

(Do not write above this line.)

<b>State Bar Court of California</b> Hearing Department <b>PUBLIC MATTER</b> Los Angeles ACTUAL SUSPENSION		
Counsel For The State Bar  <b>Lara Bairamian</b> Deputy Trial Counsel 845 South Figueroa Street Los Angeles, CA 90017 (213) 765-1338  Bar # 253056	Case Number(s): <b>14-O-04274</b>	For Court use only  <div style="text-align: center; font-size: 1.2em; font-weight: bold;">FILED</div> <div style="text-align: center; font-weight: bold;">JUL 15 2015</div> <div style="text-align: center; font-weight: bold;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</div>
Counsel For Respondent  <b>Paul J. Virgo</b> Century Law Group 5200 West Century Blvd., Suite 345 Los Angeles, CA 90045 (310) 642-6900  Bar # 67900	Submitted to: <b>Assigned Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: <b>CHARLES THOMAS MARSHALL</b>  Bar # 176091  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 **April 20, 1995**.
- (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."

*PN*  
*6.8.15*



(Do not write above this line.)

- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
  - Costs are to be paid in equal amounts prior to February 1 for the following membership years: **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 **12-O-17880.**
  - (b)  Date prior discipline effective **July 3, 2014.**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Rules of Professional Conduct, rule 3-110(A); Business and Professions Code section 6106.3.**
  - (d)  Degree of prior discipline **Two years stayed suspension, two years of probation, and 30 days actual suspension.**
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.  
  
10-O-07313, et al. See Attachment to Stipulation, at page 8 for additional details regarding the 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.

(Do not write above this line.)

- (5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct. **See Attachment to Stipulation, at page 8.**
- (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 8.**
- (8)  **Restitution:** Respondent failed to make restitution.
- (9)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**C. Mitigating Circumstances [see standards 1.2(g) & 1.6]. Facts supporting mitigating circumstances are required.**

- (1)  **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2)  **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3)  **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4)  **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5)  **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6)  **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7)  **Good Faith:** Respondent acted with a good faith belief that was honestly held and reasonable.
- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (9)  **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10)  **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.

(Do not write above this line.)

- (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:**

**Profiling 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 **two (2) 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 (2) years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3)  **Actual Suspension:**

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

(Do not write above this line.)

- (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:
  - 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

(Do not write above this line.)

---

Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**

No MPRE recommended. Reason:

- (2)  **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3)  **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4)  **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5)  **Other Conditions:**



## CONCLUSIONS OF LAW:

8. By submitting a home mortgage loan modification on behalf of the Voyvodiches knowing that the Voyvodiches were previously denied a home mortgage loan modification and despite the fact that Respondent told the Voyvodiches that he would pursue litigation against their home mortgage lender and by failing to pursue litigation on behalf of the Voyvodiches against their home mortgage lender, Respondent intentionally failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

9. By negotiating, arranging, or offering to perform a home mortgage loan modification or other form of mortgage loan forbearance for a fee for the Voyvodiches and collecting \$4,550 in advanced fees prior to fully performing each and every service Respondent contracted to perform or represented that he would perform, in violation of Civil Code section 2944.7(a)(1), Respondent willfully violated Business and Professions Code section 6106.3(a).

## AGGRAVATING CIRCUMSTANCES.

**Prior Record of Discipline (Std. 1.5(a)):** Respondent has two prior records of discipline. Effective June 16, 2012, in five client matters, Respondent stipulated to four violations of Rules of Professional Conduct, rule 3-700(D)(2) [failing to refund unearned fees], one violation of Business and Professions Code, section 6106.3 [negotiating, arranging, or offering to perform a home mortgage loan modification and collecting advanced fees], and one violation of Business and Professions Code, section 6068(i) [failing to cooperate with a State Bar investigation] (“June 2012 stipulation”). In four of the client matters, the clients retained Respondent to obtain short sales of their properties. The clients subsequently terminated Respondent’s services and requested refunds. In one client matter, the client retained Respondent for home mortgage loan modification services. Respondent was suspended from the practice of law for one year, stayed, with a two year period of probation.

In the second matter, effective July 3, 2014, in one client matter, Respondent stipulated to one violation of Rules of Professional Conduct, rule 3-110(A) [failing to perform with competence] and one violation of Business and Professions Code, section 6106.3 [negotiating, arranging, or offering to perform a home mortgage loan modification and collecting advanced fees] (“June 2014 stipulation”). In that matter, instead of pursuing lender litigation, as Respondent had advised and as the clients expected, Respondent instead pursued a traditional home mortgage loan modification. Respondent was suspended from the practice of law for two years, stayed, with a two year period of probation with conditions including a 30 day actual suspension.

