



ORIGINAL

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

Counsel For The State Bar Heather E. Abelson Deputy Trial Counsel 180 Howard Street San Francisco, CA 94105-1639 (415) 538-2357 Bar # 243691	Case Number(s): 14-N-00488-LMA	For Court use only PUBLIC MATTER FILED <i>vs</i> AUG - 4 2014 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In Pro Per Respondent Orion Douglas Memmott 925 Windsor Street Santa Cruz, CA 95062 (530) 520-8798 Bar # 37600	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: ORION DOUGLAS MEMMOTT Bar # 37600 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 **January 11, 1966**.
- (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):
- ☒ 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
 - (b) ☐ Date prior discipline effective
 - (c) ☐ Rules of Professional Conduct/ State Bar Act violations:
 - (d) ☐ Degree of prior discipline
 - (e) ☐ If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) ☐ **Dishonesty:** Respondent's misconduct was intentional, surrounded by, or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) ☐ **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) ☐ **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) ☒ **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings. **See Attachment to Stipulation at p. 9.**

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- (7) ☐ **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) ☐ **Restitution:** Respondent failed to make restitution.
- (9) ☐ **No aggravating circumstances** are involved.

Additional aggravating circumstances:

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. **See Attachment to Stipulation at p. 9.**
- (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:

No Prior Discipline - See Attachment to Stipulation at p. 9.

Pre-trial Stipulation - See Attachment to Stipulation at p. 9.

D. Discipline:

(1) ☒ **Stayed Suspension:**

(a) ☒ Respondent must be suspended from the practice of law for a period of **two years**.

i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.2(c)(1) Standards for Attorney Sanctions for Professional Misconduct.

ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii. ☐ and until Respondent does the following:

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

(2) ☒ **Probation:**

Respondent must be placed on probation for a period of **two years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3) ☒ **Actual Suspension:**

(a) ☒ Respondent must be actually suspended from the practice of law in the State of California for a period of **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:

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.

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

- (4) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

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

- (6) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) ☒ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason: .
- (9) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) ☐ The following conditions are attached hereto and incorporated:

- | | |
|---|---|
| <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: .

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- (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:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: ORION DOUGLAS MEMMOTT

CASE NUMBER: 14-N-00488-LMA

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-N-00488-LMA (State Bar Investigation)

FACTS:

1. On August 21, 2013, respondent was convicted of violating 26 U.S.C. section 7206(1) (Subscribing to a False Tax Document), a felony, and 26 U.S.C. section 7201 (Attempted Evasion of Payment of Tax), a felony, in the United States District Court Eastern District of California, case no. 2:08-cr-00402.
2. On October 25, 2013, the Review Department of the State Bar of California, In Bank, issued an Interim Suspension Order (hereinafter "9.20 Order"). The 9.20 Order included a requirement that respondent comply with Rule 9.20, California Rules of Court ("Rule 9.20"), by performing the acts specified in subdivisions (a) and (c) within 30 and 40 days, respectively, after the effective date of the 9.20 Order.
3. On October 25, 2013, a Case Administrator of the State Bar Court properly served upon respondent a copy of the 9.20 Order. Respondent received the 9.20 Order.
4. On October 31, 2013, the Office of Probation of the State Bar of California ("Office of Probation") sent a letter to respondent, which attached a copy of the 9.20 Order, a copy of Rule 9.20, and a template for a Rule 9.20 Compliance Declaration. Respondent received this letter.
5. The 9.20 Order became effective on November 13, 2013. Thus, respondent was ordered to comply with subdivision (c) of Rule 9.20 no later than December 23, 2013.
6. On December 16, 2013, respondent filed a declaration of compliance with Rule 9.20(a), as required by Rule 9.20(c), with the clerk of the State Bar Court.
7. On December 18, 2013, the Office of Probation sent a letter to respondent notifying him that his Rule 9.20 compliance declaration had been rejected because respondent failed to state when his clients and opposing counsel were notified of his suspension, what the notification stated, and whether the notification was sent by registered or certified mail, return receipt requested.
8. On December 23, 2013, respondent sent a letter to the Office of Probation in which respondent set forth the date and content of the notification that he sent to his clients and opposing counsel

regarding his suspension. Respondent admitted that he had not sent notice of his suspension to his clients or opposing counsel via certified or registered mail, and further admitted that the notification only stated that he could not continue to provide legal representation. Respondent also asked the Office of Probation whether he should resend notice via certified or registered mail.

