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<b>State Bar Court of California</b> <b>Hearing Department</b> <b>Los Angeles</b> <b>ACTUAL SUSPENSION</b>		
Counsel For The State Bar  <b>Murray B. Greenberg</b> Senior Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017 213-765-1258  Bar # 142678	Case Number(s): <b>16-O-17849</b>	For Court use only  <div style="text-align: center;"> <b>FILED</b>                       NOV 07 2017 <i>[Signature]</i>                       STATE BAR COURT                      CLERK'S OFFICE                      LOS ANGELES                 </div>
Counsel For Respondent  <b>Arthur L. Margolis</b> Margolis & Margolis LLP 2000 Riverside Drive Los Angeles, CA 90039 323-953-8996  Bar # 57703	<b>PUBLIC MATTER</b>	
In the Matter of: <b>INGRID MARIE CAUSEY</b>  Bar # 166305  A Member of the State Bar of California (Respondent)	Submitted to: <b>Assigned Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

**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, 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 **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."



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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: **Two billing cycles following the effective date of the Supreme Court Order.** (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
  - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
  - Costs are entirely waived.

**B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]. Facts supporting aggravating circumstances are required.**

- (1)  **Prior record of discipline**
- (a)  State Bar Court case # of prior case **14-O-00517, 14-O-03300, 14-O-04202 and 14-O-04613** (See Exhibit 1, attached hereto and incorporated herein).
  - (b)  Date prior discipline effective **July 16, 2015**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Rules of Professional Conduct, rules 1-300(B) and 4-200(A); Business and Professions Code section 6106.3.**
  - (d)  Degree of prior discipline **Two years stayed suspension, 90 days actual suspension and two years probation.**
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.
- (2)  **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3)  **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by, misrepresentation.
- (4)  **Concealment:** Respondent's misconduct was surrounded by, or followed by, concealment.
- (5)  **Overreaching:** Respondent's misconduct was surrounded by, or followed by, overreaching.
- (6)  **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code, or the Rules of Professional Conduct.

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- (7)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (8)  **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct. **See page 8.**
- (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 page 8.**
- (12)  **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13)  **Restitution:** Respondent failed to make restitution.
- (14)  **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**C. Mitigating Circumstances [see standards 1.2(i) & 1.6]. Facts supporting mitigating circumstances are required.**

- (1)  **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not likely to recur.
- (2)  **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3)  **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct or to the State Bar during disciplinary investigations and proceedings.
- (4)  **Remorse:** Respondent promptly took objective steps demonstrating spontaneous remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5)  **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6)  **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7)  **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.
- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the

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

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

**Additional mitigating circumstances:**

**Pre-filing Stipulation. See page 8.**

#### **D. Discipline:**

- (1)  **Stayed Suspension:**
- (a)  Respondent must be suspended from the practice of law for a period of **two years**.
- i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and fitness to practice and present learning and ability in the general law pursuant to standard 1.2(c)(1) Standards for Attorney Sanctions for Professional Misconduct.
- ii.  and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii.  and until Respondent does the following:
- (b)  The above-referenced suspension is stayed.

- (2)  **Probation:**

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

- (3)  **Actual Suspension:**

- (a)  Respondent must be actually suspended from the practice of law in the State of California for a period of **six months**.
- i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and fitness to practice and present learning and ability in the general law pursuant to standard 1.2(c)(1), Standards for Attorney Sanctions for Professional Misconduct
- ii.  and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii.  and until Respondent does the following:

**E. Additional Conditions of Probation:**

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

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

- (6)  Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7)  Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8)  Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
  - No Ethics School recommended. Reason: **Respondent attended Ethics School on June 9, 2016 and passed the test given at the end of the session. (See rule 5.135(A), Rules of Procedure of State Bar [attendance at Ethics School not required where the attorney completed Ethics School within the prior two years].).**

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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: Respondent was previously ordered to take the examination as part of her previous disciplinary proceeding (In the Matter of Trousil (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 229, 244; In the Matter of Seltzer (Review Dept. 2013) 5 Cal. State Bar Ct. Rptr. 263, 272, fn. 7).
- (2)  **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3)  **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4)  **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5)  **Other Conditions:**

**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:                      INGRID MARIE CAUSEY

CASE NUMBER:                          16-O-17849

**FACTS AND CONCLUSIONS OF LAW.**

Respondent admits that the following facts are true and that she is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 16-O-17849 (Complainant: Mariann Bliss)

