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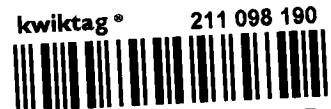
**State Bar Court of California
Hearing Department
San Francisco
STAYED SUSPENSION**

<p>Counsel For The State Bar</p> <p>Treva R. Stewart Deputy Trial Counsel 180 Howard Street San Francisco, CA 94105 (415) 538-2452</p> <p>Bar # 239829</p>	<p>Case Number(s): 16-C-12700-PEM</p>	<p>For Court use only</p> <p>PUBLIC MATTER</p> <p>FILED</p> <p>OCT 31 2016 <i>[Signature]</i></p> <p>STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>In Pro Per Respondent</p> <p>Peter Josserand, XIII Attorney at Law 731 21st Street, Suite B Paso Robles, CA 93446 (805) 238-5373</p> <p>Bar # 146182</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>STAYED SUSPENSION; NO ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: PETER JOSSERAND, XIII</p> <p>Bar # 146182</p> <p>A Member of the State Bar of California (Respondent)</p>		

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

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **June 12, 1990**.
- (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 **11** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."



(Effective July 1, 2015)

Stayed Suspension

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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
 - Costs are added to membership fee for calendar year following effective date of discipline.
 - 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..

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- (8) **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice. See "Aggravating Circumstances", attachment page 7.
- (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 N/A

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. See "Mitigating Circumstances", attachment pages 7 and 8.

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- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct. See "Mitigating Circumstances", attachment page 8.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation. See "Mitigating Circumstances", attachment page 8.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances

No Prior Discipline. See "Mitigating Circumstances", attachment pages 8 and 9.

Pretrial Stipulation. See "Mitigating Circumstances", attachment 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.

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- (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 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:**

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: PETER JOSSERAND, XIII

CASE NUMBER: 16-C-12700-PEM

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that the facts and circumstances surrounding the offense for which he was convicted involved moral turpitude.

Case No. 16-C-12700 (Conviction Proceedings)

PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING:

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On June 9, 2004, the San Luis Obispo District Attorney filed a criminal complaint in the San Luis Obispo Superior Court, case no. M358376, charging respondent with one count of violation of Penal Code section 243.4(e)(1) [sexual battery], a misdemeanor.
3. On May 4, 2005, the court entered respondent's plea of nolo contendere to one count of violation of Penal Code section 243.4(e)(1) [sexual battery], a misdemeanor, and based thereon, the court found respondent guilty of that count.
4. On May 4, 2005, the court suspended the imposition of sentence for a period of two years and placed respondent on probation. The court ordered that respondent, among other things, register as a sex offender pursuant to Penal Code section 290, seek counseling, and pay a \$250 fine.
5. On August 17, 2016, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed in the event that the Hearing Department found that the facts and circumstances surrounding the offense(s) for which respondent was convicted involved moral turpitude or other misconduct warranting discipline.

FACTS:

6. Victim #1 was the operations manager for the janitorial service that serviced respondent's office.
7. On May 18, 2004, Victim #1 was at respondent's office performing an unannounced service inspection.
8. During the inspection, respondent led Victim #1 upstairs to a small, confined bathroom area, where he grabbed Victim #1's breast and squeezed it.

9. Victim #1 immediately moved respondent's hand and asked what he was doing. Respondent replied that he was sorry and couldn't help himself.

10. Respondent left the bathroom and pointed Victim #1 to a room with a couch and invited her inside. Victim #1 ran from the building and had her husband, who was waiting in the car, drive her to the Paso Robles Police Department (PRPD).

11. On May 20, 2004, respondent was interviewed at the PRPD. Respondent denied touching or squeezing Victim #1's breast.

12. On May 26, 2014, the investigating officer discovered the case of Victim #2, who reported to the PRPD on October 21, 2002 that respondent grabbed and squeezed her breast. Victim #2 chose not to pursue charges against respondent, and the matter was closed.

13. On May 27, 2004, the investigating officer contacted Victim #2. Victim #2 confirmed her initial report and agreed to provide a video-taped interview on May 31, 2004. However, on May 31, 2004, Victim #2 left a voice message that she did not want to provide the interview. The officer was unable to reach her thereafter.