9. On January 23, 2014, the Office of Probation sent a letter to respondent stating that the Office of Probation could not provide legal advice, and reminding respondent that he had not yet filed a compliant Rule 9.20 declaration.

10. On February 18, 2014, respondent filed a further Rule 9.20 declaration of compliance with the clerk of the State Bar Court.

11. On February 20, 2014, the Office of Probation sent a letter to respondent notifying respondent that his 9.20 declaration had been rejected because respondent did not clarify whether the original notice of suspension that respondent sent to his clients complied with Rule 9.20, because respondent admitted that he did not send the original notices by certified or registered mail, and because respondent should not have checked the box which stated that he had timely notified his clients by certified or registered mail.

12. On June 23, 2014, respondent properly notified his former clients, opposing counsel, and relevant courts, of his suspension via certified mail.

13. On June 27, 2014, respondent filed a third Rule 9.20 declaration of compliance with the clerk of the State Bar Court.

14. On July 1, 2014, the Office of Probation sent a letter to respondent notifying him that his declaration had been rejected because respondent failed to state that date(s) he notified his clients, opposing counsel and relevant courts, by certified or registered mail, return receipt requested, and because respondent erroneously stated that his effective suspension date was November 13, 2014, instead of November 13, 2013.

15. On July 7, 2014, respondent filed a fourth Rule 9.20 declaration of compliance with the clerk of the State Bar Court.

16. On July 8, 2014, the Office of Probation sent a letter to respondent notifying him that his 9.20 declaration had been rejected because the attachment to the 9.20 declaration was vague, and because respondent erroneously stated that his effective suspension date was November 13, 2014, instead of November 13, 2013. The letter further stated that it may not be possible for respondent to file a compliant 9.20 declaration.

CONCLUSIONS OF LAW:

17. By failing to comply with the October 25, 2013 Interim Suspension Order from the Review Department of the State Bar of California, which required respondent comply with Rule 9.20, California Rules of Court, by performing the acts specified in subdivisions (a) and (c) within 30 and 40 days, respectively, after the effective date of the Order, respondent disobeyed or violated an order of the court requiring respondent to do or forbear an act connected with or in the course of his profession which respondent ought in good faith to do or forbear, respondent willfully violated Business and Professions Code, section 6103.

AGGRAVATING CIRCUMSTANCES.

Lack of Cooperation (Std. 1.5(h)): Respondent displayed a lack of candor to his clients by failing to notify them of the fact that he had been suspended in the first and second notice that he sent to them pursuant to Rule 9.20. Respondent's lack of candor to his clients constitutes an aggravating factor pursuant to Standard 1.5(h).

MITIGATING CIRCUMSTANCES.

Remorse (Std. 1.6(g)): After receiving notification from the Office of Probation that his 9.20 compliance declarations did not comply with rule 9.20, respondent made repeated, albeit unsuccessful, attempts to file a compliant Rule 9.20 declaration. Respondent's demonstrated attempt to correct his misconduct is a mitigating factor pursuant to Standard 1.6(g).

ADDITIONAL FACTS RE MITIGATING CIRCUMSTANCES.

No Prior Discipline: Although Respondent's misconduct is serious, he is entitled to mitigation for having practiced law for approximately 48 years without discipline. (*In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, 49.)

Pretrial Stipulation: Respondent is entitled to mitigation for entering into a full stipulation with the Office of Chief Trial Counsel prior to trial, thereby saving State Bar Court time and resources. (*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 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).)

