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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
<p>Counsel For The State Bar</p> <p>Charles T. Calix Senior Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017-2515 (213) 765-1255</p> <p>Bar # 146853</p>	<p>Case Number(s): 16-O-14845 - DFM</p> <p style="text-align: center;">kwiktag® 226 163 474</p> 	<p>For Court use only</p> <p style="text-align: center; font-size: 2em;">PUBLIC MATTER</p> <p style="text-align: center; font-size: 1.5em;">FILED ✓</p> <p style="text-align: center;">NOV 01 2017 STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Stephen A. Madoni Law Office of Stephen A. Madoni 3700 Newport Boulevard, #206 Newport Beach, CA 92663-3913 (949) 723-7600</p> <p>Bar # 170652</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: RANDALL JAMES LANHAM</p> <p>Bar # 164839</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 15, 1993**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **12** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
 - Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: (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.
- (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.
- (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. See Attachment at page eight.
- (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.

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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 Attachment at page eight.**
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

No Prior Discipline: See Attachment at page eight.

Community Service: See Attachment at pages eight and nine.

Pretrial Stipulation: See Attachment at page nine.

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:
- (b) The above-referenced suspension is stayed.
- (2) **Probation:**
- Respondent must be placed on probation for a period of **two years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)
- (3) **Actual Suspension:**
- (a) Respondent must be actually suspended from the practice of law in the State of California for a period of **30-days**.
- 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

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- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:

E. Additional Conditions of Probation:

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

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

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

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- (9) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
- No MPRE recommended. Reason: .
- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension: .
- (5) **Other Conditions:**

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ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: RANDALL JAMES LANHAM

CASE NUMBER: 16-O-14845 - DFM

FACTS AND CONCLUSIONS OF LAW.

Randall James Lanham (“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. 16-O-14845 (Complainant: Kris Finstad)

FACTS:

1. On March 6, 2015, April 17, 2015, and May 29, 2015, the State Bar sent documents to respondent notifying him that he failed to pay his membership fees and that if he did not pay those fees by June 30, 2015, the Supreme Court would suspend respondent from the practice of law effective July 1, 2015. Respondent received the documents, but did not pay the fees.

2. On April 30, 2015, June 5, 2015, and July 10, 2015, the State Bar sent documents to respondent notifying him that he failed to comply with his Mandatory Continuing Legal Education (“MCLE”) requirements and that if he did not bring himself into compliance by June 30, 2015, the State Bar would enroll him as not eligible to practice law effective July 1, 2015. Respondent received the documents, but did not bring himself into compliance.

3. Effective July 1, 2015, respondent was not eligible to practice law in the State of California because he did not pay his membership dues or report his compliance with MCLE requirements to the State Bar on or before June 30, 2015.

4. On July 2, 2015, respondent conducted a conversation with the Internal Revenue Service (“IRS”) on behalf of clients in a business transaction, and then sent an email to the clients about the conversation.

5. Between July 13, 2015 and July 16, 2015, respondent exchanged emails with his clients about the conversation he conducted with the IRS, the business transaction, and submitting an appeal to the IRS. In those e-mails, respondent held himself out as entitled to practice law despite his not eligible status.

6. On July 20, 2015, respondent submitted an appeal to the IRS on behalf of his clients and held himself out as entitled to practice law by using his office letterhead.

7. On July 30, 2015, respondent paid his membership fees and reported his MCLE compliance, and as a result the State Bar reinstated him to the practice of law that same day.

8. Respondent received no fees from his unauthorized practice.

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CONCLUSIONS OF LAW:

9. By: (A) conducting a conversation with the IRS on behalf of his clients, and then sending an email to the clients about the conversation on July 2, 2015; (B) exchanging emails with his clients about the conversation he conducted with the IRS between July 13, 2015 and July 16, 2015; and (C) submitting an appeal to the IRS on behalf of his clients on July 20, 2015, all while he was not entitled to practice law, respondent held himself out as entitled to practice law and practiced law in the State of California when he was not an active member of the State Bar in violation of Business and Professions Code section 6068(a) via sections 6125 and 6126.

10. By: (A) conducting a conversation with the IRS on behalf of his clients, and then sending an email to the clients about the conversation on July 2, 2015; (B) exchanging emails with his clients about the conversation he conducted with the IRS between July 13, 2015 and July 16, 2015; and (C) submitting an appeal to the IRS on behalf of his clients on July 20, 2015, when he knew he was not entitled to practice law, respondent knowingly held himself out as entitled to practice law and thereby committed acts involving moral turpitude, dishonesty or corruption in violation of Business and Professions Code section 6106.

