



# PUBLIC MATTER

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## STATE BAR COURT OF CALIFORNIA HEARING DEPARTMENT - SAN FRANCISCO

In the Matter of	)	Case No.: 15-O-13585-PEM
	)	
<b>WARREN WENDELL QUANN,</b>	)	<b>DECISION</b>
	)	
<b>Member No. 140032,</b>	)	
	)	
<u>A Member of the State Bar.</u>	)	

### Introduction<sup>1</sup>

In this contested disciplinary proceeding, respondent **Warren Wendell Quann** is charged with one count of failing to comply with his disciplinary probation conditions. The court finds, by clear and convincing evidence, that respondent is culpable of the charged misconduct. Based on the nature and extent of culpability, as well as his mitigating and aggravating factors, this court recommends, among other things, that respondent be suspended from the practice of law for three years, stayed, placed on probation for three years, and actually suspended for three years and until he provides satisfactory proof to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

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<sup>1</sup> Unless otherwise indicated, all references to rules refer to the State Bar Rules of Professional Conduct. Furthermore, all statutory references are to the Business and Professions Code, unless otherwise indicated.

### **Significant Procedural History**

The Office of the Chief Trial Counsel of the State Bar of California (State Bar) initiated this proceeding by filing a Notice of Disciplinary Charges (NDC) on September 22, 2015. On October 13, 2015, respondent filed a response to the NDC.

Trial was held on January 20, 21, and 22, 2016. The State Bar was represented by Deputy Trial Counsel, Heather E. Abelson. Respondent represented himself. Following closing arguments on January 22, 2016, the court took this matter under submission.

### **Findings of Fact and Conclusions of Law**

Respondent was admitted to the practice of law in California on June 6, 1989, and has been a member of the State Bar of California at all times since that date.

#### **Case No. 15-O-13585 (The Probation Matter)**

##### **Facts**

On June 20, 2012, the California Supreme Court ordered, among other things, in Supreme Court case No. S200633, that:

1. Respondent be suspended from the practice of law for three years, that execution of the suspension be stayed, that he be placed on probation for three years, and that he be actually suspended for two years and until he has shown proof satisfactory to the State Bar Court of his 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, as recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 11, 2012 (State Bar Court case Nos. 09-O-11763 et al.); and
2. Respondent comply, among other things, during the period of his probation, with the following probation conditions:

- A. Respondent was required to submit a written report to the Office of Probation on January 10, April 10, July 10 and October 10 of each year, or part thereof, during which the probation is in effect, stating under penalty of perjury that he has complied with provisions of the State Bar Act and Rules of Professional Conduct during said period (quarterly report). In addition to all quarterly reports, a final report, containing the same information, was due no earlier than 20 days before the last day of the probation period and no later than the last day of the probation period; and
- B. Respondent must pay restitution to Jeffrey and Kari Turney, Vada T. Lee and Starshim Placide, David and Cynthia Blackburn, Joanne and Michael Coleman, Gloria J. Peppers, Christina Huckaby, and Diana Krkljus. If the Client Security Fund (CSF) has reimbursed one or more of the payees for any portion of the principal amounts, respondent must also pay restitution to CSF.

The Supreme Court order became effective on July 20, 2012, 30 days after it was entered. (Cal. Rules of Court, rule 9.18(a).) It was properly served on respondent.<sup>2</sup>

On July 24, 2012, the Office of Probation sent a letter to respondent detailing the terms of his probation and informing him that he must schedule a meeting with the office within 30 days from the effective date of the discipline. In addition, among other documents attached to the letter were forms and instructions detailing the reporting requirements for restitution payments

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<sup>2</sup>Although no proof was offered that the Clerk of the Supreme Court served the Supreme Court's order upon respondent, California Rules of Court, rule 8.532(a) requires clerks of reviewing courts to immediately transmit a copy of all decisions of those courts to the parties upon filing. It is presumed pursuant to Evidence Code section 664 that official duties have been regularly performed. (*In re Linda D.* (1970) 3 Cal.App.3d 567, 571.) Therefore, in the absence of evidence to the contrary, this court finds that the Clerk of the Supreme Court performed his duty and transmitted a copy of the Supreme Court's order to respondent immediately after its filing.

and quarterly reports. The quarterly report instructions advised respondent that "being even one day late means that you are not in compliance."

