



ORIGINAL

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State Bar Court of California
Hearing Department
San Francisco
REPROVAL

<p>Counsel For The State Bar</p> <p>Robert A. Henderson Supervising Senior Trial Counsel 180 Howard St. San Francisco, CA 94105 (415) 538-2385</p> <p>Bar # 173205</p>	<p>Case Number(s): 14-O-06289</p>	<p>For Court use only</p> <p>PUBLIC MATTER</p> <p>FILED <i>JK</i></p> <p>AUG 10 2015</p> <p>STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>Counsel For Respondent</p> <p>Vicki H. Young Law Offices of Ephraim Margolin 240 Stockton St., #400 San Francisco, CA 94108 (415) 421-4347</p> <p>Bar # 73261</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>PUBLIC REPROVAL</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: GAIL RITA WEINHEIMER</p> <p>Bar # 58589</p> <p>A Member of the State Bar of California (Respondent)</p>		

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **December 19, 1973**.
- (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 **13** 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."

(Effective July 1, 2015)



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- (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):
- Costs are added to membership fee for calendar year following effective date of discipline (public reproof).
 - Case ineligible for costs (private reproof).
 - 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.
- (9) The parties understand that:
- (a) A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
 - (b) A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
 - (c) A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

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

- (1) **Prior record of discipline**
- (a) State Bar Court case # of prior case
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline".

(Do not write above this line.)

- (2) **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3) **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by misrepresentation.
- (4) **Concealment:** Respondent's misconduct was surrounded by, or followed by concealment.
- (5) **Overreaching:** Respondent's misconduct was surrounded by, or followed by overreaching.
- (6) **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code or the Rules of Professional Conduct.
- (7) **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.
- (8) **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (10) **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11) **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing. See attachment to stipulation at p. 10.
- (12) **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13) **Restitution:** Respondent failed to make restitution.
- (14) **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standards 1.2(i) & 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 likely to recur.
- (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 or to the State Bar during disciplinary investigations and proceedings.

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- (4) **Remorse:** Respondent promptly took objective steps demonstrating spontaneous 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 objectively 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. **See attachment to stipulation at p. 10.**
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

Pre-filing stipulation - See attachment to stipulation at p. 10.

No prior record of discipline - See attachment to stipulation at p. 10.

Pro Bono and Service to the Legal Community - See attachment to stipulation at p. 10.

D. Discipline:

- (1) **Private reproof (check applicable conditions, if any, below)**
- (a) Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b) Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).
- or
- (2) **Public reproof (Check applicable conditions, if any, below)**

E. Conditions Attached to Reproof:

(Effective July 1, 2015)

Reproof

- (1) Respondent must comply with the conditions attached to the reproof for a period of **one year**.
- (2) During the condition period attached to the reproof, 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 condition period attached to the reproof. 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 the reproof during the preceding calendar quarter. Respondent must also state in each report 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 (thirty) days, that report must be submitted on the next following 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 condition period and no later than the last day of the condition period.

- (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 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 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 conditions attached to the reproof.
- (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) Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year of the effective date of the reproof.

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No MPRE recommended. Reason:

(11) 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:

10. On February 9, 2000, the court issued its Order and Findings and Recommendations, pursuant to respondent's Motion to Stay Proceedings. The court recommended that the proceedings be stayed and permitted objections to be filed.

11. On May 8, 2000, the court, after receiving no objection, ordered, pursuant to respondent's request, the action stayed so that CW could pursue the unexhausted state claim(s).

12. From May 8, 2000 through October 16, 2014, respondent failed to file in state court the exhaustion petition, failed to file a request for appointment and funding in the California Supreme Court and failed to advise Mendoza of these facts. Respondent effectively abandoned representation of Mendoza.

