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State Bar Court of California Hearing Department San Francisco STAYED SUSPENSION		
Counsel For The State Bar Donald R. Steedman Supervising Senior Trial Counsel 180 Howard Street San Francisco, CA 94105 Bar # 104927	Case Number(s): 15-O-14225 [15-O-14461, 15-O-14521]	For Court use only PUBLIC MATTER FILED MAY 10 2016 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
Counsel For Respondent Carol Langford Attorney at Law 100 Pringle Avenue, #570 Walnut Creek, CA 94596 Bar # 124812	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING STAYED SUSPENSION; NO ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: Mark David Greenberg Bar # 99726 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 **December 1, 1981**.
- (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."
- (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.
 - ☐ 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.

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."
- (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.

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- (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. This case involves three client matters.
- (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 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 subsequent rehabilitation.
- (13) ☐ **No mitigating circumstances** are involved.

Additional mitigating circumstances

No prior discipline. See Stipulation attachment at page 9.
Cooperation with State Bar. See stipulation attachment at page 9.

D. Discipline:

- (1) ☒ **Stayed Suspension:**
- (a) ☒ Respondent must be suspended from the practice of law for a period of **one year**.
- 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:

The above-referenced suspension is stayed.

- (2) ☒ **Probation:**

Respondent is placed on probation for a period of **one year**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court.)

E. Additional Conditions of Probation:

- (1) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2) ☒ 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.
- (3) ☒ 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.

- (4) ☒ 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.

- (5) ☐ 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.
- (6) ☒ 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.
- (7) ☒ 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 State Bar Ethics School, and passage of the test given at the end of that session.

☐ No Ethics School recommended. Reason: .

- (8) ☐ 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.

- (9) ☒ The following conditions are attached hereto and incorporated:

<input type="checkbox"/> Substance Abuse Conditions	<input checked="" 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 within one year. **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) ☐ **Other Conditions:**

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In the Matter of:
Mark David Greenberg

Case Number(s):
15-O-14225 et seq.

Law Office Management Conditions

- a. ☒ Within --- days/**twelve** months/--- years of the effective date of the discipline herein, Respondent must develop a law office management/organization plan, which must be approved by the Office of Probation. This plan must include procedures to (1) send periodic reports to clients; (2) document telephone messages received and sent; (3) maintain files; (4) meet deadlines; (5) withdraw as attorney, whether of record or not, when clients cannot be contacted or located; (6) train and supervise support personnel; and (7) address any subject area or deficiency that caused or contributed to Respondent's misconduct in the current proceeding.
- b. ☒ Within --- days/**twelve** months/--- years of the effective date of the discipline herein, Respondent must submit to the Office of Probation satisfactory evidence of completion of no less than **four participatory** hours of Minimum Continuing Legal Education (MCLE) approved courses in law office management, attorney client relations and/or general legal ethics. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for attending these courses (Rule 3201, Rules of Procedure of the State Bar.)
- c. ☐ Within 30 days of the effective date of the discipline, Respondent must join the Law Practice Management and Technology Section of the State Bar of California and pay the dues and costs of enrollment for year(s). Respondent must furnish satisfactory evidence of membership in the section to the Office of Probation of the State Bar of California in the first report required.

Other:

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF MARK DAVID GREENBERG

CASE NUMBERS: 15-O-14225 [15-O-14461, 15-O-14521]

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-14225
(SBI initiated Investigation—the Mark Foley Matter)

FACTS:

In 2001, respondent filed a federal habeas corpus petition on behalf of a prison inmate, Mark Foley, who had been convicted of first degree murder. In 2004, the magistrate judge recommended that the petition be denied. Respondent had an opportunity to file objections to the recommendation, but did not do so. When the petition was denied, respondent failed to inform his client despite receiving numerous letters from the client requesting status information. As a result, the client lost his chance to appeal.

The client later contacted the court directly. In 2011, the district court ordered respondent to respond to the client's abandonment allegations. Respondent filed a declaration admitting that he had not notified his client of the dismissal; stating that he had forgotten he still represented the client; and stating that he had ignored the client's correspondence because he had a practice of ignoring mail from former clients. The district court nevertheless reaffirmed its decision denying the habeas petition.