On August 16, 2012, the Office of Probation held its required meeting with respondent. During this meeting, the probation deputy reviewed the probation conditions with respondent.

On August 29, 2012, respondent filed the required California Rules of Court, rule 9.20 declaration.

### ***Quarterly Reports***

#### ***1. April 10, 2013 Quarterly Report***

While respondent's quarterly reports due on October 10, 2012, and January 10, 2013, were filed in a timely manner, his April 10, 2013 quarterly report was late. Respondent mailed his April 10, 2013 quarterly report to the Office of Probation on April 8, 2013. However, the Office of Probation did not receive it until April 11, 2013. Therefore, respondent was one day late and not in compliance.

#### ***2. July 10, 2013 Quarterly Report***

On July 9, 2013, respondent sent by priority overnight mail his July 10, 2013 quarterly report and the Office of probation received it on July 10. However, the report was rejected by the Office of Probation as deficient because respondent did not make a statement on page 1 of the form regarding compliance with the State Bar Act and Rules. On July 10, 2013, the Office of Probation spoke with respondent regarding the deficiencies in his quarterly report. Respondent told the Office of Probation that he would refile the report.

On August 27, 2013, the Office of Probation left a voicemail for and a follow-up email to respondent, stating that the office still had not received a corrected quarterly report. On September 5, 2013, the Office of Probation sent a second email to respondent stating that the

office still had not received a corrected quarterly report. On September 6, 2013, respondent late filed the quarterly report which was due on July 10, 2013.

*3. April 10, 2014 Quarterly Report*

Respondent's October 10, 2013 and January 10, 2014 quarterly reports were filed in a timely manner. But on April 10, 2014, respondent overnight mailed his quarterly report due on April 10, 2014. Since the Office of Probation received the report on April 11, 2014, respondent was a day late on his April 10, 2014 quarterly report and therefore, was not in compliance.

*4. July 10, 2014 Quarterly Report*

Likewise, respondent's July 10, 2014 quarterly report due on July 10, 2014, was filed a day late on July 11, 2014.

*5. October 10, 2014 Quarterly Report*

On October 29, 2014, respondent wrote a letter to Office of Probation, stating that he made a mistake of mailing his October 10, 2014 quarterly report to the 1149 South Hill Street address (State Bar's former address) and it was returned causing the delay in the filing of October 10, 2014 quarterly report. On October 31, 2014, respondent attempted to file the quarterly report which was due on or before October 10, 2014, but it was rejected by the Office of Probation as respondent did not make a statement on page 1 of the form regarding compliance with the State Bar Act and Rules. On November 3, 2014, the Office of Probation contacted respondent and told him that his October 10, 2014 quarterly report was deficient and needed to be refiled. On November 24, 2014, respondent late filed the quarterly report which was due on October 10, 2014.

*6. April 10, 2015 Quarterly Report*

Respondent's January 10, 2015 quarterly report was filed in a timely manner. However, respondent failed to timely file his quarterly report that was due on April 10, 2015. On April 16,

2015, respondent spoke with the Office of Probation and indicated that he had lost his State Bar file, and requested a new quarterly report form. That same day, the Office of Probation emailed a blank copy of a quarterly report form to respondent, and reiterated that he was not in compliance with respect to his April 10, 2015 report.

*7. July 10, 2015 Quarterly Report*

Respondent failed to timely file the quarterly report that was due on July 10, 2015.

*8. July 20, 2015 Final Report*

He also failed to timely file the final report which was due on July 20, 2015. On July 28, 2015, the Office of Probation sent a letter to respondent detailing his failure to comply with the terms of his probation.