**FACTS:**

1. On April 17, 2014, Respondent incorporated Saber Law Group with the California Secretary of State and was the owner, Chief Executive Officer and Chief Financial Officer of the law group.
2. On November 28, 2014, Marianne Bliss ("Bliss) hired Saber Legal Group to make efforts to modify her mortgage on her Illinois property.
3. Between November 28, 2014 and February 7, 2015, Bliss paid Saber Legal Group a total of \$2,210.
4. Bliss only dealt with non-attorney Kelly Thomas ("Thomas") during Saber Law Group's representation of her loan modification case.
5. Thomas gave legal advice to Bliss and told her not to make her mortgage payments and later advised her to file for bankruptcy, indicating that her lender, Wells Fargo, had denied the loan modification request due to insufficient income.
6. On May 1, 2015, respondent transferred ownership of Saber Law Group to a Michigan attorney, but did not formally dissolve Saber Legal Group until August 24, 2015.
7. Bliss terminated her relationship with Saber Legal Group on November 24, 2015, because she felt she was not getting good service and her mortgage loan was never modified.
8. Bliss submitted a complaint to the State Bar in November, 2016.
9. In May 2017, Bliss received a cashier's check in the amount of \$2,210 as a refund from Saber Legal Group and deposited it in her bank on May 26, 2017.

## CONCLUSIONS OF LAW:

10. By delegating to Thomas, a non-attorney who was not licensed to practice law in the State of Illinois, client intake responsibilities, including initial case consultation, discussion of case strategy and providing legal advice to Bliss, respondent aided the unauthorized practice of law in willful violation of Rules of Professional Conduct, rule 1-300(A).

11. By accepting Bliss as a client when respondent was not licensed to practice law in the State of Illinois, per Rule 5.5 of the State of Illinois, thereby violating the regulations of the profession in the State of Illinois in willful violation of Rules of Professional Conduct, rule 1-300(B).

12. By entering into an agreement for, charging, and collecting attorney's fees from Bliss when respondent was not licensed to practice law in the State of Illinois, respondent entered into an agreement for, charged, and collected an illegal fee from Bliss in willful violation of Rules of Professional Conduct, rule 4-200(A).

## AGGRAVATING CIRCUMSTANCES.

**Prior Record of Discipline (Std. 1.5(a)):** Effective July 16, 2015, respondent was disciplined for misconduct which occurred in four client matters which stemmed from her owning and operating a law firm called the Endeavor Legal Group, which provided loan modification services. She charged upfront fees for loan modification services, held herself out as entitled to practice law in the states of Connecticut and Texas, when she wasn't licensed in either jurisdiction and collected illegal fees. The misconduct ranged from June 2013 through June 2014 and was aggravated by multiple acts. She was suspended from the practice of law for 90 days and ordered to take the Multistate Professional Responsibility Examination and comply with rule 9.20 of the California Rules of Court. She was also placed on two years' probation and a two-year stayed suspension. Respondent's conduct was mitigated by prefiling stipulation and no prior record of discipline.

**Multiple Acts of Wrongdoing (Std. 1.5(b)):** Respondent committed three violations of the Rules of Professional Conduct and her multiple acts are an aggravating factor.

**Indifference (Std. 1.5(k)):** Respondent was previously disciplined for misconduct relating to a loan modification practice, however, she continued to engage in similar misconduct and she did not sell the Saber Legal Group until May 2015 and did not dissolve the corporate entity until August 2015.

## MITIGATING CIRCUMSTANCES.

**Prefiling 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 Spauth* (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).)

Standard 1.8(a) indicates that if a member has a single prior record of discipline, the sanction must be greater than the previously imposed sanction unless the prior discipline was so remote in time and the previous misconduct was not serious enough that imposing greater discipline would be manifestly unjust. Respondent’s prior discipline was for two years’ probation, two years stayed suspension and 90 days actual suspension. It was not remote in time and it was for similar misconduct which indicates that imposing greater discipline would not be manifestly unjust. The most severe sanction applicable to respondent’s misconduct is found in Standard 2.3(b), which provides for suspension or reproof as the presumed sanction for entering into an agreement for, charging, or collecting an illegal fee for services.