AGGRAVATING CIRCUMSTANCES.

Multiple acts of wrongdoing (Std. 1.5(b)): Respondent's acts of practicing law while not entitled to practice law, and holding himself out as entitled to practice law while not entitled to practice law, constitute multiple acts of misconduct.

MITIGATING CIRCUMSTANCES.

Character Evidence (Std. 1.6(f)): Respondent presented letters from three attorneys who have known Respondent for over 15 years and are aware of the full extent of his misconduct, attesting to his good character, knowledge, skill, professionalism, strong moral character, and dedication to his clients. Respondent also presented letters from three clients, the Youth Pastor/School Chaplain from his church and his children's school, the Assistant Scoutmaster of his Boy Scout Troop, and two friends, each of whom are aware of the full extent of his misconduct. His clients attested to his good character, superb legal skills, and professionalism, while the Youth Pastor, Assistant Scoutmaster, and respondent's friends attested to respondent's excellent character, compassion, and extraordinary generosity of time and money.

No Prior Discipline: On June 15, 1993, respondent was admitted to practice law. On July 1, 2015, the misconduct set forth above began. Respondent's 22 years of practice without a prior record of discipline are entitled to significant mitigation. (See *Friedman v. State Bar* (1990) 50 Cal.3d 235, 245 [more than 20 years of practice with an unblemished record is highly significant mitigation].)

Community Service: Respondent is entitled to mitigation for thousands of hours community service according to the Youth Pastor, his Assistant Scoutmaster, and two of his friends. Respondent has volunteered his time to a church and school for nearly 19 years. Respondent served on the church board and on the school committee; served as the coach for its football team; served as the mentor for approximately five young people seeking confirmation into the Episcopal Church; taught, with his spouse, a six-week communion course to children on six or seven occasions; and served as an usher for the past five years. For approximately 15 years, respondent served as the Scoutmaster of a Boy Scout Troop. During that time, respondent has been on overnight camping trips supervising the scouts on

roughly 300 occasions and been involved in dozens of Eagle Scout Service Projects designed to benefit the community. (See *Calvert v. State Bar* (1991) 54 Cal.3d 765, 785 [community service is mitigating factor entitled to considerable weight].)

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. (See *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 Silverton* (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).)

In this matter, respondent committed two acts of professional misconduct. Standard 1.7(a) requires that where a member “commits two or more acts of misconduct and the Standards specify different sanctions for each act, the most severe sanction must be imposed.”

The most severe sanction applicable to respondent’s misconduct is found in Standard 2.11, which applies to respondent’s misrepresentation to his clients and the IRS that respondent was entitled to practice while not eligible. Standard 2.11 provides that disbarment or actual suspension is the presumed sanction for an act of moral turpitude, dishonesty, fraud, corruption, intentional or grossly negligent misrepresentation, or concealment of a material fact. The degree of sanction depends on the magnitude of the misconduct; the extent to which the misconduct harmed or misled the victim, which

may include the adjudicator; the impact on the administration of justice, if any; and the extent to which the misconduct related to the member's practice of law.

The evidence in this case demonstrates that respondent made misrepresentations to his clients and the IRS that he was entitled to practice law while he was not eligible to practice law, and that respondent actually practiced law during his period of ineligibility. After balancing respondent's misconduct and aggravating circumstances of multiple acts of wrongdoing against mitigating circumstances that include respondent's 22-years without prior discipline, good character, community service and a pretrial stipulation, the appropriate discipline falls at the low end of the applicable standard.

In *In the Matter of Wells* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 896, Wells moved to South Carolina and represented at least seven clients in state and federal courts without becoming a member of its State Bar. The Review Department found that Wells engaged in the unauthorized practice of law in South Carolina, charged and collected illegal fees, and committed moral turpitude by failing to honestly and completely answer the questions of a South Carolina deputy solicitor. (*Id.* at p. 904.) The Review Department rejected the Hearing Department's finding that Wells acted in good faith, but gave her mitigation for extreme emotional distress, good character, and cooperating with the State Bar by entering into a stipulation of material fact. (*Id.* at pp. 912-913.) The Review Department found that Wells's mitigation was "balanced" by the aggravation, which included a prior private reproof for similar misconduct, multiple acts of misconduct, indifference to the consequences of her misconduct, and harm to the public, administration of justice, and her clients. (*Id.* at p. 913.) The Review Department recommended that Wells be suspended for two years, stayed, and placed on probation for two years on the condition that she be actually suspended for six months and until she paid restitution for charging and collecting unconscionable fees. (*Id.* at p. 914.)

