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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
Counsel For The State Bar Sherell N. McFarlane Deputy Trial Counsel 845 South Figueroa Street Los Angeles, CA 90017 (213) 765-1288 Bar # 217357	Case Number(s): 14-H-02421-PEM	For Court use only <div style="text-align: center;"> PUBLIC MATTER </div> <div style="text-align: center;"> FILED <i>[Signature]</i> NOV 21 2014 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO </div>
In Pro Per Respondent Robert Duane Kawamura Kawamura Law Office 320 Ward Avenue, Suite 201 Honolulu, HI 96814 (808) 523-3777 Bar # 128730	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: ROBERT DUANE KAWAMURA Bar # 128730 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 **June 23, 1987**.
- (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 **11** 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".
- (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: (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 **13-J-10040. For more information regarding respondent's prior discipline, see Stipulation Attachment at page 8.**
 - (b) ☒ Date prior discipline effective **August 2, 2013**
 - (c) ☒ Rules of Professional Conduct/ State Bar Act violations: **Rules of Professional Conduct, rule 1-110.**
 - (d) ☒ Degree of prior discipline **Private reproof with conditions for one year.**
 - (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. **See Stipulation Attachment at page 8.**
- (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:

Pretrial Stipulation. 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:
- (b) ☒ The above-referenced suspension is stayed.

(2) ☒ **Probation:**

Respondent must be placed on probation for a period of **two (2) 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 **ninety (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: **Respondent resides in another jurisdiction. A comparable alternative to Ethics School is provided in section F below.**
- (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:
- | | |
|---|---|
| <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 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:
- (5) ☒ **Other Conditions:**

Other Probation Condition

As a further condition of probation, because respondent lives out of state, respondent must either 1) attend a session of State Bar Ethics School, pass the test given at the end of that session, and provide proof of same satisfactory to the Office of Probation within one (1) year of the effective date of the discipline herein; or 2) complete six (6) hours of live, in-person Minimum Continuing Legal Education ("MCLE") approved courses in legal ethics offered through a certified MCLE provider in Hawaii or California and provide proof of same satisfactory to the Office of Probation within one (1) year of the effective date of the discipline.

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: ROBERT DUANE KAWAMURA

CASE NUMBER: 14-H-02421-PEM

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 14-H-02421-PEM

FACTS:

1. On July 18, 2013, the State Bar Court filed a Stipulation Re Facts, Conclusions of Law and Disposition and Order Approving in case number 13-J-10040, in which the State Bar administered a private reproof to respondent with conditions for one year ("reproof"). The reproof was effective on August 2, 2013.
2. As a condition of his reproof, respondent was required to submit to the Office of Probation written quarterly reports in which he was required to state under penalty of perjury whether he had complied with the State Bar Act, the Rules of Professional Conduct, and all conditions attached to his private reproof during the preceding calendar quarter. The quarterly reports were due each January 10, April 10, July 10 and October 10 during the period of reproof.
3. Respondent failed to timely submit to the Office of Probation the quarterly report that was due on October 10, 2013. Respondent's quarterly report due on October 10, 2013 was filed late on October 29, 2013.
4. Respondent failed to timely submit to the Office of Probation the quarterly report that was due on January 10, 2014. Respondent's quarterly report due on January 10, 2014 was filed late on March 13, 2014.
5. Respondent failed to submit to the Office of Probation the quarterly report that was due on April 10, 2014.
6. Respondent failed to submit to the Office of Probation the quarterly report that was due on July 10, 2014.
7. As a condition of his reproof, respondent was required to submit proof of completion of six hours of Minimum Continuing Legal Education ("MCLE") courses in ethics or law practice management to the Office of Probation within six months of the effective date of the discipline or by February 13, 2014.

8. Respondent failed to submit proof of completion of six hours of MCLE courses in ethics or law practice management to the Office of Probation by February 13, 2014, or at any time thereafter.

9. As a condition of his reproof, respondent was required to submit to the Office of Probation a written final report in which he was required to state under penalty of perjury whether he had complied with the State Bar Act, the Rules of Professional Conduct, and all conditions attached to his private reproof during the period of July 1, 2014 through August 13, 2014. The final report was due on August 13, 2014.

10. Respondent failed to submit to the Office of Probation the final report that was due on August 13, 2014.

11. As a condition of his reproof, respondent was required to submit proof of completion of the Multistate Professional Responsibility Examination ("MPRE") to the Office of Probation by August 13, 2014.

12. Respondent failed to submit proof of completion of the MPRE to the Office of Probation by August 13, 2014.

CONCLUSIONS OF LAW:

13. By failing to timely submit two quarterly reports by their due dates, by failing to submit two additional quarterly reports by their due dates or at any time thereafter, by failing to submit a final report by its due date or at any time thereafter, by failing to submit proof of completion of six hours of MCLE courses in ethics or law practice management to the Office of Probation by February 13, 2014 or at any time thereafter, and by failing to submit proof of completion of the MPRE to the Office of Probation by August 13, 2014, respondent failed to comply with conditions attached to respondent's reproof in willful violation of rule 1-110 of the Rules of Professional Conduct.

AGGRAVATING CIRCUMSTANCES.

Prior Record of Discipline (Std. 1.5(a)): In case number 13-J-0040, respondent received a private reproof with conditions for one year. The discipline was effective on August 2, 2013. This discipline was imposed as a result of discipline imposed on respondent in the State of Hawaii for professional misconduct in that jurisdiction. Respondent's misconduct in the other jurisdiction occurred from June 2004 through May 2006, and involved a single client matter. In that matter, respondent failed to take any steps to prosecute a client's civil suit and a subsequent appeal after default was entered due to respondent's non-performance on behalf of the client. Respondent stipulated that his misconduct in the other jurisdiction would have constituted a violation of rule 3-110(A) of the Rules of Professional Conduct (failing to perform legal services with competence) had the misconduct occurred in California. Respondent received credit in mitigation for 17 years of discipline-free practice and for entering into a pretrial stipulation.