On August 4, 2015, respondent attempted to file the quarterly reports that were due on April 10, 2015, and July 10, 2015, and his final report that was due on July 20, 2015. All three reports were considered as not compliant and not timely.

***Restitution***

In October and November 2012, the CSF paid restitution to five payees: Gloria J. Peppers; David Blackburn; Michael and Joanne Coleman; Diana Krkljus,; and Vada T. Lee and Starshim Placide. Christina Huckaby and Jeffrey and Kari Turney did not file claims with CSF.

During the period of his probation, respondent did not make restitution payment to any of the complaining witnesses. In fact, it was not until the initiation of this disciplinary matter that respondent made any attempt to pay restitution.

On September 8, 2015, following the initiation of this disciplinary matter, respondent sent full restitution checks to the Turneys and to Christina Huckaby. On September 16, 2015, respondent sent a check to CSF for "processing costs," and on September 17, 2015, respondent sent a check to CSF for reimbursement of restitution paid out on behalf of respondent. In order

to make restitution, respondent took out a loan. However, respondent did not report any restitution to the Office of probation.

### **Conclusions**

Business and Professions Code section 6068, subdivision (k), provides that an attorney has a duty to comply with all conditions attached to any disciplinary probation.

The court finds that there is clear and convincing evidence that respondent failed to comply with the terms of his probation, in willful violation of section 6068, subdivision (k), as ordered by the Supreme Court in S200633: (1) by failing to timely file seven quarterly reports (April 10 and July 10, 2013; April 10, July 10, and October 10, 2014; April 10 and July 10, 2015); (2) by failing to timely file a final report by July 20, 2015; (3) by failing to provide proof of restitution by July 20, 2015; and (4) by failing to timely pay reimbursement of restitution to CSF by July 20, 2015.

### **Aggravation<sup>3</sup>**

#### **Prior Record of Discipline (Std. 1.5(a).)**

Respondent has a record of two prior disciplinary actions.

#### *First Disciplinary Matter*

On August 7, 2011, respondent was suspended from the practice of law for one year, stayed, and placed on probation for two years with a seven-month actual suspension for his misdemeanor conviction which involved moral turpitude. In 1998 respondent pleaded guilty to submitting fraudulent documents to the IRS. In mitigation, he cooperated with the bar's investigation, completed community service and continued to provide pro bono work, and has

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<sup>3</sup> All references to standards (Std.) are to the Rules of Procedure of the State Bar, title IV, Standards for Attorney Sanctions for Professional Misconduct.

not been disciplined since his conviction. (Supreme Court case No. S192656; State Bar Court case No. 10-C-00922.)

*Second Disciplinary Matter*

In the underlying matter, on July 20, 2012, respondent was suspended from the practice of law for three years, stayed, placed on probation for three years, and was actually suspended for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law. Respondent stipulated to aiding in the unauthorized practice of law in nine matters and failing to refund unearned fees in six client matters. (Supreme Court case No. S200633; State Bar Court case Nos. 09-O-11763 et al.)

**Multiple Acts (Std. 1.5(b).)**

Respondent committed multiple acts of wrongdoing, including failing to timely file his quarterly reports, failing to timely file the final report, and failing to timely make restitution. "The repeated need of the State Bar to intervene in order 'to seek respondent's compliance with duties he voluntarily undertook was inconsistent with the self-governing nature of probation as a rehabilitative part of the attorney disciplinary system.' [Citation.]" (*In the Matter of Laden* (Review Dept. 2004) 4 Cal. State Bar Ct. Rptr. 678, 683.)

**Uncharged Violations of Rules of Professional Conduct/Business and Professions Code (Std. 1.5(h).)**

Respondent was convicted of a misdemeanor DUI in 2011 (Veh. Code § 23152(a)). He testified that he had informed the State Bar but not to the Office of Probation. As part of his probation conditions, respondent is obligated to comply with the State Bar Act and the Rules of Professional Conduct. A misdemeanor conviction is a violation of his probation conditions. He knew or should have known that he had a duty to report the DUI to the Office of Probation. This uncharged violation of section 6068, subdivision (k), is an aggravating factor.

