Respondent promptly took objective steps demonstrating spontaneous 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 objectively 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. **Please see attachment, page 9.**

(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.

Additional mitigating circumstances:

No Prior Discipline: Please see attachment page 8.
Pretrial Stipulation: Please see attachment page 9.

D. Discipline:

(1) ☐ **Private reproval (check applicable conditions, if any, below)**

(a) ☐ Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).

(b) ☐ Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

(2) ☒ **Public reproval (Check applicable conditions, if any, below)**

E. Conditions Attached to Reproval:

(1) ☒ Respondent must comply with the conditions attached to the reproval for a period of **one (1) year**.

(2) ☒ During the condition period attached to the reproval, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.

(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 condition period attached to the reproval. 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 the reproval during the preceding calendar quarter. Respondent must also state in each report 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 (thirty) days, that report must be submitted on the next following 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 condition period and no later than the last day of the condition period.

(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 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 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 conditions attached to the reproval.

(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) ☒ 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 of the effective date of the reproval.

☐ No MPRE recommended. Reason: .

(11) ☐ 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:

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: WILLIAM LOREN DANZIGER

CASE NUMBERS: 14-C-04072-WKM

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-04072 WKM (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 November 13, 2014, the Los Angeles County District Attorney filed a complaint in Los Angeles Superior Court, case number LA078334, charging respondent with one count of violation of Penal Code section 422(a), Criminal Threats Against Another, a felony. The complaint further alleged that in the commission of the offenses, respondent caused the victim to feel fear of her safety, within the meaning of Penal Code section 1192.7(c).

3. On May 1, 2015, pursuant to a plea agreement and on the District Attorneys' motion, the court amended the complaint, reduced the count of violation of Penal Code section 422(a), Criminal Threats Against Another, to a misdemeanor, and dismissed the allegation of Penal Code section 1192.7(c). Respondent then pled nolo contendere to the amended complaint, a misdemeanor violation of Penal Code section 422(a). On the same date, the court entered respondent's plea of nolo contendere to the count of violation of Penal Code section 422(a), Criminal Threats Against Another, a misdemeanor, and based thereon, found respondent guilty of that count.

4. On, May 1, 2015, the court imposed sentence upon respondent as follows: Respondent was placed on summary probation for three years with conditions that Respondent pay a $70 fine; stay away from the victim; complete mental health treatment as directed by the court; and report to the court on August 7, 2015, on the progress of the mental health treatment.

5. On September 3, 2015, 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 the Hearing Department finds that the facts and circumstances surrounding the offense(s) for which respondent was convicted involved moral turpitude or other conduct warranting discipline.

FACTS:

6. On June 4, 2014, at approximately 5:00 a.m., Ms. X was walking through a parking lot located at Westward Beach, Malibu, California. At this time, the respondent was at his automobile, with his back towards Ms. X, organizing his fishing gear to prepare to go to the Malibu Pier to fish. Ms. X walked towards respondent and asked respondent "How's the fishing?" Startled, the respondent turned around and stated to Ms. X, "What the f**k do you care you crazy b**ch!"

7. Ms. X and respondent then started exchanging verbal insults. Ms. X told respondent that he was a "little pr**k." Respondent then pulled his pants down and stated to Ms. X, "I got your little pr**k right here, lick it."

8. The two continued to argue and exchange verbal insults. Respondent told Ms. X to leave him alone, that he had a gun, and he would shoot her. Respondent then began chasing Ms. X with a taser gun.

9. Ms. X then ran to an employee at the beach and requested that the employee call the police.

10. The police subsequently arrived and questioned respondent and Ms. X. Respondent was confused and incoherent. The police conducted a pat down search of respondent and found a taser gun in respondent's pocket. Respondent was arrested for violation of Penal Code section 422(a), criminal threats against another.

CONCLUSIONS OF LAW:

11. The facts and circumstances surrounding respondent's conviction do not involve moral turpitude, but do involve other conduct warranting discipline.

AGGRAVATING CIRCUMSTANCES.

None

MITIGATING CIRCUMSTANCES.

No Prior Discipline:

Respondent has been in practice since December 1, 2006, approximately nine (9) years. Respondent was in practice for approximately eight (8) years prior to the misconduct in this matter. Respondent has no prior record of discipline. In the case entitled *In the Matter of* Aguiluz (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 32, Aguiluz was entitled to receive slight mitigation after Aguiluz had been practicing for over seven (7) years without any prior discipline. Respondent's approximately eight years of discipline-free practice prior to the present misconduct entitles respondent to slight mitigation.