14. On May 27, 2004, the PRPD obtained a recorded statement from respondent. Initially, respondent again denied assaulting Victim #1. However, once confronted with the information about Victim #2, respondent acknowledged touching each victim's breast. He stated that he had hoped that by doing so, they would be aroused and want to proceed sexually.

CONCLUSIONS OF LAW:

15. The facts and circumstances surrounding respondent's conviction for violation of Penal Code section 234.4(e)(1) [sexual battery], a misdemeanor, involved moral turpitude.

AGGRAVATING CIRCUMSTANCES.

Significant Harm to Client, Public or Administration of Justice (Std. 1.5(j)):

Std. 1.5(j) provides that significant harm to a client or the public is an aggravating circumstance.

According to each victim, respondent's misconduct caused, and continues to cause, her considerable distress.

MITIGATING CIRCUMSTANCES.

Extreme Emotional, Physical, or Mental Difficulties and Disabilities (Std. 1.6(d)):

Std. 1.6(d) provides that extreme emotional difficulties or physical or mental disabilities suffered by the member at the time of misconduct and established by expert testimony as directly responsible for the misconduct, and the member established by clear and convincing evidence that the difficulties or disabilities no longer pose a risk that the member will commit misconduct, is a mitigating circumstance.

Respondent attributes his conduct to emotional challenges caused by difficulties in his marriage. Following his arrest, respondent began treating with Psychologist, Rick Oliver. Dr. Oliver prepared a report in April 2016 that indicates that at the time of respondent's misconduct, he was involved in a dysfunctional marriage. That marriage has since terminated. Dr. Oliver opined that respondent had "effected a satisfactory adjustment" and was now in a stable and satisfying relationship. However, given the intentional nature of respondent's misconduct, minimal mitigation is warranted for this factor.

Extraordinary Good Character (Std. 1.6(f)):

Std. 1.6(f) provides that extraordinary good character attested to by a wide range of references in the legal and general communities, who are aware of the full extent of the misconduct, is a mitigating circumstance.

Respondent has provided a total of ten reference letters, the authors of which include three family members, his psychologist, a family therapist, a commercial landlord/attorney, a property manager, and three clients. The references, each of whom acknowledged a full awareness of respondent's misconduct, attested to respondent's honesty, integrity, trustworthiness, judgment, commitment, and knowledge. Nevertheless, mitigation in this category will be diminished by the fact that respondent's references do not constitute a wide range, i.e. there is only one letter from a member of the legal community.

Remoteness and Rehabilitation (Std. 1.6(h)):

Std. 1.6(h) provides that remoteness in time of the misconduct and subsequent rehabilitation is a mitigating circumstance.

Respondent's misconduct occurred more than 12 years ago (14 years in the case of Victim #2). Respondent voluntarily began treatment with Dr. Oliver after his arrest, but prior to the disposition of the criminal case. His treatment continued during his probation. According to Dr. Oliver's April 2016 report, it was determined that respondent had gained sufficiently from his experience, and on that basis, a treatment completion status was noted. Also, the report reflects that, through state authorized sex offense risk assessment testing, respondent was determined to be at a low to very low risk for re-offense.

Respondent completed probation on May 4, 2007. An order granting respondent's petition to withdraw the plea and dismiss the charge, pursuant to Penal Code section 1203.4, was filed on June 12, 2007.

In December 2015, respondent filed a Petition for a Certificate of Rehabilitation and Pardon ("petition"). The District Attorney submitted a report concerning the petition, but did not oppose it. The petition was granted on June 8, 2016. On June 28, 2016, the California Attorney General issued a termination of sex registration requirement to respondent.

No Prior Discipline:

Mitigation is permitted for the absence of prior discipline over many years of practice, notwithstanding the seriousness of the present misconduct. *In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, 49. Significant weight is afforded for more than ten years of discipline-free practice. *Hawes v. State Bar* (1990) 51 Cal. 3d 587, 596.

