FILED JUN 3 0 2016 OF CALIFORNIA STATE BAR COURT CLERK'S OFFICE LOS ANGELES

STATE BAR COURT OF CALIFORNIA

HEARING DEPARTMENT – LOS ANGELES

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In the Matter of

EARL NELSON FELDMAN, Member No. 45125,

A Member of the State Bar.

Case Nos.: 14-O-05758-WKM

ORDER GRANTING MOTIONS, VACATING SUBMISSION, DISMISSING PETITION FOR DISBARMENT, SETTING ASIDE DEFAULT, TERMINATING INACTIVE ENROLLMENT, AND FILING FIRST AMENDED NOTICE OF DISCIPLINARY CHARGES

This matter is before the court on the June 16, 2016, motions of the Office of the Chief Trial Counsel of the State Bar of California (OCTC) for (1) an order setting aside order entering default filed on February 8, 2016, and order submitting default matter for decision filed on April 26, 2016, and (2) leave to amend notice of disciplinary charges.

<u>ORDER</u>

GOOD CAUSE being shown, the court orders that both of OCTC's motions filed on June 16, 2016, motions are GRANTED. Accordingly, the court further orders that the April 26, 2016, submission of this matter for decision is VACATED; that OCTC's March 30, 2016, petition for disbarment is DISMISSED; that the February 8, 2016, entry of respondent EARL NELSON FELDMAN'S default is SET ASIDE; and that respondent EARL NELSON FELDMAN'S



involuntary inactive enrollment under this court's February 8, 2016, order is TERMINATED forthwith.¹

Furthermore, the court DIRECTS its case administrators to file, as of the date of this order, the proposed first amended notice of disciplinary charges that is attached as exhibit 1 to OCTC's June 16, 2016, motion to amend notice of disciplinary charges. Finally, the court orders that OCTC is to promptly serve both the first amended notice of disciplinary charges *and a copy of this order* on respondent in accordance with Rules of Procedure of the State Bar, rule 5.25 and that respondent EARL NELSON FELDMAN is to file and serve a written response to the first amended notice of disciplinary charges in accordance with Rules of Procedure of the State Bar, rule 5.42 and 5.43.

Dated: June 30, 2016

Kearse Mc Hell

W. KEARSE McGILL Judge of the State Bar Court

¹ This order does not affect respondent's ineligibility to practice law that has resulted or that may hereafter result from any other cause.

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 June 30, 2016, I deposited a true copy of the following document(s):

ORDER GRANTING MOTION VACATING SUBMISSION, DISMISSING PETITION FOR DISBARMENT, SETTING ASIDE DEFAULT, TERMINATING INACTIVE ENROLLMENT, AND FILING FIRST AMENDED NOTICE OF DISCIPLINARY CHARGES

in a sealed envelope for collection and mailing on that date as follows:

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

EARL NELSON FELDMAN 14004 MERCADO DR DEL MAR, CA 92014

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

Eli D. Morgenstern, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 30, 2016.

Julieta L. Honzales Julieta E. Gonzales Case Administrator