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<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b> <b>ACTUAL SUSPENSION</b>			<b>PUBLIC MATTER</b>
Counsel For The State Bar  <b>Elizabeth Stine</b> Deputy Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017 (213) 765-1342  Bar # 256839	Case Number(s): <b>15-O-13451-WKM</b>	For Court use only   <b>FILED</b> <b>MAY 18 2016</b> P.B. STATE BAR COURT CLERK'S OFFICE LOS ANGELES	
Counsel For Respondent  <b>Susan Margolis</b> Margolis & Margolid LLP 2000 Riverside Drive Los Angeles, CA 90039 (323) 953-8996  Bar # 104629	Submitted to: <b>Settlement 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>THOMAS ALAN STANLEY</b>  Bar # 45990  A Member of the State Bar of California (Respondent)			

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

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted **January 15, 1970**.
- (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."



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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):
- 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) years 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(h) & 1.5]. Facts supporting aggravating circumstances are required.**

- (1)  **Prior record of discipline**
- (a)  State Bar Court case # of prior case **00-O-13432, et. al.**
  - (b)  Date prior discipline effective **October 21, 2010**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Rules of Professional Conduct, rules 1-310, 3-110(A), 3-700(A)(2), 3-700(D)(1), 3-700(D)(2), 4-100(B)(3) and Business and Professions Code sections 6068(m) 6106.**
  - (d)  Degree of prior discipline **Two years stayed suspension, Five years probation, and 4-months actual suspension**
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.
- (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.

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- (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.
- (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.
- (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

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product of any illegal conduct by the member, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.

- (9)  **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10)  **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11)  **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12)  **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances:**

See Attachment 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 fitness to practice and present learning and ability in the general 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 **six (6) months**.
- i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and fitness to practice and present learning and ability in the general 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 present learning and ability in the general law, pursuant to standard 1.2(c)(1), Standards for Attorney Sanctions for Professional Misconduct.
- (2)  During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3)  Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4)  Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5)  Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

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

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

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- (10)  The following conditions are attached hereto and incorporated:
- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input type="checkbox"/> Financial Conditions             |

**F. Other Conditions Negotiated by the Parties:**

- (1)  **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
- No MPRE recommended. Reason:
- (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:                      THOMAS ALAN STANLEY

CASE NUMBER:                              15-O-14351

**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. 15-O-13451 (Complainant: Miguel Gonzalez )

**FACTS:**

1. On July 17, 2005, Miguel Gonzalez ("Gonzalez") was arrested at the California/Mexico border and placed in removal proceedings for alien smuggling.

2. On August 17, 2005, Gonzalez hired Respondent to represent him in the removal proceedings in Immigration Court. Gonzalez paid Respondent \$6,700 in fees.

3. On May 10, 2007, the Court ordered Respondent and Gonzalez to submit Form EOIR-42a, an Application for Cancellation of Removal for Certain Permanent Residents ("42a application") and biometrics to the Court. The Court also set a hearing date for April 21, 2008.

4. On November 21, 2007, Respondent filed the 42a application with the Court, which the Court rejected for being incomplete. Respondent continued two status hearings after that, and at a hearing on December 8, 2008, the Court pointed out the deficiencies in the 42a application, but administratively closed proceedings at that time because of a different pending case that could affect Gonzalez's case. Respondent represented Gonzalez in that other case in the interim. On May 12, 2009, the Gonzalez immigration case was re-calendared.

5. On January 7, 2010, the Court again instructed Respondent to file an amended 42a application, and have Gonzalez's biometrics on file, by July 6, 2010. Respondent was warned that failure to meet the deadline would result in the application being deemed abandoned and Gonzalez would be ordered removed. Gonzalez, too, was aware as of the January 7, 2010, hearing that he needed to provide biometric information, which included an updated criminal history, fingerprinting and other physical information, to be submitted to the Court. The Court set a hearing date for November 17, 2010.

6. Respondent obtained several subsequent extensions of time to file the 42a application and his client's biometrics, which the Court granted until September 30, 2010. On September 30, 2010, Respondent submitted a second amended 42a application, which was also incomplete, and still did not include his client's biometrics. On October 29, 2010, the Court issued a written warning requiring complete compliance for 42a application and biometrics.

7. Further continuances were obtained, and at a hearing scheduled for July 13, 2012, Respondent sent an appearance attorney for Gonzalez. The Court warned that Respondent must be present and file a completed 42a application and updated biometrics by August 3, 2012.