**Significant Harm to Client/Public/Administration of Justice (Std. 1.5(j).)**

Kari Turney and Christina Huckaby, two of the complaining witnesses in the underlying case, testified at this hearing that they could have used the money he was told to pay as both were struggling financially. However, the harm to these clients is not an additional aggravating factor because respondent's failure to make restitution causing significant harm was already considered a significant aggravating circumstance in the underlying case and therefore, would be duplicative here.

**Failure to Make Restitution (Std. 1.5(m).)**

Similarly, respondent's failure to timely make restitution in and of itself is also not an aggravating circumstance since he has already been found culpable of such failure in willful violation of his probation conditions. It would be duplicative for that same finding to form the basis for the finding in aggravation. (See *In the Matter of Hunter* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 63, 77.)

**Mitigation**

**Good Character (Std. 1.6(f).)**

Respondent presented substantial evidence of his community work and significant evidence of good character. Thirteen witnesses testified and attested to his good character, including attorneys, community leaders, and friends. The court did not consider three of the witnesses' testimony (Pamela Campbell, Tyrone Netters and Asia Allen) as they clearly were not aware of the full extent of respondent's disciplinary record.

However, the court gives some credit to the testimony of Richard Pardue, a general contractor who has known respondent for 15 years, even though he was not aware of respondent's misdemeanor conviction. He testified that respondent's conviction would not change his opinion of respondent's outstanding character.

The other nine character witnesses credibly testified to respondent's good character, diligence, altruism, trustworthiness, and dedication. The witnesses included: a chairperson of the Black Studies Department at the University of Minnesota; a head of the Investment Division of the National Association of Real Estate; an officer of the NAACP; an executive of Progress Investment Management Company; a pastor; an executive of Urban Partnership; a HUD certified housing counselor; a supervisor of the Managed Care for the California Department of Health Services; and a community activist. Many of whom have known respondent for more than 20 years and attested to respondent's commitment to the community and involvement in various community organizations. Despite his past disciplinary record and DUI in 2011, they still opined that respondent is a person of good moral character.

The court finds that these ten character witnesses represent an extraordinary demonstration of respondent's good character attested to by a wide range of references in the general communities and who are aware of the full extent of the member's misconduct.

Moreover, while respondent's substantial community service and pro bono activities before 2011 was already given credit in mitigation in his first prior record of discipline (State Bar Court case No. 10-C-00922), his continuous community service after 2011 is considered a mitigating factor in this disciplinary matter. (*In the Matter of Hertz* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 456.)

Respondent has done extensive pro bono work which was corroborated by all his character witnesses. Active in his church, New Direction Christian Center, respondent is engaged in a training program to expose minority youth to various careers, donating 100-125 hours after 2013. He is also active in the men's ministry and voter registration. Respondent had assisted in two of the California Conference of the NAACP in the years 2013 until March 2015. He is active in NID-Housing Counseling Agency - Keep Your Home California - by

coordinating with community base agencies, donating on an annual basis of 160 hours. He has also done a lot of volunteer work for the Neighborhood Association Corporation of America. Furthermore, respondent has written grants for the Chamber of Commerce of Sacramento on a pro bono basis.

**Remorse/Recognition of Wrongdoing (Std. 1.6(g).)**

Respondent admitted that he did not file all of his probation reports in timely manner and that he did not promptly pay restitution. He recognized that he should have filed his probation reports in a prompt manner. He expressed genuine remorse. He ultimately complied with the various requirements – he was just always late in doing so. While substantial compliance with a disciplinary probation requirement is not a defense to violation of the requirement, respondent's efforts to comply constituted mitigating circumstance. (*In the Matter of Broderick* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 138, 150 [belated compliance with a probation condition may be considered as a mitigating factor in determining discipline].)