Respondent’s misconduct is aggravated by a prior record of discipline, multiple acts of misconduct and indifference toward rectification, which was shown by her continuing to maintain an entity for loan modification irrespective of the fact that she was disciplined for similar misconduct. Respondent is entitled to mitigation for entering into this pre-filing stipulation. Additionally, respondent refunded the illegally collected fees to Bliss after the State Bar began its’ investigation into her misconduct. While not a mitigating factor, the refund of fees is nonetheless relevant to the determination of the appropriate level of discipline. (See *Bradpiece v. State Bar* (1974) 10 Cal.3d 742, 748 [only prompt restitution after a complaint is made but before proceedings begin may be considered in mitigation].)

In consideration of the appropriate standards, aggravating and mitigating factors surrounding respondent's misconduct, and the purposes of attorney discipline, discipline consisting of two years' stayed suspension, and two years' probation, with conditions including a six-months period of actual suspension on the terms and conditions set forth herein is appropriate and will protect the public, the courts and the legal profession, maintain high professional standards, and preserve public confidence in the legal profession.

Case law supports this result. In *In the Matter of Swazi Taylor* (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 221, the attorney collected illegal fees from eight clients in violation of Civ. Code § 2944.7(a) and Bus. & Prof. Code § 6106.3. The attorney also failed to notify one client about the lack of necessity of a third-party negotiator in violation Civ. Code § 2944.6(a). In total, the attorney in *Taylor* committed nine statutory violations involving eight clients. In aggravation, the attorney committed multiple acts of misconduct, caused harm to his clients by failing to refund the illegal fees, and displayed indifference and lack of remorse towards his misconduct. His misconduct was mitigated by good character. The attorney received discipline consisting of a two year suspension, stayed, and two years' probation with conditions including a six month actual suspension and until the attorney made restitution to his clients.

In *In the Matter of Wells* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 896, the attorney engaged in the unauthorized practice of law ("UPL") in South Carolina in two client matters. The attorney was also culpable of collecting an illegal fee, failing to return unearned fees, a trust account violation, and moral turpitude involving dishonesty with the South Carolina authorities investigating her UPL. The attorney had a prior discipline involving trust account violations and other aggravating factors including multiple acts of wrongdoing, significant harm, and indifference. In mitigation, the attorney was experiencing emotional distress, demonstrated good character, and cooperated with the State Bar. The attorney received discipline consisting of a six-month actual suspension and until the attorney made restitution.

Like the attorneys in *Taylor* and *Wells*, respondent collected illegal fees. Similar to the attorney in *Wells*, respondent engaged in the unauthorized practice of law and had a prior record of discipline for similar misconduct, however, her actions in this matter only involved one client. Therefore, the discipline set forth herein is necessary to fulfill the purposes of attorney discipline.

#### **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 \$3,215. 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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In the Matter of: <b>INGRID MARIE CAUSEY</b>	Case number(s): <b>16-O-17849</b>
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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>10/25/17</u> Date	<u></u> Respondent's Signature <i>DEPUTY TRIAL COUNSEL</i>	<u>Murray B. Greenberg</u> Print Name
<u>10/23/17</u> Date	<u></u> Respondent's Counsel Signature	<u>Arthur L. Margolis</u> Print Name
<u>10/19/2017</u> Date	<u></u> <del>Deputy Trial Counsel's Signature</del> Respondent	<u>Ingrid Marie Causey</u> Print Name

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In the Matter of: INGRID MARIE CAUSEY	Case Number(s): 16-O-17849
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### ACTUAL SUSPENSION ORDER

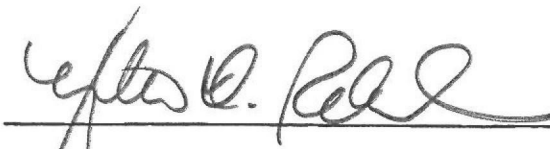
Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- 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.

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 3, 2017

Date



Judge of the State Bar Court

Yvette D. Roland



(State Bar Court Nos. 14-O-00517 (14-O-03300; 14-O-04202; 14-O-04613))

S225281

SUPREME COURT  
FILED

**IN THE SUPREME COURT OF CALIFORNIA**

JUN 16 2015

En Banc

Frank A. McGuire Clk

Deputy

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In re INGRID MARIE CAUSEY on Discipline

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The court orders that Ingrid Marie Causey, State Bar Number 166305, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. Ingrid Marie Causey is suspended from the practice of law for the first 90 days of probation;
2. Ingrid Marie Causey must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 14, 2015; and
3. At the expiration of the period of probation, if Ingrid Marie Causey has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.