In July 2015, based on a finding of attorney incompetence, the Court of Appeals reversed the district court's judgment dismissing the habeas petition and remanded the case to the district court. Respondent failed to report the reversal of judgment to the State Bar.

Thereafter, the district court reentered its judgment denying the habeas petition and also denied the petitioner's request for a certificate of appealability. Subsequently, however, the Ninth Circuit granted petitioner permission to pursue an appeal as to certain issues. The appeal is currently pending.

CONCLUSIONS OF LAW:

1. By failing to inform the client: (1) that the magistrate judge recommended that the client's petition for writ of habeas corpus be denied; (2) that respondent had decided not file objections to the recommendation; (3) that respondent had not filed objections to the recommendation; and (4) that the court had denied the client's petition for writ of habeas corpus, respondent failed to keep his client reasonably informed of significant developments in a matter in which respondent had agreed to provide legal services in wilful violation of Business and Professions Code, section 6068(m).

2. By effectively withdrawing from employment without obtaining court permission as required by law, respondent wilfully violated Rules of Professional Conduct, rule 3-700(A)(1).

3. By effectively withdrawing from employment without taking reasonable steps to avoid reasonably foreseeable prejudice to his client and without informing his client that he was withdrawing from employment, respondent wilfully violated Rules of Professional Conduct, rule 3-700(A)(2).

4. By failing to respond to the client's numerous letters, each of which constituted reasonable status inquiries, respondent wilfully violated Business and Professions Code, section 6068(m).

5. By failing to report the Court of Appeals opinion to the State Bar, respondent failed to report the reversal of judgment in a proceeding, which was based in whole or in part upon misconduct or grossly or grossly incompetent representation, in wilful violation of Business and Professions Code, section 6068(o)(7).

Case No. 15-O-14521
Complainant Joseph M. Bennett

FACTS:

Respondent represented a prison inmate, Joseph M. Bennett, in his appeal of a sex offense conviction. The Supreme Court denied the appeal in June 2015, but respondent failed to notify his client of that fact. Between July 16, 2015, and August 13, 2015, the client repeatedly asked respondent to release his client papers and files. Respondent did not comply with these requests until September 2015, which was after the deadline had expired for the client to file a petition for certiorari with the California Supreme Court. However, the client still has the option of pursuing habeas corpus relief.

CONCLUSIONS OF LAW:

1. By failing to inform the client that the Supreme Court had denied review, respondent failed to keep his client reasonably informed of significant developments in a matter in which respondent had agreed to provide legal services, in wilful violation of Business and Professions Code, section 6068(m).

2. By failing to promptly release promptly all of the client's papers and property after termination of employment despite the requests of the client, respondent wilfully violated Rules of Professional Conduct, rule 3-700(D)(1).

Case No. 15-O-14461
Complainant Mary L. Gains

Respondent represented a prison inmate, Mary L. Gains, in her appeal of a first degree murder conviction. When the appeal was denied in 2012 and respondent's employment thereby ended, respondent should have sent the client her entire file. However, respondent only sent the part of the trial transcripts and then failed to respond to the client's requests for the remainder of her trial transcripts. When contacted by the State Bar in 2015, respondent examined his storage area more carefully, located the remainder of the client's trial transcripts, and sent them to the client.

CONCLUSION OF LAW:

By failing to promptly release all of the client's transcripts after termination of employment despite the requests of the client, respondent wilfully violated Rules of Professional Conduct, rule 3-700(D)(1).

MITIGATING CIRCUMSTANCES.

1. No Prior Discipline. Respondent was admitted to practice law in December 1981, and he has not previously received professional discipline. Respondent is therefore entitled to significant mitigating credit. (See *Hawes v. State Bar* (1990) 51 Cal.3d 587, 596.)

2. Cooperation with State Bar. Once notified of the allegations, respondent fully cooperated with the State Bar and he candidly admitted his mistakes. (See Standard 1.6(e) [mitigation credit for cooperation with the State Bar].) Respondent took objective steps demonstrating his recognition of wrongdoing (see Std. 1.6(g)), including his agreement to this pretrial stipulation. (See *Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [mitigation credit for entering 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).)