8. On August 3, 2012, Respondent filed a third amended 42a application, which was also rejected for being incomplete and for not including biometrics.

9. Respondent appeared at a September 13, 2013, hearing. The Court found that Respondent had failed to submit any updated materials since those provided in 2007, nor had Gonzalez provided an updated criminal history or updated biometrics since August 2010 despite warnings. The Court noted that it had granted 12 court continuances at the Respondent's request. The Court found no good cause to continue, deemed Gonzalez's 42a application abandoned and ordered Gonzalez removed. Respondent reserved Gonzalez's right to appeal.

10. On October 21, 2013, Respondent filed an appeal of the September 13, 2013 Order and indicated that a supporting brief would be forthcoming. Respondent failed to file the supporting brief by the deadline of January 2, 2014, and the Board of Immigration Appeals dismissed the appeal.

11. Upon notice that the appeal was dismissed, Gonzalez hired a new attorney who filed a motion to reopen and remand based on ineffective assistance of counsel, which the Board of Immigration Appeals granted on August 26, 2015. Throughout this matter Gonzalez has not been held in custody.

12. On July 28, 2015, State Bar Investigator Lori Olson mailed a letter to Respondent's membership records address informing him of the complaint and requesting a response by August 11, 2015. On August 10, 2015, Respondent faxed a request for an extension to August 26, 2015, which was granted. On August 25, 2015, Respondent requested a second extension to September 1, 2015.

13. On September 11, 2015, Olson emailed Respondent inquiring about his response. Respondent requested an extension until September 16, 2015. On September 17, 2015, Respondent left a voicemail for Olson requesting an extension until September 29, 2015, which was granted. On September 29, 2015, Respondent requested an extension until October 5, 2015.

14. On October 9, 2015, Olson emailed Respondent inquiring about his response due October 5, 2015. Respondent requested an extension until October 16, 2015. On October 29, 2015, Respondent informed the State Bar that his response would be provided on November 6, 2015. On November 6, 2015, Respondent informed the State Bar that his response would be provided on November 9, 2015.

15. Respondent did not provide any response to the allegations.

#### CONCLUSIONS OF LAW:

16. By failing to perform legal services, namely by not filing a complete and correct Form EOIR-42a, Application for Cancellation of Removal for Certain Permanent Residents and by not filing an appeal brief for Miguel Gonzalez in Immigration Court, Respondent repeatedly failed to perform with competence, in willful violation of Rules of Professional Conduct, rule 3-110(A).

17. By failing to provide a substantive response to the State Bar Investigator's letter of July 28, 2015; and emails of September 11, 2015 and October 9, 2015; which Respondent received, that requested Respondent's response to the allegations of misconduct being investigated in case no. 15-O-13451, Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent in willful violation of Business and Professions Code, section 6068(i).

#### **AGGRAVATING CIRCUMSTANCES.**

**Prior Record of Discipline (Std. 1.5(a)):** Respondent has one prior record of discipline, which became effective on October 22, 2010, consisting of a two-year stayed suspension and a five-year probation subject to conditions, including a four-month actual suspension and until he makes restitution. Respondent admitted to extensive misconduct in multiple separate client matters, including numerous acts of moral turpitude and making financial arrangements with non-lawyers. Other misconduct included failures to competently perform legal services, promptly release client file, refund unearned fees, account for client funds, communicate with clients, and improper withdrawal. The misconduct occurred between 1997 and 2002. In aggravation, Respondent's misconduct involved multiple acts of misconduct and harm to his clients. In mitigation, Respondent had no disciplinary record in more than 28 years of practice, displayed spontaneous candor and cooperation, demonstrated good character, and successfully completed the State Bar's Alternative Discipline Program.

#### **MITIGATING CIRCUMSTANCES.**

**Extreme Physical Disabilities:** Respondent provided medical records showing that he was undergoing physical examinations for his difficulties beginning September 2015. On November 19, 2015, Respondent was diagnosed with Parkinson's disease and began taking medication. Currently, Respondent's medical condition is being treated and his symptoms are under control. Respondent is entitled to partial mitigation of misconduct during this period. ((*In the Matter of Deierling* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr 552, 560-561 [corroborating testimony from expert-like witness].)

**Pretrial Stipulation:** Respondent admitted to the misconduct and entered into this stipulation fully resolving these matters. Respondent's cooperation at this early stage has saved the State Bar significant resources and time. Respondent's stipulation to the facts, his culpability, and discipline is a mitigating circumstance. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability].)

