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State Bar Court of California
Hearing Department
Los Angeles
STAYED SUSPENSION

PUBLIC MATTER

<p>Counsel For The State Bar</p> <p>William Todd Deputy Trial Counsel 845 South Figueroa Street Los Angeles, California 90017-2515 213-765-1491</p> <p>Bar # 259194</p>	<p>Case Number(s): 14-J-02524</p>	<p>For Court use only</p> <p>FILED AUG 15 2014 P.B. STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>In Pro Per Respondent</p> <p>Steven M. McCarthy POB 3524 DeLand, Florida 32721 386-736-8668</p> <p>Bar # 85433</p>	<p>Submitted to: Settlement Judge</p>	
<p>In the Matter of: STEVEN MICHAEL McCARTHY</p> <p>Bar # 85433</p> <p>A Member of the State Bar of California (Respondent)</p>	<p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>STAYED SUSPENSION; NO ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</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 **May 31, 1979**.
- (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)

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- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- Costs are added to membership fee for calendar year following effective date of discipline.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: **the three billing cycles immediately following the Supreme Court order in this matter.** (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure). If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

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

- (1) **Prior record of discipline**
- (a) State Bar Court case # of prior case
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."
- (2) **Dishonesty:** Respondent's misconduct was intentional, surrounded by, or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (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. **Please see "Attachment to Stipulation," at page 9.**

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

Additional aggravating circumstances

Please see "Lack of Insight," 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.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

(Do not write above this line.)

Additional mitigating circumstances

Please see "No Prior Discipline," at page 9.

Please see "Pre-Filing Stipulation," 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:

The above-referenced suspension is stayed.

(2) **Probation:**

Respondent is 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.)

E. Additional Conditions of Probation:

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

(2) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.

(3) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.

(4) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

(5) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.

- (6) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (7) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the State Bar Ethics School, and passage of the test given at the end of that session.
 - No Ethics School recommended. Reason: **Please see section "F (2)" below.**
- (8) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (9) The following conditions are attached hereto and incorporated:
 - 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 within one year. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**

No MPRE recommended. Reason:

- (2) **Other Conditions:**

As a condition of Respondent's probation and in lieu of attending State Bar Ethics School (which would require Respondent to return to California from his current home in Oregon), Respondent shall complete 12 hours of continuing legal education in legal ethics within one year of the effective date of this stipulation and provide proof, in writing, to the Office of Probation within 30 days thereafter. This requirement is separate from any MCLE requirement, and Respondent will not receive any MCLE credit for attending these courses (Rule 3201, Rules of Procedure of the State Bar).

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: STEVEN MICHAEL McCARTHY

CASE NUMBER: 14-J-02524

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-J-02524 (Discipline in Other Jurisdiction)

PROCEDURAL BACKGROUND IN OTHER JURISDICTION:

1. On May 1, 2008, Respondent was admitted to the practice law in the State of Oregon.

2. Following an Oregon State Bar disciplinary hearing on July 25-26, 2012, the trial panel which presided over the hearing filed an opinion on October 5, 2012. That opinion concluded that the Oregon State Bar proved, by clear and convincing evidence, that Respondent committed violations of Oregon Rules of Professional Conduct rules 1.1 [failure to provide a client with competent representation], 1.4(a) [failure to comply with client's reasonable requests for information], 1.4(b) [failure to explain matters to a client to the extent reasonably necessary to allow the client to make informed decisions] and 1.15-1(c) [failure to deposit fees paid in advance by a client into a lawyer trust account and withdraw them only as earned, or as expenses incurred].

3. On January 16, 2014, the Supreme Court of the State of Oregon filed Order S060882 suspending Respondent from the practice of law for 90 days for the violations described in the trial panel opinion. Thereafter, the order of the Oregon Supreme Court became final.

4. The disciplinary proceeding in the other jurisdiction provided fundamental constitutional protection.

FACTS FOUND IN OTHER JURISDICTION:

5. In June of 2008, a mortgage lender initiated foreclosure procedures against Dottie Robertson regarding two properties. As a result of her search for assistance with the foreclosures, Robertson was eventually referred to Respondent.