**Indifference (Std. 1.5(g)):** Respondent was placed on notice that accepting advanced fees to perform a loan modification is a violation of Civil Code section 2944.7 when he signed the June 2012 stipulation. Respondent continued similar misconduct in this matter, approximately one year later. Respondent’s lack of insight is an aggravating factor.

**Multiple Acts of Misconduct (Std. 1.5(b)):** Respondent’s conduct involved multiple acts of wrongdoing as Respondent engaged in two acts of misconduct.

## MITIGATING CIRCUMSTANCES.

**Prefiling Stipulation:** Respondent is entitled to mitigation for entering into a full stipulation with the Office of Chief Trial Counsel prior to the filing of disciplinary charges, thereby avoiding the necessity of a trial and saving the 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.) As discussed below, this is an appropriate case for deviation from the Standards.

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

Standard 1.7(a) requires that where an attorney “commits two or more acts of misconduct and the Standards specify different sanctions for each act, the most severe sanction must be imposed.” Here, Standard 2.14, applicable to Respondent’s violation of Business and Professions Code section 6106.3, would be the most severe sanction. Standard 2.14 provides that disbarment or actual suspension is appropriate for any violation of a provision of Article 6 of the Business and Professions Code, not otherwise specified in these Standards.

Also applicable in the present case is Standard 1.8(b). Standard 1.8(b) provides that “if a member has two or more prior records of discipline, disbarment is appropriate in the following circumstances, unless the most compelling mitigating circumstances clearly predominate or the misconduct underlying the prior discipline occurred during the same time period as the current misconduct: (1) actual suspension was ordered in any one of the prior disciplinary matters, (2) the prior disciplinary matters coupled with the current record demonstrate a pattern of misconduct, or (3) the prior disciplinary matters coupled with

the current record demonstrate the member's unwillingness or inability to conform to ethical responsibilities."

Respondent has two prior records of discipline, one of which involved actual suspension. However, case law makes clear that not every case in which Standard 1.8(b) applies is automatically appropriate for disbarment. Even in the absence of compelling mitigation, the Supreme Court has not, in every instance, ordered disbarment pursuant to Standard 1.8(b) (formerly Standard 1.7(b)). (*See Conroy v. State Bar* (1991) 53 Cal.3d 495.) In *Conroy*, the attorney was found to have abandoned his client and had two prior records of discipline, including a private reproof and a sixty day actual suspension for failing to take the Professional Responsibility Examination, as required by the conditions of his private reproof. (*Id.* at 499.) The attorney presented no evidence in mitigation and the misconduct was aggravated by his prior record of discipline and his failure to cooperate in the proceedings. (*Id.* at 503.) The Supreme Court imposed discipline consisting of five years of stayed suspension and five years of probation with conditions including one year of actual suspension. (*Id.* at 508.)

Likewise, the Review Department has instructed that "[m]erely declaring that an attorney has [two or more prior] impositions of discipline, without more analysis, may not adequately justify disbarment in every case. (*In the Matter of Miller* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 131,136.)

The misconduct involved in Respondent's two prior matters occurred between October 2009 and November 2010. Therefore, in Respondent's second imposition of discipline, it was appropriate to "consider the totality of the charges brought in both cases in order to determine the appropriate discipline, had both cases been brought together." (*In the Matter of Sklar* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 602, 618). This occurred in June 2014 stipulation. When considering the totality of the misconduct in Respondent's prior disciplinary matters, the imposition of a two year stayed suspension accompanied by a two year probationary period with conditions including a 30 day actual suspension was imposed.

The misconduct in Respondent's two disciplinary matters took place near each other in time. Moreover, they were considered together in the June 2014 stipulation. Although Respondent still has two prior disciplinary matters, their aggravating effect is lessened under the circumstances, making it appropriate to deviate from Standard 1.8(b). In addition, Respondent's prior disciplinary matters coupled with the current record does not demonstrate a pattern of misconduct. Prior to signing the June 2014 stipulation, Respondent had already committed the misconduct in the current matter when he entered into the retainer agreement with the Voyvodiches, had accepted the advanced fees and had submitted the loan modification package. As stated, Respondent's misconduct is aggravated by his lack of insight, his prior record of discipline, and the presence of multiple acts of misconduct. On the other hand, Respondent has accepted responsibility for his misconduct by entering into this pre-filing stipulation, which mitigates his misconduct. In addition, Respondent has paid restitution to the Voyvodiches, thereby limiting the harm to the public caused by Respondent's misconduct. Considered in totality, deviation from Standard 1.8(b) is appropriate.