At the time of his misconduct against Victim #1, respondent had practiced discipline-free for 12 years (14 years in the case of Victim #2). Respondent began treating with Dr. Oliver shortly after his arrest.

He also changed the nature of his law practice from family law to real estate and estate planning, in order to limit his contacts with females. There is no information that respondent has repeated the behavior which led to his arrest and, as discussed below, the risk of his re-offense is considered to be low to very low.

Pretrial Stipulation:

By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*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]; *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the attorney's stipulation to facts and culpability was held to be a mitigating circumstance].)

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).)

The facts and circumstances surrounding respondent's conviction of misdemeanor sexual battery in violation of Penal Code section 243.4(e)(1) involves moral turpitude. (See *Gonzalez-Cervantes v. Holder* (9th Cir. 2013) 709 F.3d 1265, 1267, citing to *People v. Chavez* (2000) 84 Cal. App. 4th 25.) Therefore, standard 2.15(c) applies.

Standard 2.15(c) provides that disbarment or actual suspension is the presumed sanction for final conviction of a misdemeanor involving moral turpitude.

There are no known directly applicable State Bar cases.

As reflected above, each victim suffered considerable distress as a result of respondent's misconduct. Respondent caused significant harm to the public, an aggravating circumstance.

At the same time, there are a number of factors in mitigation. Of most significance is respondent's rehabilitation as indicated by his completion of treatment, the passage of time (14 years since the misconduct began), the lack of recurrence, and favorable sex offense risk assessment testing results. Respondent's rehabilitation is corroborated by Dr. Oliver, a licensed professional. Also, respondent succeeded in obtaining a criminal court order which granted his petition to withdraw his plea and dismiss the charge, and a certificate of rehabilitation which contributed to the termination of his sex registration requirement. Also of import is the fact that respondent had been in practice for at least 12 years before the misconduct began.

Although serious, the one aggravating factor is outweighed by the totality of mitigating factors.

Considering the facts and circumstances surrounding respondent's conviction, in conjunction with the weight of mitigating circumstances, deviation from the standards is warranted. Actual suspension is not necessary to achieve the purposes of discipline. A one-year stayed suspension is sufficient to protect the public, the courts and the legal profession; maintain the highest professional standards; and preserve public confidence in the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of October 13, 2016, the prosecution costs in this matter are approximately \$2,567. 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.)

(Do not write above this line.)

In the Matter of PETER JOSSERAND, XIII	Case number(s): 16-C-12700-PEM

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 Fact, Conclusions of Law and Disposition.

October 21, 2016
Date


Respondent's Signature

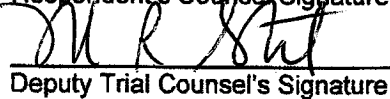
Peter Josserand, XIII
Print Name

Date

N/A
Respondent's Counsel Signature

N/A
Print Name

October 25, 2016
Date


Deputy Trial Counsel's Signature

Treva R. Stewart
Print Name

DECLARATION OF SERVICE

by

U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 16-C-12700-PEM

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING STAYED SUSPENSION; NO ACTUAL SUSPENSION

By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))

- in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco.

By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))

By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))

- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ('UPS').

By Fax Transmission: (CCP §§ 1013(e) and 1013(f))

Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.

By Electronic Service: (CCP § 1010.6)

Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

(for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at San Francisco, addressed to: (see below)

(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested,

Article No.: _____ at San Francisco, addressed to: (see below)

(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS,

Tracking No.: _____ addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to. Row 1: Peter Josserand XIII, Peter Josserand XIII, 731 21st Street, Suite B, Paso Robles, CA 93446, Electronic Address.

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ('UPS'). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: October 25, 2016

SIGNED:

Victoria Gotera

Victoria Gotera Declarant

(Do not write above this line.)

In the Matter of: PETER JOSSERAND, XIII	Case Number(s): 16-C-12700
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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

Oct 31, 2017


LUCY ARMENDARIZ
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 October 31, 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:

PETER JOSSERAND XIII
PETER JOSSERAND XIII
731 21ST ST STE B
PASO ROBLES, CA 93446

- 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:

Treva R. Stewart, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on October 31, 2016.



George Lee
Case Administrator
State Bar Court