In the instant case, respondent knowingly engaged in the unauthorized practice of law. In mitigation, respondent has no prior record of discipline over 22 years of practice, evidence of good character, community service and a pretrial stipulation. Wells's misconduct was more extensive than respondent's misconduct with respect to the number of acts of misconduct and the length of time that Wells committed the misconduct. Wells's misconduct was also more serious and harmful than respondent's misconduct, and unlike this respondent, Wells had a record of prior discipline and owed restitution for her misconduct. Therefore, respondent's discipline should be significantly less than Wells's discipline.

In consideration of Standard 2.11, *Wells, supra*, 4 Cal. State Bar Ct. Rptr. at p. 896, and considering the gravity of the misconduct, the aggravating circumstance and the mitigating circumstances, the imposition of discipline consisting of a one-year stayed suspension and two-year probation with conditions, including an actual suspension of 30-days, is sufficient to protect the public, courts, and legal profession as set forth in Standard 1.1.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of October 6, 2017, the discipline costs in this matter are \$3,758. 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.

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DISMISSALS.

The parties respectfully request the court dismiss the following alleged violation in the interest of justice:

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
16-O-14845	Three	Business and Professions Code section 6106 [Moral Turpitude – Misrepresentation of MCLE Compliance]

EXCLUSION FROM MINIMUM CONTINUING LEGAL EDUCATION (“MCLE”) CREDIT

Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

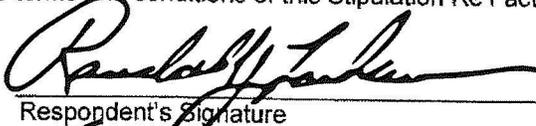
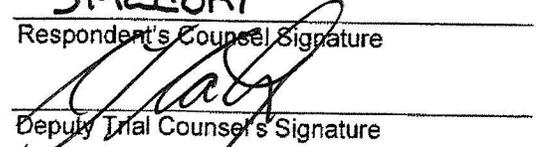
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In the Matter of: RANDALL JAMES LANHAM	Case number(s): 16-O-14845 - DFM
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SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

<u>10/10/17</u> Date	 Respondent's Signature	<u>Randall J. Lanham</u> Print Name
<u>10/10/17</u> Date	<u>S. Madoni</u> Respondent's Counsel Signature	<u>Stephen A. Madoni</u> Print Name
<u>10-10-17</u> Date	 Deputy Trial Counsel's Signature	<u>Charles T. Calix</u> Print Name

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In the Matter of: RANDALL JAMES LANHAM	Case Number(s): 16-O-14845-DFM
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ACTUAL SUSPENSION ORDER

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

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

On page 8 of the Stipulation, paragraph 10., line 7, a footnote and the following text is inserted after "6106." "No disciplinary weight is given to the section 6068, subdivision (a), violation because it is based on the same facts that underlie the moral turpitude finding for respondent's unauthorized practice of law, which supports the same or greater discipline. (See *In the Matter of Sampson* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 119, 127.)

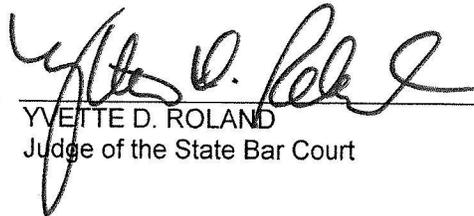
On page 9 of the Stipulation, under Authorities Supporting Discipline, paragraph 5, line 2, "misrepresentation" is deleted and "6106 violation for holding himself out" is inserted.

On page 10 of the Stipulation, paragraph 1, line 1, "made misrepresentations" is deleted and "held himself out" is inserted.

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.)**

November 1, 2017

Date



YVETTE D. ROLAND
Judge of the State Bar Court

CERTIFICATE OF SERVICE

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

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on November 1, 2017, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND
ORDER APPROVING

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

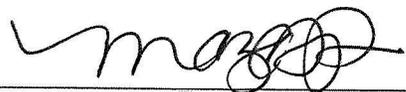
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

STEPHEN A. MADONI
LAW OFC STEPHEN A MADONI
3700 NEWPORT BLVD #206
NEWPORT BEACH, CA 92663 – 3919

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

CHARLES T. CALIX, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 1, 2017.



Mazie Yip
Case Administrator
State Bar Court