Here, respondent violated Business and Professions Code, section 6103 by failing to comply with the Rule 9.20 requirement imposed by the Review Department. The applicable Standard is 2.8(a) which provides that "[d]isbarment or actual suspension is appropriate for disobedience or violation of a court order related to the member's practice of law, the attorney's oath, or the duties required of an attorney under Business and Professions Code section 6068(a)-(h)." A Rule 9.20 violation is deemed a serious ethical breach for which disbarment generally is considered the appropriate discipline. (See e.g., *In the Matter of Esau* (2007) 5 Cal. State Bar Rptr. 131; *Bercovich v. State Bar* (1990) 50 Cal.3d 116, 131 ["Disbarment is generally the appropriate sanction for a willful violation of rule [9.20]."] Indeed, California Rule of Court 9.20 provides that "[a] suspended member's willful failure to comply with the provisions of this rule constitutes a cause for disbarment...."

Disbarment is not warranted in this case as respondent substantially complied with Rule 9.20. (See, *Matter of Esau*, 5 Cal. State Bar Rptr. at 133 [stating that disbarment may not be appropriate where there is "significant evidence in mitigation and/or substantial compliance with rule 9.20[.]"].) A one-year actual suspension, which is in the middle of the available range of discipline set forth in Standard 2.8(a), is appropriate in this matter because respondent substantially complied with Rule 9.20, and because his misconduct is mitigated by approximately 48 years of practicing law without discipline, demonstrated remorse, and by a pre-trial stipulation. A lesser level of discipline is not appropriate because respondent's misconduct is aggravated by respondent's initial lack of candor to his clients, although this initial lack of candor is tempered by respondent's subsequent remorse, as evidenced by respondent's repeated efforts to comply with Rule 9.20.

Shapiro v. State Bar (1990) 51 Cal. 3d 251 provides further support for a one-year actual suspension. *Shapiro* involved two consolidated matters – a Rule 9.20 matter and a matter in which Shapiro was found culpable of violating his oath of office, failing to withdraw without taking reasonable steps to avoid client harm, and continuing to represent a client when not having the time or resources to do so. (*Id.* at 256.) The Supreme Court found that attorney Shapiro filed his rule 9.20 affidavit five months late, but had tried to timely file an affidavit that had been rejected by Probation. (*Id.*) The Court also found that attorney Shapiro was entitled to mitigation for practicing law for 16-years without discipline (notwithstanding fact that attorney Shapiro had a recent prior disciplinary matter), significant physical and psychological difficulties, and good character. (*Id.* at 259-260.) The Supreme Court concluded that, in light of the evidence in mitigation, the appropriate level of discipline was a one-year actual suspension. (*Id.*)

Here, respondent's misconduct warrants the same level of discipline as ordered in *Shapiro*. As with attorney Shapiro, respondent tried to timely file his Rule 9.20 Declaration, but was unsuccessful as he had not complied with all of the requisite 9.20 requirements. Unlike *Shapiro*, this matter is not consolidated with any other disciplinary matters. Although attorney Shapiro's misconduct was more

egregious than respondent's misconduct because there were two consolidated cases, respondent's misconduct is aggravated by a lack of candor.

Balancing all of the appropriate factors, a one-year actual suspension is consistent with Standard 2.8(a) and applicable caselaw, and is appropriate taking into consideration the facts and circumstances of this case.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of July 18, 2013, the prosecution costs in this matter are \$2,448. 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. (Rules Proc. of State Bar, rule 3201.)


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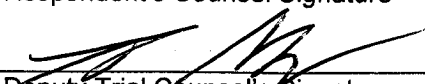
In the Matter of:
ORION DOUGLAS MEMMOTT

Case number(s):
14-N-00488-LMA

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.

July 2nd, 2014  Orion Douglas Memmott
Date Respondent's Signature Print Name

7/28/14  Heather E. Abelson
Date Deputy Trial Counsel's Signature Print Name

(Do not write above this line.)

In the Matter of: ORION DOUGLAS MEMMOTT	Case Number(s): 14-N-00488-LMA
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ACTUAL SUSPENSION ORDER

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

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

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

Date

Aug 4, 2014


LUCY ARMENDARIZ
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 August 4, 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:

ORION DOUGLAS MEMMOTT
925 WINDSOR ST
SANTA CRUZ, CA 95062

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

HEATHER ABELSON, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on August 4, 2014.



Mazie Yip
Case Administrator
State Bar Court