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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		kwiktag® 183 822 719 
Counsel For The State Bar Lara Bairamian Deputy Trial Counsel 845 South Figueroa Street Los Angeles, CA 90017 (213) 765-1338 Bar # 253056	Case Number(s): 14-O-01551-LMA 14-O-03325	For Court use only <div style="text-align: center;"> PUBLIC MATTER FILED FEB 02 2015 </div>  STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In Pro Per Respondent Andrew Fairmont Beach PO Box 12411 Newport Beach, CA 92658 (714) 972-0115 Bar # 227333	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: ANDREW FAIRMONT BEACH Bar # 227333 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 **December 2, 2003**.
- (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".

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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: **three (3) billing cycles following the effective date of the Supreme Court order.** (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 **09-O-16851 and 10-O-04039.**
 - (b) Date prior discipline effective **September 17, 2011.**
 - (c) Rules of Professional Conduct/ State Bar Act violations: **Rules of Professional Conduct, rules 1-320(A), 1-320(B) and 3-110(A).**
 - (d) Degree of prior discipline **One (1) year stayed suspension and two (2) years probation. See Attachment to Stipulation, at page 9.**
 - (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. **See Attachment to Stipulation, at page 9.**

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- (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 Attachment to Stipulation, at page 9.**
- (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.

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- (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 **one (1) year**, 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: .
- (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**

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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:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: ANDREW FAIRMONT BEACH

CASE NUMBERS: 14-O-01551, 14-O-03325

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-O-01551 (State Bar Investigation)

FACTS:

1. As a member of the State Bar of California, Respondent was required to complete 25 hours of minimum continuing legal education ("MCLE") during the period commencing on February 1, 2010 and ending on January 31, 2013 (the "compliance period").

2. On July 9, 2013, Respondent reported under penalty of perjury to the State Bar that he was in compliance with the MCLE requirements, and, in particular, that he had completed his MCLE during the compliance period.

3. Respondent reported he had completed his MCLE studies during the compliance period, but he failed to check his records to assure that he had done so. In fact, Respondent was only able to produce evidence that he completed seven hours of MCLE within the compliance period.

4. When Respondent reported to the State Bar that he was in compliance with the MCLE requirements, he was grossly negligent in not knowing that he was not in compliance with the MCLE requirements, as his belief was not reasonable given his failure to perform basic due diligence.

5. As of the date of this Stipulation Re Facts, Conclusions of Law And Disposition, Respondent has not taken additional MCLE courses necessary to come into compliance after being contacted by Membership Services regarding an audit of MCLE compliance, and, as a result, is currently enrolled inactive.

CONCLUSIONS OF LAW:

6. By reporting under penalty of perjury to the State Bar that he was in compliance with the MCLE requirements when he was grossly negligent in not knowing that he was not in compliance with the MCLE requirements, Respondent committed an act involving moral turpitude, dishonesty or corruption in wilful violation of Business and Professions Code, section 6106.

FACTS:

7. On April 12, 2011, Respondent entered into a Stipulation Re Facts, Conclusions of Law and Disposition (“Stipulation”) with the State Bar of California in case numbers 09-O-16851 and 10-O-04039.
8. On April 21, 2011, the California Supreme Court filed an Order (the “Order”) in case number S193828 (State Bar case numbers 09-O-16851 and 10-O-040369) imposing the recommended discipline and suspending Respondent for one year, stayed, and placing him on probation for two years.
9. The Order became effective on September 17, 2011.
10. As a condition of probation, Respondent was required to submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10 and October 10 of the condition period attached to his discipline.
11. Respondent failed to timely submit the July 10, 2012 quarterly report. On July 16, 2012, Respondent submitted the July 10, 2012 quarterly report.
12. Respondent failed to timely submit the October 10, 2012 quarterly report. On October 12, 2012, Respondent submitted the October 10, 2012 quarterly report.
13. Respondent failed to timely submit the April 10, 2013 quarterly report. On April 12, 2013, Respondent submitted the April 10, 2013 quarterly report.
14. Respondent was also required to join the Law Practice Management and Technology Section of the State Bar (“LPMTS”), pay the dues and costs of enrollment for two years, and furnish satisfactory evidence of membership in LPMTS to the Office of Probation in the first report required.
15. Although Respondent joined LPMTS in 2013, Respondent failed to provide satisfactory evidence of membership in LPMTS to the Office of Probation by the due date of January 10, 2013.
16. Finally, as an additional condition of probation, Respondent was required to submit a final report to the Office of Probation by September 17, 2013.
17. Respondent failed to timely submit the final report. On September 23, 2013, Respondent submitted the final report.