Suspension or reproof is the presumed sanction for respondent's violations of Rules of Professional Conduct 3-110(A) (incompetence), 3-700(A)(1) and (2) (improper withdrawal) and Business and

Professions Code section 6068(m). (Stds. 2.7(c), 2.12(c).) Reproval is the presumed sanction for a violation of Business and Professions Code section 6068(o). (Std. 2.12(b).) When multiple Standards apply, the most severe sanction must be imposed. (Std. 1.7(a).) Therefore, the presumed sanction is suspension or reproval.

The fact that respondent committed misconduct while representing three incarcerated clients reinforces the conclusion that significant discipline should be imposed:

Clients who are incarcerated, even if they have friends or relatives outside of prison to act as intermediaries with the attorney, are necessarily limited in their ability to assist the attorney or to stay apprised of the attorney's efforts. In that regard, the Supreme Court's observation in a case where the attorney abandoned a criminal appeal, *Borré v. State Bar* (1991) 52 Cal.3d 1047, 1053, is apt: "[Borré's] abandonment of his incarcerated client was itself a serious matter warranting substantial discipline. [Citation.]."

(*In the Matter of Nees* (Review Dept.1996) 3 Cal. State Bar Ct. Rptr. 459, 465.)

The leading cases involving attorneys who abandoned incarcerated clients are *Borré v. State Bar* (1991) 52 Cal.3d 1047, *In the Matter of Nees* (Review Dept.1996) 3 Cal. State Bar Ct. Rptr. 459, and *In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41.

In *Borré*, the Supreme Court imposed a two-year actual suspension upon an attorney with no prior discipline who abandoned his client, lied to his client about the status of the case, improperly withdrew from employment, made a reckless representation to the Court of Appeal, created a fabricated letter to cover up his misconduct, and perjured himself about the letter. The instant misconduct is less serious than in *Borré* because respondent did not act dishonestly.

In *Nees*, the Review Department recommended a six-month actual suspension be imposed upon an attorney who abandoned the habeas corpus petition of an incarcerated client, failed to respond to client inquiries for years, failed to return client files and unearned fees, failed to cooperate with the State Bar, and then failed to appear in the disciplinary hearing. Unlike *Nees* (who would have been disbarred under today's default rules), respondent has cooperated in the instant case.

This case more-closely resembles *Riordan*. In that case, the Review Department recommended that a six-month stayed suspension be imposed upon an attorney with no prior discipline who failed to perform competently in a death penalty appeal. Specifically, the attorney failed to file an opening brief even though the Supreme Court granted him numerous extensions and repeatedly ordered respondent to file the brief. Similar to the current respondent, *Riordan* failed to report the resultant sanctions to the State Bar. Mitigation included character testimony.

Stayed suspension is being recommended in this case because respondent has no prior discipline over many years of practice; because he has admitted his misconduct and cooperated in these proceedings; and because respondent's misconduct resulted from poor office management practices. This stipulation contains conditions of probation designed to address respondent's the law office management issues.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of April 20, 2016, the prosecution costs in this matter are \$5,141.00. 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 the law office management courses as ordered as condition of probation in this matter. (Rules Proc. of State Bar, rule 3201.)

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In the Matter of:
Mark David Greenberg

Case number(s):
15-O-14225 [15-O-14461, 15-O-14521]

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.

4/22/16

Date

Respondent's Signature

Mark David Greenberg

Print Name

4/26/16

Date

Respondent's Counsel Signature

Carol Langford

4/27/2016

Date

Deputy Trial Counsel's Signature

Donald R. Steedman

(Do not write above this line.)

In the Matter of: Mark David Greenberg	Case Number(s): 15-O-14225 [15-O-14461, 15-O-14521]
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STAYED 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.

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.)**

Date

May 10, 2016

PAT E. 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 May 10, 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 San Francisco, California, addressed as follows:

CAROL LANGFORD
100 PRINGLE AVE #570
WALNUT CREEK, CA 94596

- ☐ by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:

- ☐ by overnight mail at , California, addressed as follows:

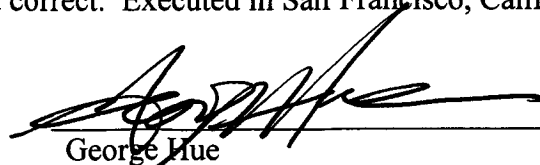
- ☐ by fax transmission, at fax number . No error was reported by the fax machine that I used.

- ☐ By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:

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

Donald R. Steedman, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on May 10, 2016.



George Hue
Case Administrator
State Bar Court