6. On July 9, 2008, Robertson hired Respondent to represent Robertson in non-judicial foreclosure proceedings filed against her in June of 2008. Robertson paid Respondent \$3,000 in fees shortly after hiring him as advanced fees toward Respondent's representation.

7. On August 12, 2008, Respondent filed a complaint on Robertson's behalf ("Robertson complaint") in the Deschutes County Circuit Court in the state of Oregon against Robertson's mortgage lender and several other defendants. The complaint alleged violations of the Truth in Lending Act

("TILA"), the Real Estate Settlement Procedures Act ("RESPA"), and various other contract and tort claims.

8. At the time Respondent filed the Robertson complaint, Respondent had no prior experience with TILA or RESPA matters, and he did not read the complete TILA or RESPA statutes before filing the complaint, choosing instead to rely upon sample pleadings. Prior to filing the lawsuit, Respondent did not know that filing a lawsuit against Robertson's mortgage lender exposed Robertson to a deficiency judgment in excess of \$500,000, and Respondent did not warn Robertson of the potential for a deficiency judgment.

9. On September 9, 2008, Robertson attempted to contact Respondent via e-mail, seeking information about Robertson's case. Respondent received the e-mail but did not respond, and on October 20, 2008, Robertson sent an additional e-mail. Respondent received this e-mail, and did reply with an update on the Robertson complaint.

10. On January 30, 2009, Robertson again requested an update on her case. Respondent received the e-mail. On February 5, 2009, Respondent replied to Robertson by e-mail, and advised her for the first time that the suit he filed on her behalf exposed Robertson to a deficiency judgment. Robertson responded with a request to discuss the matter, but Respondent did not respond to that request.

11. In April 2009, Respondent received letters from counsel for several of the defendants in the Robertson complaint regarding service of the Robertson complaint and various alleged defects within the complaint. Respondent did not respond to those letters, and did not amend the complaint.

12. Robertson ultimately resolved her dispute with her mortgage lender in September 2009, acting on her own behalf without Respondent's involvement in either the settlement negotiations that immediately preceded the resolution. Robertson entered into a settlement agreement dismissing her claims against her mortgage lender on October 9, 2009, again without Respondent's involvement.

13. Though Respondent ceased all communications with Robertson by early July 2009, he continued to represent Robertson until dismissing her remaining claims in April 2010, having failed to serve any of the defendants identified in the August 2008 complaint.

14. Oregon Rules of Professional Conduct rule 1.1, failure to provide a client with competent representation, is analogous to California Rules of Professional Conduct rule 3-110(A), which states that a member shall not intentionally, recklessly, or repeatedly fail to perform legal services with competence.

15. Oregon Rules of Professional Conduct rules 1.4(a), failure to comply with client's reasonable requests for information, and 1.4(b), failure to explain matters to a client to the extent reasonably necessary to allow the client to make informed decisions, are analogous to California Business and Professions Code section 6068(m), which requires all members to respond promptly to reasonable status inquiries of clients and to keep clients reasonably informed of significant developments in matters with regard to which the attorney has agreed to provide legal services.

16. Oregon Rules of Professional Conduct rule 1.15-1(c), failure to deposit fees paid in advance by a client into a lawyer trust account and withdraw them only as earned, or as expenses incurred, is not analogous to any rule found in the California Rules of Professional Conduct or the Business and Professions Code.

CONCLUSION OF LAW:

17. As a matter of law, Respondent's culpability of professional misconduct determined in the proceeding in Oregon warrants the imposition of discipline under the laws and rules binding upon Respondent in the State of California at the time Respondent committed the misconduct in the other jurisdiction, pursuant to Business and Professions Code section 6049.1, subdivision (a).

AGGRAVATING CIRCUMSTANCES.

Multiple Acts of Misconduct (Std. 1.5(b)): Respondent committed multiple acts of misconduct during his representation of Robertson.

Additional Aggravating Circumstances:

Lack of Insight into Misconduct: Respondent initially argued that his conduct in the Robertson matter was not worthy of discipline, and he questioned the motives behind the Oregon State Bar's disciplinary action against him. Although the law does not require false penitence, it does require that the attorney who committed misconduct appreciate his culpability. (See *In re Aquino* (1989) 49 Cal.3d 1122, at 1133.) Though Respondent now appears to appreciate his culpability, his initial resistance is an aggravating factor.