13. Between November 1, 2001 and August 28, 2014, respondent and Mendoza exchanged letters including:

- a. On November 1, 2001, Mendoza wrote respondent to inform her of his new address. The letter suggested that there had been no contact between CW and respondent since April 7, 2000.
- b. On February 19, 2004, Mendoza wrote respondent to inform her of his new address. The letter requested an update on the status of the appeal. The letter suggested that there had been no contact between CW and respondent since April 7, 2000.
- c. On March 4, 2004, respondent wrote to Mendoza. The letter mentioned a change in state post-conviction discovery law and stated that respondent was ready to file a motion once the California Supreme Court decided when and where it should be filed.
- d. On October 17, 2007, Mendoza wrote respondent and requested a status update on the matter. The letter suggested that there had been no contact between Mendoza and respondent since March 4, 2004.
- e. On November 5, 2007, respondent wrote Mendoza. Respondent stated: "I could not identify any possible documents that the prosecution did not turn over to your trial attorney. . . so I did not file the motion." Respondent also stated: "I am now going back over your case to see if there is anything else to be done on state level before returning to federal court."
- f. On July 21, 2009, Mendoza wrote respondent to inform her of his new address. The letter requested an update on the status of the matter. The letter suggested that there had been no contact between respondent and Mendoza since November 5, 2007. The letter also suggested that Mendoza had not been told of the May 8, 2000 stay on the federal proceeding.
- g. On August 7, 2009, respondent wrote to Mendoza. Respondent stated: "I plan to get things moving before the end of the year."
- h. On August 28, 2014, Mendoza wrote respondent. The letter requested information on anything filed on CW's behalf and whether there had been a reply from the court. Mendoza also affirmatively requested that respondent file a request for decision on the habeas petition.

14. On October 1, 2014, the court received Mendoza's written request for a "status update" on his petition for writ of habeas corpus.

15. On October 9, 2014, the court ordered respondent to show cause why Mendoza's petition for writ of habeas corpus should not be dismissed.

16. On October 16, 2014, respondent in her Response to the Order to Show Cause admitted that she had abandoned Mendoza, failed to file in state court the exhaustion petition, failed to file a request for appointment and funding in the California Supreme Court and failed to advise Mendoza of these facts. Respondent also requested that other counsel be appointed to represent Mendoza.

17. On November 21, 2014, the court lifted the stay and reopened the case. The court appointed new counsel for Mendoza.

18. Respondent did not at any time request, nor did she receive any compensation as Mendoza's legal representative.

19. A motion to dismiss the petition for writ of habeas corpus for failure to prosecute was filed. Mendoza's counsel opposed the motion.

20. On April 14, 2015, the court issued its Findings and Recommendations. Among other things the court found that respondent caused the delay rather than Mendoza, that the delay did not cause actual prejudice in the federal proceeding, but that there was prejudice with respect to the unexhausted state claims. The recommendation was that the Motion to Dismiss be denied, that Mendoza forfeit his right to seek further stays regarding his competency claim and an amended petition be filed.

21. On June 12, 2015, the court issued its Order affirming the Findings and Recommendations made on April 14, 2015.

CONCLUSIONS OF LAW:

22. By failing to file the state exhaustion petition, failing to petition for appointment and funding in the California Supreme Court and failing to work on Mendoza's federal petition for writ of habeas corpus, respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

23. By failing to take any action on behalf of Mendoza's petition for writ of habeas corpus for 14 years, respondent constructively terminated her employment with Mendoza, and upon termination of employment failed to take steps to avoid reasonably foreseeable prejudice to her client, in willful violation of Rules of Professional Conduct, rule 3-700(A)(2).

24. By failing to inform Mendoza that the federal petition for writ of habeas corpus had been stayed, that she had not filed a state exhaustion petition, and that she had not filed a request with the state Supreme Court to be appointed as Mendoza's counsel for the state action and for funding, respondent failed to keep a client reasonably informed of significant developments in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code section 6068(m).

AGGRAVATING CIRCUMSTANCES.

Multiple Acts of Misconduct (Std. 1.5(b)): Respondent's conduct included two violations of the Rules of Professional Conduct and one violation of the Business and Professions Code, which constitute multiple acts.

MITIGATING CIRCUMSTANCES.

Good Character (Std. 1.6(f)): Respondent's good character has been attested to by five members of the bar who are fully aware of the allegations of misconduct in this matter, as well as her excellent reputation as a practitioner in the community. All of the character references attest to their high regard of respondent and their belief that the conduct is aberrational and unlikely to recur.

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 a Notice of Disciplinary Charges, 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].)

No Prior Record of Discipline over Many Years of Practice: Respondent has no prior record of discipline, but the current misconduct is serious. Accordingly, while she is not entitled to mitigation under Standard 1.6(a), respondent's 41 years of discipline-free practice prior to the current misconduct is entitled to significant mitigation. (*Hawes v. State Bar* (1990) 51 Cal.3d 587, 596 [more than 10 years of discipline-free practice entitled to significant mitigation].)