CONCLUSIONS OF LAW:

18. By failing to timely submit three quarterly reports to the Office of Probation, failing to provide satisfactory evidence of membership in LPMTS to the Office of Probation by the due date of January 10, 2013, and failing to timely submit the final report by the due date of September 17, 2013, Respondent failed to comply with conditions attached to his discipline in wilful violation of section 6068(k) of the Business and Professions Code.

AGGRAVATING CIRCUMSTANCES.

Prior Record of Discipline (Std. 1.5(a)): Respondent has a prior record of discipline. In State Bar case numbers 09-O-16851 and 10-O-04039, Respondent was disciplined after stipulating to four counts of misconduct in two separate client matters, including violations of Rules of Professional Conduct rules 1-320(A), 1-320(B) and 3-110(A). Effective September 17, 2011, Respondent was suspended from the practice of law for one year, stayed, with a two year period of probation.

Indifference (Std. 1.5(g)): Respondent was on disciplinary probation in case numbers 09-O-16851 and 10-O-04039 when he reported to the State Bar that he was in compliance with the MCLE requirements. Following the audit by Membership Services, Respondent did not take additional MCLE courses necessary to come into compliance. These failures to strictly comply with his ethical duties indicates indifference towards rectification of or atonement for the consequences of his or her misconduct. (See *In the Matter of Meyer* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 697, 702 [where aggravation was found when the attorney failed to belatedly file his probation reports once he became aware of the State Bar proceedings pending against him].)

Multiple Acts of Misconduct (Std. 1.5(b)): In this matter, Respondent committed acts of misconduct in two separate matters, including multiple violations of his probation conditions.

MITIGATING CIRCUMSTANCES.

Pretrial Stipulation: Respondent admitted to the misconduct and entered into this stipulation prior to trial to resolve this matter. Respondent's cooperation by entering into this stipulation prior to trial has saved the State Bar significant resources and time. (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].) By entering into the stipulation, Respondent has acknowledged and 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 Silverton* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a Standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) "Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure." (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given standard, in addition to the factors set forth in the specific standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member's willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

In this matter, Respondent committed two acts of professional misconduct. Standard 1.7(a) requires that where a Respondent "commits two or more acts of misconduct and the Standards specify different sanctions for each act, the most severe sanction must be imposed."

The most severe sanction applicable to Respondent's misconduct is found in Standard 2.7, which applies to Respondent's misrepresentation to the State Bar in violation of Business and Professions Code section 6106. Standard 2.7 provides that disbarment or suspension is appropriate for an act of moral turpitude, dishonesty, fraud, corruption or concealment of a material fact. The degree of sanction depends on the magnitude of the misconduct and the extent to which the conduct harmed or misled the victim and related to the practice of law. In addition, Respondent's instant discipline should be higher than his prior discipline. (Std. 1.8(a).)

Respondent was grossly negligent in affirming under penalty of perjury that he had complied with his MCLE requirements, when he did not confirm his MCLE compliance before attesting to it and did not have adequate records to prove that he completed the 25 required hours of MCLE during the compliance period. The Supreme Court has held that "[e]ven if an attorney's misconduct is not wilful and dishonest, 'Gross carelessness and negligence constitute a violation of the oath of an attorney to 'faithfully discharge the duties of an attorney. . . to the best of his knowledge and ability' and involve moral turpitude, in that they are a breach of the fiduciary relation which binds 'him to the most conscientious fidelity' [to his clients' interest]. (Citation.)'" (*Doyle v. State Bar* (1976) 15 Cal.3d 973, 978.)