Ingrid Marie Causey must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Ingrid Marie Causey must also comply with California Rules of Court, rule 9.20, 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 this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with her membership fees for each of the years 2016 and 2017. If Ingrid Marie Causey 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.

I, Frank A. McGuire, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court as shown by the records of my office.

Witness my hand and the seal of the Court this

\_\_\_\_ day of JUN 16, 2015 20\_\_\_\_  
Clerk  
By: \_\_\_\_\_  
Deputy

**CANTIL-SAKAUYE**

\_\_\_\_\_  
*Chief Justice*

(Do not write above this line.)

**ORIGINAL**

**State Bar Court of California  
Hearing Department  
Los Angeles  
ACTUAL SUSPENSION**

<p>Counsel For The State Bar</p> <p><b>Eli D. Morgenstern</b> Senior Trial Attorney 845 S. Figueroa Street Los Angeles, CA 90017-2515 (213) 765-1334</p> <p>Bar # 190560</p>	<p>Case Number(s): 14-O-00517 14-O-03300 14-O-04202 14-O-04613</p>	<p>For Court use only</p> <p><b>FILED</b> <i>JMC</i> <b>JAN 14 2015</b> STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> <p><b>PUBLIC MATTER</b></p>
<p>Counsel For Respondent</p> <p><b>Arthur L. Margolis</b> Margolis &amp; Margolis LLP 2000 Riverside Drive Los Angeles, CA 90039 (323) 953-8996</p> <p>Bar # 57703</p>	<p>Submitted to: <b>Assigned Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of:</p> <p><b>INGRID MARIE CAUSEY</b></p> <p>Bar # 166305</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 **December 1, 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 **14** 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."



(Do not write above this line.)

- (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: **Two years following the effective date of the Supreme Court Order.** (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
  - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
  - Costs are entirely waived.

**B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(f) & 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)  **Dishonesty:** Respondent's misconduct was intentional, surrounded by, or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3)  **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.
- (4)  **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

(Do not write above this line.)

- (6)  **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7)  **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. **See page 10.**
- (8)  **Restitution:** Respondent failed to make restitution.
- (9)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**C. Mitigating Circumstances [see standards 1.2(g) & 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 deemed serious.
- (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 and to the State Bar during disciplinary investigation and proceedings.
- (4)  **Remorse:** Respondent promptly took objective steps spontaneously demonstrating 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 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.

(Do not write above this line.)

(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:**

**Pre-filing Stipulation. See page 11.**

**No Prior Discipline. See page 11.**

**D. Discipline:**

(1)  **Stayed Suspension:**

(a)  Respondent must be suspended from the practice of law for a period of **two years**.

i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the 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 **90 days**.

i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.2(c)(1), Standards for Attorney Sanctions for Professional Misconduct

ii.  and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.

iii.  and until Respondent does the following:

**E. Additional Conditions of Probation:**

(1)  If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and 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.

(Do not write above this line.)

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

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

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

(Do not write above this line.)

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**further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**

No MPRE recommended. Reason:

- (2)  **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3)  **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4)  **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5)  **Other Conditions:**

**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:

INGRID MARIE CAUSEY

CASE NUMBER:

14-O-00517, 14-O-03300, 14-O-04202, 14-O-04613

**FACTS AND CONCLUSIONS OF LAW.**

Respondent admits that the following facts are true and that respondent is culpable of violations of the specified statutes and Rules of Professional Conduct.

**General Background Facts**

1. At all times relevant to the facts herein, respondent owned and operated a law firm named Endeavor Legal Group ("Endeavor"). At all times relevant to the facts herein, respondent did not hire any other members of the State Bar of California to work for her at Endeavor. Respondent did not hire any attorneys who were licensed to practice in any other state to work for her at Endeavor.

2. By no later than July 2014, Endeavor's website indicated that respondent had ceased accepting new clients. And, by no later than October 2014, respondent was no longer operating Endeavor and no longer providing loan modification services to clients.

**Case No. 14-O-00517 (Complainant: Harriet Jones)**

FACTS:

3. The general background facts are incorporated by reference.

4. On June 25, 2013, Harriet Jones ("Jones"), a California resident, employed Endeavor to perform legal services in connection with assisting Jones in attempting to obtain a modification of her mortgage which was secured by her home in California.