Pro Bono Activities/Service to the Legal Community: Respondent, on a pro bono basis, has lectured extensively for the California Public Defenders' Association, CEB, California Attorneys for Criminal Justice and the Habeas Corpus Resource Center. Respondent has volunteered her time as a guest lecturer or instructor at Hastings College of Law, Armstrong School of Law and Boalt Hall. She has also authored material for CEB including Recent Developments in Criminal Practice: Special Circumstance Chapter. (*In the Matter of Respondent K* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 335, 359 [Civic service and charitable work can be mitigation]; See also, *Porter v. State Bar* (1990) 52 Cal.3d 518, 529.)

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).)

In this matter, respondent has committed three 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."

Here the applicable Standard 2.7(c) states: "Suspension or reproof is the presumed sanction for performance, communication, or withdrawal violations, which are limited in scope or time. The degree of sanction depends on the extent of the misconduct and the degree of harm to the client or clients."

Respondent abandoned an incarcerated client, resulting in the loss of the client's unexhausted state claim. Although respondent promptly substituted out of the matter, after it was brought to the attention of the court and attempted to insulate the client from harm, she was not completely successful in her attempt to prevent harm. In mitigation respondent has many years of practice with no prior discipline, which is entitled to significant weight, coupled with this pre-filing stipulation. In aggravation there are multiple bad acts. Although Mendoza did lose his unexhausted state claim, the court did not find any actual prejudice in the delay. On balance the mitigating factors are more significant than the aggravating factors, which would suggest discipline on the lower end of the range found in Standard 2.7(c).

Case law would support a reproof. In *In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, the court recommended a six-month stayed suspension for an attorney who failed to perform in a criminal appellate and habeas corpus proceedings, failed to obey court orders and failed to report sanctions in a single client matter. In aggravation, the court found multiple acts of misconduct and harm. In mitigation, the court found no prior record of discipline in 17 years of practice, no further misconduct, good character and cooperation for entering into a fact stipulation.

Respondent's conduct is substantially similar to that of Riordan, although she has fewer culpability findings and more years in practice. Therefore a somewhat lower degree of discipline would be appropriate. Taking into consideration the misconduct, respondent's many years in practice and the absence of significant harm, discipline at the low end of the Standard, a public reproof, is adequate to protect the courts, the public and the administration of justice.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of July 21, 2015, the prosecution costs in this matter are \$3,066. 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:
GAIL RITA WEINHEIMER

Case number(s):
14-O-06289

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.

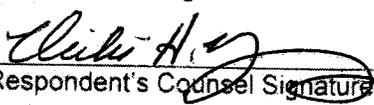
<u>July 23, 2015</u>	<u>Gail Rita Weinheimer</u>	Gail Rita Weinheimer
Date	Respondent's Signature	Print Name
	<u>Vicki H. Young</u>	Vicki H. Young
Date	Respondent's Counsel Signature	Print Name
		Robert A. Henderson
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter of: GAIL RITA WEINHEIMER	Case number(s): 14-O-06289
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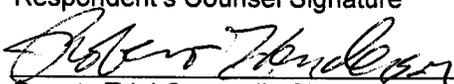
_____	_____	Gail Rita Weinheimer
Date	Respondent's Signature	Print Name
July 23, 2015		Vicki H. Young
Date	Respondent's Counsel Signature	Print Name
_____	_____	Robert A. Henderson
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter of: GAIL RITA WEINHEIMER	Case number(s): 14-O-06289
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SIGNATURE OF THE PARTIES

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_____	_____	Gail Rita Weinheimer
Date	Respondent's Signature	Print Name
_____	_____	Vicki H. Young
Date	Respondent's Counsel Signature	Print Name
8/3/15		Robert A. Henderson
Date	Deputy Trial Counsel's Signature	Print Name

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In the Matter of: GAIL RITA WEINHEIMER	Case Number(s): 14-O-06289
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REPROVAL ORDER

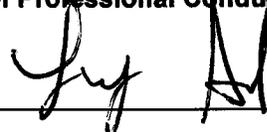
Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- The stipulated facts and disposition are APPROVED AND THE REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- All court dates in the Hearing Department 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.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

Date Aug 10, 2015



Judge of the State Bar Court

LUCY ARMENDARIZ

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 10, 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:

VICKI HUI-WEN YOUNG
240 STOCKTON ST # 400
SAN FRANCISCO, CA 94108

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

ROBERT A. HENDERSON, Enforcement, San Francisco
TERRIE GOLDADE, Probation, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on August 10, 2015.



Mazie Yip
Case Administrator
State Bar Court