Extreme Emotional and Mental Disabilities (Std. 1.6(d)):

In 1990, a Psychiatrist ("Psychiatrist A"), who was board certified, diagnosed respondent as having depression with manic episodes, as a reaction to the prescription drug Larium, which had been previously prescribed to respondent as a prophylaxis treatment to prevent malaria while travelling. From 1990 to March 2015, respondent received periodic and regular medical care, including medications and therapy, regarding his disorder from Psychiatrist A, who stated that respondent's disorder can be effectively treated with medication and therapy. In June 2014, the period of the misconduct, respondent experienced intense irritability accompanied by poor judgment and loss of impulse control, which Psychiatrist A described as a post-manic depressive episode and which likely caused respondent's misconduct in June 2014.

Around March 2015, respondent relocated to live with a family member, far from Psychiatrist A. In the same month, respondent began treatment with a second psychiatrist ("Psychiatrist B") and a licensed marriage and family therapist, with the goal of controlling the impulsive characteristic of respondent's disorder.

In a report dated November 5, 2015, Psychiatrist B stated that in March 2015, she diagnosed respondent with Bipolar Affective Disorder, Current Episode Depression, a disorder that causes impulsive reactions to relatively benign external stimulation or noises. Psychiatrist B further stated that respondent's condition was likely present on June 4, 2014, the date of respondent's misconduct. Respondent has an appointment to see Psychiatrist B on February 1, 2016. Psychiatrist B further stated that respondent will continue medical and therapeutic treatment for the remainder of his life. She also stated that respondent attends therapeutic counseling with his licensed therapist, and that respondent is receiving therapeutic medications. Respondent is also required to regularly visit Psychiatrist B for his medical evaluations and to renew his medications.

Concerning respondent's therapeutic counseling, between March 2015 and October 2015, respondent has had 13 one-hour therapeutic sessions with his licensed therapist. In a report by the therapist dated October 13, 2015, the family and marriage therapist stated that respondent is receiving regular therapy and treatment and that respondent has cooperated in his treatment. Psychiatrist B and respondent's family and marriage therapist, have stated in reports dated October 13, 2015, and November 5, 2015, respectively, that respondent's emotional and medical condition no longer pose a risk that respondent will commit future misconduct as long as respondent continues his medications, and treatments. See, *In the Matter of Deierling* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 552, 560-561, where the court held that an attorney was entitled mitigation credit for his disability and illness, which is related to the misconduct, in the absence of complete rehabilitation, if steady progress towards rehabilitation has been shown. In the *Deierling* matter, mitigation for disability and illness was properly applied after Deierling showed that his marijuana use and alcohol abuse led in part to his criminal activity, and that he had undertaken a program of steady progress toward rehabilitation, and had successfully dealt with his addiction and maintained sobriety.

Pretrial Stipulation:

Respondent has acknowledged his misconduct by entering into this disciplinary stipulation. Respondent is therefore entitled to mitigating credit for saving the State Bar significant resources and time. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigating credit was given for entering into a stipulation as to facts and culpability]; *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521).

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).)

In this matter respondent was convicted of a violation of California Penal Code section 422(a) (Criminal Threats Against Another), a misdemeanor after respondent chased the Ms. X with a taser after a protracted verbal exchange and inappropriate disrobing by respondent. The court imposed sentence upon respondent consisting of summary probation for three years with conditions that Respondent pay a $70 fine; stay away from the Ms. X; complete mental health treatment as directed by the court.

Respondent's culpability in these proceedings is conclusively established by respondent's plea of *nolo contendre* and conviction of the crime. (Business and Professions Code section 6101(a); *In re Gross* (1983) 33 Cal.3d 561.)

Standard 2.16(b) applies to this matter and provides that "[s]uspension or reproval is the presumed sanction for final conviction of a misdemeanor not involving moral turpitude but involving other misconduct warranting discipline."

The facts and circumstances surrounding respondent's conviction do not involve moral turpitude and were not associated with the respondent's practice of law or any of his clients. The act of moral turpitude was defined in *In re Craig* (1938) 12 Cal.2d 93, 97 as "[An] act of baseness, vileness or depravity in the private and social duties which a man owes to his fellowmen, or to society in general,