**Discussion**

The purpose of State Bar disciplinary proceedings is not to punish the attorney but to protect the public, the courts, and the legal profession; to maintain the highest possible professional standards for attorneys; and to preserve public confidence in the legal profession. (Std. 1.1; *Chadwick v. State Bar* (1989) 49 Cal.3d 103, 111.)

In determining the appropriate level of discipline, the court looks first to the standards for guidance. (*Drociak v. State Bar* (1991) 52 Cal.3d 1095, 1090; *In the Matter of Koehler* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 615, 628.) The Supreme Court gives the standards “great weight” and will reject a recommendation consistent with the standards only where the court entertains “grave doubts” as to its propriety. (*In re Silvertown* (2005) 36 Cal.4th 81, 91-92; *In re Naney* (1990) 51 Cal.3d 186, 190.) Although the standards are not mandatory, they may be

deviated from when there is a compelling, well-defined reason to do so. (*Bates v. State Bar* (1990) 51 Cal.3d 1056, 1061, fn. 2; *Aronin v. State Bar* (1990) 52 Cal.3d 276, 291.)

Standard 1.8(b) provides that, unless the most compelling mitigating circumstances clearly predominate or the prior misconduct occurred in the same time period as the current misconduct, if an attorney has two or more prior records of discipline, disbarment is appropriate if: (1) an actual suspension was ordered in one of the prior matters; (2) the prior and current matters together 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.

Standard 2.14 states, "Actual suspension is the presumed sanction for failing to comply with a condition of discipline. The degree of sanction depends on the nature of the condition violated and the member's unwillingness or inability to comply with disciplinary orders."

The State Bar urges respondent be disbarred, in light of his two prior records of discipline under standard 1.8(b).

Respondent argues that a 120 days' stayed suspension would be sufficient.

The extent of the discipline to recommend is dependent, in part, on the seriousness of the probation violation and respondent's recognition of his misconduct and his efforts to comply with the conditions. (*In the Matter of Potack* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 525, 540.) Here, although respondent had repeatedly failed to timely comply with his probation conditions, he recognizes his misconduct and has atoned for his tardiness.

In *In the Matter of Meyer* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 697, the attorney, who had two prior records of discipline, was actually suspended for 90 days for failing to comply with the conditions attached to his private reproof in his second prior record of discipline. He had failed to file quarterly reports and complete continuing legal education

courses. In his first discipline, he had been privately reprovved for failing to communicate with a client, improperly withdrawing from employment, and failing to return client file in one client matter. In his second discipline, he was privately reprovved for not complying with the conditions attached to his first reprovval (not filing or timely filing his probation report and untimely taking and completing the State Bar's Ethics School). In that second proceeding, his failures to comply had been concluded by the court to be mitigated by his extreme emotional difficulties and depression at that time. In his third disciplinary matter, because the case was decided after Meyer's default had been entered for failure to appear at trial, no mitigating factors were found. Instead, there was much evidence in aggravation, including the two prior records, multiple acts of wrongdoing, indifference towards rectification (Meyer had still not complied with the subject conditions at the time of trial), and Meyer's failure to appear for the trial. Nevertheless, the Review Department found that the nature and extent of his two prior records of discipline were not sufficiently severe to justify disbarment and that a 90 days' actual suspension was warranted.

In *In the Matter of Lawrence* (Review Dept. 2013) 5 Cal. State Bar Ct. Rptr. 239, an attorney with three prior records of discipline was actually suspended for three years, with a three years' stayed suspension and four years' probation, for committing trust accounting violations, commingling funds in his trust account, and violating his probation conditions. He failed to provide proof that he attended Ethics School and failed to file his final probation report. The Review Department found that his physical disabilities established compelling mitigation to deviate from disbarment. "Merely declaring that an attorney has [two prior] impositions of discipline, without more analysis, may not adequately justify disbarment in every case. [Citation.]" (*Id.* at p. 248.)