#### **AUTHORITIES SUPPORTING DISCIPLINE.**

The Standards for Attorney Sanctions for Professional Misconduct "set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances." (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to Standards are to this source.) The Standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to "great weight" and should be followed "whenever possible" in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the Standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) "Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure." (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

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

Standard 1.7(a) provides that, "If a member 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(c), which states that suspension or reproof is the presumed sanction for performance, communication, or withdrawal violations, which are limited in scope or time. Here, although repeated and occurring over time, the misconduct was limited in scope, i.e., one client matter. The degree of sanction depends on the extent of the misconduct and the degree of harm to the client. Additionally, Standard 1.8 (a) states that if a member has a single prior record of discipline, the sanction must be greater than the previously imposed sanction unless the prior discipline was so remote in time and the previous misconduct was not serious enough that imposing greater discipline would be manifestly unjust. Here, the prior is not remote in time and the prior misconduct was serious, so progressive discipline is appropriate.

An actual suspension is supported by case law. In *Bach v. State Bar* (1991) 52 Cal.3d 1201, the California Supreme Court ordered that the attorney be actually suspended for 30 days in a first-time discipline case for failing to perform legal services, failing to respond to client communications, withdrawing improperly, failing to refund unearned fees and failing to cooperate in a State Bar investigation. The attorney had represented the client in an uncontested marital dissolution for nearly three years before attempting to withdraw after failing to communicate with the client for months at a time and failing to obtain a judgment. The attorney then did not participate in fee arbitration and did not respond to the State Bar's numerous requests for a response to the allegations of misconduct.

The current matter is similar in that it involved a failure to perform in one client matter and a failure to cooperate in the investigation. However, a discipline greater than 30 days is appropriate because Respondent has a prior discipline of four (4) months actual suspension. In addition, Respondent has provided partial mitigation in his struggle with Parkinson's disease and has entered into a Pretrial stipulation. Therefore, a discipline of six months actual suspension, along with conditions outlined above, will fulfill the goals of attorney discipline.

**DISMISSALS.**

The parties respectfully request the Court to dismiss the following alleged violations in the interest of justice:

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
15-O-13451	3	Business and Professions Code section 6106

**COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of Chief Trial Counsel has informed Respondent that as of April 21, 2016, the prosecution costs in this matter are approximately \$3,669. 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 MINIMUM CONTINUING LEGAL EDUCATION (“MCLE”) CREDIT**

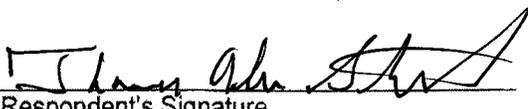
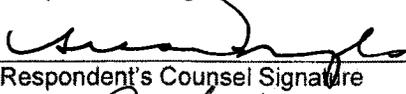
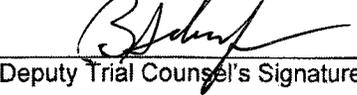
Respondent may not receive MCLE credit for completion of State Bar Ethics School, and/or any other educational course(s) to be ordered as a condition of reproof or suspension. (Rules Proc. of State Bar, rule 3201.)

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In the Matter of: THOMAS ALAN STANLEY SBN 45990	Case number(s): 15-O-13451
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### 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>4/26/16</u> Date	 Respondent's Signature	<u>Thomas Alan Stanley</u> Print Name
<u>4/28/16</u> Date	 Respondent's Counsel Signature	<u>Susan Margolis</u> Print Name
<u>4/28/16</u> Date	 Deputy Trial Counsel's Signature	<u>Brooke Schafer, obo Elizabeth Stine</u> Print Name

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In the Matter of: THOMAS ALAN STANLEY SBN 45990	Case Number(s): 15-O-13451
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### ACTUAL SUSPENSION ORDER

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

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

Page 7 - Change case number to 15-O-13451.  
Page 11- Substitute \$3,669 for \$3.669.

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.)**

May 18, 2016  
Date

  
YVETTE D. ROLAND  
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 May 18, 2016, 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:

**SUSAN LYNN MARGOLIS  
MARGOLIS & MARGOLIS LLP  
2000 RIVERSIDE DR  
LOS ANGELES, CA 90039**

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

**ELIZABETH G. STINE, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 18, 2016.

*Paul Barona*

Paul Barona  
Case Administrator  
State Bar Court