contrary to the accepted and customary rule of right and duty between man and man." Additionally, the Supreme Court has stated that moral turpitude is a "commonsense" standard (*In re Mostman* (1989) 47 Cal.3d 725, 738) with its purpose to protect the public and the legal community against unsuitable practitioners. (*In re Scott* (1991) 52 Cal.3d 968, 978.) In *In re Larkin* (1989) 48 Cal.3d 236, the attorney's misdemeanor convictions for violating Penal Code section 245(a)(1) (assault with a deadly weapon) and 182 (conspiracy to commit assault with a deadly weapon) were found to constitute other misconduct warranting discipline. Larkin, angry at his former wife, sought and obtained his former wife's boyfriend's personal information and address. Larkin then conspired with his client, to encounter the boyfriend and dissuade the boyfriend from socializing with his former wife. Larkin's client, along with another person, confronted the boyfriend and assaulted the boyfriend with a flashlight, causing injury to the boyfriend. Larkin was charged with violating Penal Code sections 245(a)(1) and 182, both felonies. The charges were later reduced by the court to misdemeanors and Larkin was convicted of the two misdemeanor charges. The California Supreme Court found that Larkin's criminal convictions involved other misconduct warranting discipline. Similarly, respondent's conviction consisting of the criminal threats against the victim and the behaviors surrounding the misconduct is unlawful and inappropriate. Nevertheless, measured by the definition of moral turpitude in *Craig, supra*, the facts and circumstances concerning respondent's misconduct, consisting of threats against the victim, and respondent's disrobing, does not constitute moral turpitude but does constitute other misconduct warranting discipline.

Respondent misconduct is unbecoming of an attorney and contrary to what is expected of attorneys. Fortunately, no one was injured by respondent's acts. Respondent displayed poor judgment by engaging in this behavior. In mitigation, respondent has approximately eight years of discipline-free practice prior to the present misconduct; for which respondent is entitled to slight mitigation. Respondent also is entitled to mitigation for physical and emotional difficulties due to respondent's diagnosis of Bipolar Affective Disorder, Current Episode Depression, which respondent suffered from at the time of the misconduct in this matter. Concerning respondent's emotional and medical mitigation, respondent has undertaken a program of steady progress toward rehabilitation, consisting of bi-weekly therapy and regular medical monitoring, with medications, for which respondent has maintained for his mental health. Also in mitigation, Respondent has acknowledging his misconduct by entering into this stipulation to resolve this matter. Nevertheless, discipline is warranted in this matter. The misconduct warrants discipline consisting of a public reproval.

The level of discipline, in the instant matter, is also supported by case law. In the case entitled *In re* Hickey (supra), Hickey struck his wife on the head with a gun, at a nightclub, Later the same evening, after returning home, Hickey's wife took refuge with a neighbor and called the police due to further threatening behavior by Hickey, only for his wife to turn the police away, as she had not been harmed. Shortly after, Hickey, again threatened his wife who again contacted the police. When the police arrived at the scene, and confronted Hickey, Hickey had a loaded firearm in his waistband. The police arrested Hickey and he was convicted of carrying a concealed weapon in violation of Penal Code section 12025(b). The court imposed discipline consisting of a three-year stayed suspension, three years' probation with conditions including 30-days actual suspension. The misconduct in the instant case is much less egregious than that of the attorney in Hickey. Here although respondent engaged in a verbal altercation, exposed himself, and then chased Ms. X with a taser, respondent caused no physical harm to the victim.

The present case is less serious than *Hickey* and warrants a lower level of discipline. The facts and circumstances surrounding the misdemeanor conviction indicate respondent's reaction to the Ms. X was disproportional and unnecessary. However, respondent has mitigating circumstances consisting of

no prior discipline preceding the misconduct in this matter; emotional and medical difficulties, and acknowledgment of his misconduct by entering into this stipulation to promptly resolve this matter.

In consideration of the foregoing, a level of discipline consisting of a Public Reproval will best serve the goals of protection of the public, the courts, and the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of January 6, 2016, the prosecution costs in this matter are $2,507.00. 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.

EXCLUSION FROM MCLE CREDIT

Pursuant to rule 3201, respondent may not receive MCLE credit for completion of State Bar Ethics School, to be ordered as a condition of reproval or suspension. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: WILLIAM LOREN DANZIGER	Case number(s): 14-C-04072

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.

1/8/16		WILLIAM LOREN DANZIGER
Date	Respondent's Signature	Print Name
1/8/16		DANA MICHAEL COLE
Date	Respondent's Counsel Signature	Print Name
1-12-16		ADRIANA M. BURGER
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter of: WILLIAM LOREN DANZIGER	Case Number(s): 14-C-04072-WKM

REPROVAL ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproval, 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 REPROVAL IMPOSED.

☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.

☐ 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. (See rule 5.58(E) & (F), Rules of Procedure.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

Failure to comply with any conditions attached to this reproval may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

January 22, 2016
Date

W. Kearse McGill
W. KEARSE MCGILL
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 22, 2016, 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:

DANA MICHAEL COLE
COLE & LOETERMAN
1925 CENTURY PARK E STE 2000
LOS ANGELES, CA 90067

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

Adriana M. Burger, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 22, 2016.

Julieta E. Gonzales
Case Administrator
State Bar Court