In the instant case, although neither matter involved a client, the State Bar, and in a more general sense the public, can be seen as victims. That is, the purpose of California's MCLE program is to protect consumers by enhancing the competency of attorneys practicing law in this State. Respondent's failure to comply with MCLE harms both the State Bar's ability to protect the public from incompetent attorneys and the public's assurance that attorneys will remain competent after admission/licensure. In addition, it is significant that Respondent's misrepresentation to the State Bar would never have come to light but for the fact that Respondent was randomly chosen to be a part of the MCLE audit undertaken by Membership Services.

Further, a misrepresentation is an act of moral turpitude which is misconduct of the greatest magnitude because it negates honesty and truth. "Honesty is one of the most fundamental rules of ethics for attorneys." (*Gold v. State Bar* (1989) 49 Cal.3d 908, 914 (citations omitted)). Whether made to a client or to a public agency like the State Bar, a misrepresentation undermines the integrity of the judicial process by introducing false information where only facts and the law should be determinative. Misrepresentations are no less egregious when made to a public agency than when made to an individual client. (*In the Matter of Wyrick* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 83, 93). In this matter, Respondent's culpability is based on the misrepresentation that Respondent made to the State Bar when he affirmed that he had complied with his 25-hour MCLE requirement, but was unable to prove full compliance.

Finally, Respondent's misconduct was directly related to Respondent's practice of law in that compliance with the requirements of MCLE is an affirmative obligation of all licensed attorneys. MCLE compliance is important because in addition to the policy objectives described above regarding assuring attorney competence and protecting the public

In *In the Matter of Yee* (Review Dept. 2014) 5 Cal. State Bar Ct. Rptr. ____ 2014 WL 3748590, the Review Department of the State Bar Court found that an attorney who inaccurately reported her compliance with MCLE requirements to the State Bar, where she did not check or maintain any records to confirm if her recollections about having complied were accurate, committed an act of gross negligence amounting to moral turpitude. *Yee's* misconduct was mitigated by her lack of prior discipline, her exemplary record of pro bono and community service, her acceptance of wrongdoing, and the lack of harm to the public or the judicial system. The Review Department ordered that *Yee* be publicly reprovved.

Similar to *Yee*, Respondent's action of inaccurately reporting his compliance with MCLE requirements to the State Bar, where he did not check any records to confirm his compliance, was an act of gross negligence amounting to moral turpitude. However, the present matter is distinguishable from *Yee* in that Respondent not only made an affirmation without confirming its accuracy, Respondent also has a prior a record of discipline and has been charged with an additional act of misconduct involving his failure to comply with multiple conditions of probation. Accordingly, a higher level of discipline than a public reprovral is warranted.

In light of the foregoing, discipline consisting of one year stayed suspension accompanied by a one year probationary period with conditions including ninety days actual suspension with standard conditions is appropriate to protect the public, the courts, and the legal profession; to maintain high professional standards by attorneys; and to preserve public confidence in the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of January 20, 2015, the prosecution costs in this matter are \$4,333. 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:
ANDREW FAIRMONT BEACH

Case number(s):
14-O-01551, 14-O-03325

SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

1/26/15
Date

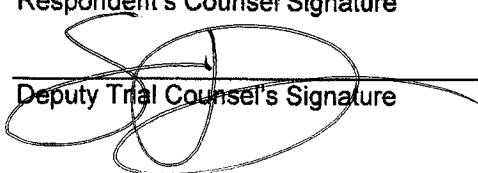

Respondent's Signature

Andrew Fairmont Beach
Print Name

Date

1/26/15
Date

Respondent's Counsel Signature


Deputy Trial Counsel's Signature

Print Name

Lara Bairamian
Print Name

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In the Matter of:
ANDREW FAIRMONT BEACH

Case Number(s):
14-O-01551, 14-O-03325

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

Feb 7, 2015


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 February 2, 2015, 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:

ANDREW F. BEACH
PO BOX 1583
WESTMINSTER, CA 92684

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

LARA BAIRAMIAN, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on February 2, 2015.



Bernadette C.O. Molina
Case Administrator
State Bar Court