MITIGATING CIRCUMSTANCES.

Additional Mitigating Circumstances:

No Prior Discipline: Respondent has no prior record of discipline in the 29 years of practice preceding his misconduct. Even though the misconduct here is serious, Respondent is entitled to some weight in mitigation. (See *In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, 49 [attorney's practice of law for more than 17 years considered to be mitigating circumstance even the misconduct at issue is serious].)

Pre-Filing Stipulation: By entering into a pre-filing, dispositive stipulation, Respondent has spared State Bar Court time and resources. (See *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].)

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 Silvertan* (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).)

The sanction applicable to Respondent’s misconduct is found in Standard 2.5(c). Standard 2.5(c) provides that reproof is appropriate for failing to perform legal services or properly communicate in a single client matter.

Here, Respondent’s conduct violated Rules of Professional Conduct rule 3-110(A) by failing to perform competently in a client matter. Respondent also violated Business and Professions Code section 6068(m) by failing to communicate with the client in the same client matter. Respondent’s misconduct is aggravated by multiple acts of misconduct, a lack of insight into his misconduct and the fact that Robertson was left to resolve her matter on her own, without Respondent’s involvement in her settlement. At the same time, Respondent’s misconduct is mitigated by his 29 years of discipline-free practice prior to his misconduct and his willingness to enter into a pre-filing, dispositive stipulation.

As a result of Respondent both failing to perform and failing to communicate in this matter, and the effect of the aggravating and mitigating factors, reproof is insufficient to address the purposes of attorney discipline. Therefore, the appropriate level of discipline includes a one-year suspension, stayed, with two years’ probation and standard conditions. However, the State Bar Ethics School requirement is replaced with 12 hours of continuing legal education in ethics since Respondent currently lives outside the state of California, which makes attendance at State Bar ethics school excessively burdensome. Respondent must also take and pass the Multistate Professional Responsibility Examination within one year of the effective date of the discipline. This level of discipline is appropriate given the facts of this matter, and will serve the purposes of discipline, which include the protection of the public, the courts and the legal profession, and will help to maintain high professional standards for attorneys.

This level of discipline is also consistent with prior cases. In *Layton v. State Bar* (1990) 50 Cal.3d 889, the Supreme Court ordered 30 days’ actual suspension for an attorney who repeatedly failed in the administration of an estate for which he was an executor, eventually resulting in his removal as executor. Both the attorney in *Layton* and this Respondent had nearly three decades of discipline free practice at the time of the misconduct, and both had multiple aggravating factors. Ultimately though, Respondent’s misconduct is less severe than that in *Layton*, and requires a slightly less severe level of discipline.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of July 7, 2014, the prosecution costs in this matter are \$2,992. Respondent further acknowledges that

should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

EXCLUSION FROM MCLE CREDIT

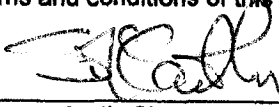
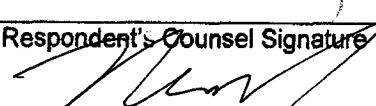
Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of the educational course(s) to be ordered as a condition of suspension. (Rules Proc. of State Bar, rule 3201.)

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In the Matter of: STEVEN MICHAEL MCCARTHY	Case number(s): 14-J-02524
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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.

<u>7/25/2014</u> Date	 Respondent's Signature	<u>Steven M. McCarthy</u> Print Name
<u>7/31/14</u> Date	 Respondent's Counsel Signature	<u>William Todd</u> Print Name
<u>7/31/14</u> Date	<u>William Todd</u> Deputy Trial Counsel's Signature	<u>William Todd</u> Print Name

(Do not write above this line.)

In the Matter of:
STEVEN MICHAEL McCARTHY

Case Number(s):
14-J-02524

STAYED SUSPENSION ORDER

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

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

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.)**

August 15, 2014
Date


GEORGE E. SCOTT, JUDGE PRO TEM
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on August 15, 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 Los Angeles, California, addressed as follows:

**STEVEN MICHAEL MCCARTHY
POB 3524
DELAND, FL 32721**

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

William S. Todd, Enforcement, Los Angeles

Terrie Goldade, Probation, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 15, 2014.



Paul Barona
Case Administrator
State Bar Court