In light of Respondent's misconduct, the applicable standards, the aggravating and mitigating circumstances, disbarment is not necessary. However, the discipline here must be greater than the sanction imposed previously. (Std. 1.8(a).) Discipline consisting of two year stayed suspension and a two year probation with conditions including a 90 day actual suspension serves the purpose of State Bar discipline, namely: 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. (See Std. 1.3.)

This level of discipline is also consistent with case law. In *In the Matter of Taylor* (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 221, the Review Department found Taylor culpable of nine counts of violating Business and Professions Code section 6106.3 in eight client matters. Factors in aggravation included harm, multiple acts of misconduct, and lack of insight and remorse. The Review Department recommended that Respondent be actually suspended for six months, receive two years' probation, and remain suspended until he makes restitution for all the fees he illegally collected. Here, Respondent stipulated that he is culpable of violating Business and Professions Code section 6106.3 in three client matters. Respondent's misconduct is less serious than the misconduct committed by Taylor and involves more mitigation. Unlike *Taylor*, Respondent has entered into a stipulation prior to the filing of disciplinary charges and has provided a refund to the Voyvodiches. Thus, although actual suspension is warranted, six months actual suspension is not.

#### **COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of May 15, 2015, 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**

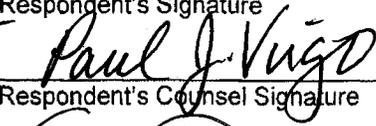
Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: CHARLES THOMAS MARSHALL	Case number(s): 14-O-04274
--	-------------------------------

**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>June 12, 2015</u> Date	 Respondent's Signature	<u>Charles Thomas Marshall</u> Print Name
<u>June 19, 2015</u> Date	 Respondent's Counsel Signature	<u>Paul J. Virgo</u> Print Name
<u>6/19/15</u> Date	 Deputy Trial Counsel's Signature	<u>Lara Bairamian</u> Print Name

(Do not write above this line.)

In the Matter of: CHARLES THOMAS MARSHALL	Case Number(s): 14-O-04274
--	-------------------------------

### ACTUAL SUSPENSION ORDER

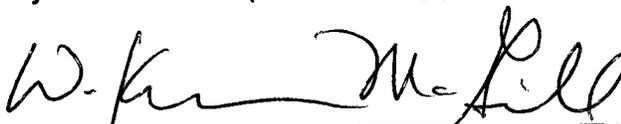
Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- 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.

1. On page 2, paragraph A. (8), Costs to be paid in equal amounts prior to February 1 for the following membership years: delete "three (3) billing cycles following the effective date of the Supreme Court order" and add "One-third of the costs must be paid with his membership fees for each of the years 2017, 2018, and 2019."
2. On page 8, paragraph under subheading "Prior Record of Discipline," at the end of the first paragraph, add: "Case No. 10-O-07313, Supreme Court order No. 199032.)."
3. On page 8, paragraph under subheading "Prior Record of Discipline," at the end of the second paragraph, add: "Case No. 12-O-17880, Supreme Court order No. 216966.)."
4. On page 11, first paragraph, lines 7-8, delete "three client matters" and correct it to read "one client matter."

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.)**

7/13/15  
Date

  
W. KEARSE MCGILL  
Judge of the State Bar Court

**CERTIFICATE OF SERVICE**

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

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

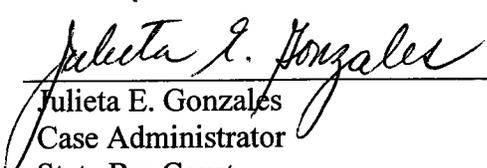
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

PAUL JEAN VIRGO  
9909 TOPANGA BLVD # 282  
CHATSWORTH, CA 91311

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

Lara Bairamian, Enforcement, Los Angeles  
Terrie Goldade, Office of Probation, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 15, 2015.

  
\_\_\_\_\_  
Julieta E. Gonzales  
Case Administrator  
State Bar Court