Unlike *Meyer*, the gravamen of respondent's misconduct is not his unwillingness to comply with the disciplinary order but his lack of timeliness in doing so. Respondent has

belatedly complied with the conditions. And, unlike *Lawrence*, respondent's misconduct did not involve other client matters. Moreover, there is no evidence of evil intent or bad faith. (*Arm v. State Bar* (1990) 50 Cal.3d 763, 768 [despite three prior discipline records, 18-month actual suspension for misleading a judge and commingling client funds, when tempered by compelling mitigating circumstances including lack of significant harm and absence of bad faith; misconduct "not sufficiently egregious" to warrant disbarment].)

While the State Bar's recommendation of disbarment would be manifestly unjust, respondent's argument for no actual suspension is inadequate. A period of significant actual suspension is appropriate "to ensure that [r]espondent understands the consequences of not treating the probation conditions seriously." (*In the Matter of Tiernan* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 523, 530.) Furthermore, respondent's sanction must be greater than the previously imposed sanction of two years' actual suspension in the underlying matter .

Accordingly, based on respondent's misconduct, the case law, standard 2.14, the aggravating evidence of two prior records of discipline, multiple acts of wrongdoing, and an uncharged violation of his probation conditions, and the compelling mitigating factors of remorse, community work, and good character, the court concludes that a departure from standard 1.8(b) is justified and that, placing respondent on an actual suspension for three years would be appropriate to protect the public and to preserve public confidence in the profession.

#### **Recommendations**

It is recommended that respondent Warren Wendell Quann, State Bar Number 140032, be suspended from the practice of law in California for three years, that execution of that period

of suspension be stayed, and that respondent be placed on probation<sup>4</sup> for a period of three years subject to the following conditions:

1. Respondent is suspended from the practice of law for the first three years of probation and respondent will remain suspended until the following requirement is satisfied:

Respondent must provide satisfactory proof to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law before his actual suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

2. Respondent must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all of the conditions of respondent's probation.
3. Within 10 days of any change in the information required to be maintained on the membership records of the State Bar pursuant to Business and Professions Code section 6002.1, subdivision (a), including respondent's current office address and telephone number, or if no office is maintained, the address to be used for State Bar purposes, respondent must report such change in writing to the Membership Records Office and the State Bar's Office of Probation.
4. Within 30 days after 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 of the conditions of respondent's probation during the preceding calendar quarter. In addition to all quarterly reports, a final report, containing the same information, is due no earlier than 20 days before the last day of the probation period and no later than the last day of the probation period.
6. Subject to the assertion of applicable privileges, respondent must answer fully, promptly, and truthfully, any inquiries of the Office of Probation or any probation monitor that are directed to respondent personally or in writing, relating to whether respondent is complying or has complied with respondent's probation conditions.

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<sup>4</sup> The probation period will commence on the effective date of the Supreme Court order imposing discipline in this matter. (See Cal. Rules of Court, rule 9.18.)

7. Within one year after the effective date of the discipline herein, respondent must submit to the Office of Probation satisfactory evidence of completion of the State Bar's Ethics School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and respondent will not receive MCLE credit for attending Ethics School. (Rules Proc. of State Bar, rule 3201.)
8. At the expiration of the probation period, if respondent has complied with all conditions of probation, respondent will be relieved of the stayed suspension.

**Multistate Professional Responsibility Exam**

It is recommended that respondent be ordered to take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

**California Rules of Court, Rule 9.20**

It is recommended that respondent be ordered to comply with the requirements of rule 9.20 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court order in this proceeding. Failure to do so may result in disbarment or suspension.

**Costs**

It is recommended that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Dated: April 7, 2016

  
PAT McELROY  
Judge of the State Bar Court

## CERTIFICATE OF SERVICE

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

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, On April 7, 2016, I deposited a true copy of the following document(s):

DECISION

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:

WARREN W. QUANN  
WARREN W QUANN  
5544 DANJAC CIR  
SACRAMENTO, CA 95822

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

Heather E. Abelson, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on April 7, 2016.

  
Laurretta Cramer  
Case Administrator  
State Bar Court