Multiple Acts of Misconduct (Std. 1.5(b)): Respondent's misconduct in the present matter involves multiple acts of professional misconduct in that respondent has failed to comply with numerous conditions attached to respondent's reproof.

MITIGATING CIRCUMSTANCES.

Pretrial Stipulation: Respondent has stipulated to facts, conclusions of law, and disposition in order to resolve his disciplinary proceedings prior to trial, thereby avoiding the necessity of a trial and saving State Bar and 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].) By entering into this stipulation, respondent has accepted responsibility for his 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 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).)

Standard 2.10 applies to respondent’s violation of rule 1-110 of the Rules of Professional Conduct. Standard 2.10 provides that “[a]ctual suspension is appropriate for failing to comply with a condition of discipline. The degree of sanction depends on the nature of the condition violated and the member’s unwillingness or inability to comply with disciplinary orders.” Here, respondent failed to timely submit two quarterly reports by their due dates, and thereafter failed to comply with the remaining conditions of his reproof.

Due consideration must also be given to Standard 1.8(a), which states when a “member has a single prior record of discipline, the sanction must be greater than the previously imposed sanction unless the prior discipline was so remote in time and the previous misconduct was not serious enough that imposing greater discipline would be manifestly unjust.” Respondent’s prior reproof was effective on August 2, 2013 and is therefore not remote. Nor can it be said that respondent’s prior misconduct was not serious. Accordingly, the current discipline must be greater than respondent’s prior private reproof.

Respondent's misconduct in the present matter is aggravated by a prior record of discipline and multiple acts of misconduct. Respondent is entitled to credit in mitigation for entering into this pretrial stipulation. However, this mitigation is not compelling and does not outweigh the aggravating factors. Therefore, in order to protect the public, the courts and the legal profession, to maintain the highest professional standards, and to preserve public confidence in the legal profession, a discipline consisting of a period of actual suspension from the practice of law as set forth herein is appropriate.

Case law also supports this result. In *Conroy v. State Bar* (1990) 51 Cal. 3d 799, 806, the attorney who violated a condition (completion of the MPRE within one year from the effective date of discipline) attached to his private reproof was suspended from the practice of law for one year, the suspension was stayed, and he was placed on probation for one year with various conditions including an actual suspension of sixty days. The attorney in *Conroy* failed to participate in the underlying disciplinary proceedings despite numerous opportunities to do so and his default was subsequently entered. In adopting the discipline recommended by the Review Department, the Supreme Court noted that it was "extremely troubled" by the attorney's "failure to appreciate the seriousness of the charges in the instant proceeding or to comprehend the importance of participating in the disciplinary proceedings . . . Despite numerous efforts by State Bar personnel to notify him of impending events and the consequences of nonappearance, petitioner remained unresponsive, totally ignoring his obligation to attend the hearing and explain his actions." (*Id.* at pp. 805-806; citations omitted.)

The Court further noted that the attorney, "by implying . . . that his misconduct constituted a mere technical lapse . . . evinces a lack of understanding of the gravity of his earlier misdeeds and the import of the State Bar's regulatory functions. (*Id.* at p. 806.) Like the attorney in *Conroy*, respondent by his conduct demonstrates that he fails to appreciate and comprehend the importance of complying with the terms of his discipline and evinces a fundamental lack of understanding of the gravity of his earlier misdeeds. The attorney in *Conroy* violated only one condition of his reproof and belatedly brought himself into compliance, while respondent has violated numerous conditions of his reproof and has not brought himself into compliance. Accordingly, a longer period of actual suspension than the 60-day actual suspension imposed in *Conroy* is appropriate in the current matter.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of October 23, 2014, the prosecution costs in this matter are \$5,600. 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 the ethics courses ordered as a result of his suspension. (Rules Proc. of State Bar, rule 3201.)

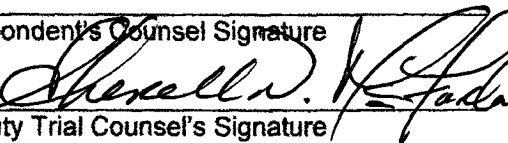
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In the Matter of: Robert Duane Kawamura	Case number(s): 14-H-02421-PEM
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SIGNATURE OF THE PARTIES

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.

Date	10-31-14		Robert Duane Kawamura
		Respondent's Signature	Print Name

Date	November 4, 2014		Sherell N. McFarlane
		Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter of:
Robert Duane Kawamura

Case Number(s):
14-H-02421-PEM

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

NOVEMBER 20, 2014


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 San Francisco, On November 21, 2014, 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:

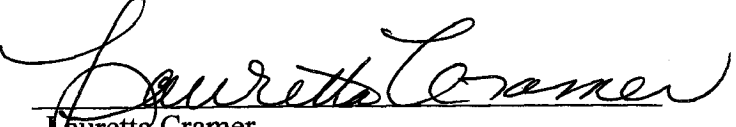
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

ROBERT D. KAWAMURA
KAWAMURA LAW OFFICE
320 WARD AVE STE 201
HONOLULU, HI 96814

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

Sherell N. McFarlane, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on November 21, 2014.


Laurretta Cramer
Case Administrator
State Bar Court