5. Between July 1, 2013, and September 29, 2013, Jones paid Endeavor a total of \$3,100 in attorney's fees for respondent's loan modification services.

6. On July 25, 2013, Endeavor submitted a loan modification package to Jones's lender on her behalf.

7. Between July 25, 2013, and November 12, 2013, Endeavor submitted updated documentation to Jones's lender on her behalf.

8. Respondent did not fully perform each and every loan modification service respondent had contracted to perform for Jones, prior to demanding, charging, collecting or receiving any of the advanced attorney fees.

9. In December 2013, Jones listed her home for sale. Jones did not inform respondent, or any other employee of Endeavor, that she had listed her home for sale.

10. On December 26, 2013, an employee of Endeavor received a telephone call from Jones's lender stating that Jones had listed her home for sale; consequently, the lender was no longer considering Jones for a loan modification.

11. On December 27, 2013, Endeavor terminated its employment with Jones.

12. On April 2, 2014, after Jones had submitted a State Bar complaint against her, respondent provided Jones with a full refund of the attorney's fees that Jones paid to Endeavor.

#### CONCLUSIONS OF LAW:

13. By negotiating, arranging, or offering to perform a mortgage loan modification for a fee paid by a borrower, and demanding, charging collecting, and receiving fees from Jones prior to fully performing each and every service respondent had contracted to perform in violation of Civil Code, section 2944.7, respondent willfully violated Business and Professions Code, section 6106.3.

#### Case No. 14-O-03300 (Complainant: William Cormier)

#### FACTS:

14. The general background facts are incorporated by reference.

15. On June 25, 2013, William Cormier ("Cormier"), a resident of Connecticut, employed Endeavor to perform legal services in connection with assisting Cormier in attempting to obtain a modification of his mortgage which was secured by his home in Connecticut.

16. Cormier paid Endeavor \$3,600 in attorney's fees for respondent's legal services.

17. Respondent is not now, nor has respondent ever been, admitted to practice law in the state of Connecticut.

18. The Connecticut Rules of Professional Conduct provide that a lawyer who is not admitted to practice in Connecticut shall not hold out to the public or otherwise represent that the lawyer is admitted to practice law in the state.

19. The practice of law in the state of Connecticut includes the preparation of legal documents on behalf of a client, as well as the giving of advice or the rendering of any service on behalf of a client, in or out of court, requiring the use of legal knowledge or skill.

20. By accepting employment with Cormier in order to perform legal services in connection with the mortgage of his Connecticut home, respondent effectively held herself out as entitled to practice law in the state of Connecticut.

21. On August 4, 2014, after Cormier had submitted a State Bar complaint against her, respondent provided Cormier with a full refund of the attorney's fees that Cormier paid to Endeavor.

#### CONCLUSIONS OF LAW:

22. By accepting Cormier as a client when respondent was not licensed to practice law in the state of Connecticut, respondent held herself out as entitled to practice law in the state of Connecticut, thereby violating the regulations of the profession in the state of Connecticut in willful violation of Rules of Professional Conduct, rule 1-300(B).

23. By entering into an agreement for, charging, and collecting attorney's fees from Cormier when respondent was not licensed to practice law in the state of Connecticut, respondent entered into an agreement for, charged, and collected an illegal fee from Cormier in willful violation of Rules of Professional Conduct, rule 4-200(A).

#### Case No. 14-O-04202 (Complainant: Adolfo Mejia)

#### FACTS:

24. The general background facts are incorporated by reference.

25. On November 26, 2013, Adolfo Mejia ("Mejia"), a resident of Texas, employed Endeavor to perform legal services in connection with assisting Mejia in attempting to obtain a modification of his mortgage which was secured by his home in Texas.

26. Mejia paid Endeavor \$3,000 in attorney's fees for respondent's legal services.

27. Respondent is not now, nor has respondent ever been, admitted to practice law in the state of Texas.

28. The Texas Penal Code prohibits a person who is not a member in good standing with the Texas State Bar from holding herself out as entitled to practice law in the state of Texas if it is done with the intent to obtain an economic benefit.

29. The Texas Government Code defines the "practice of law" as including the preparation of legal documents on behalf of a client, as well as the giving of advice or the rendering of any service on behalf of a client, in or out of court, requiring the use of legal knowledge or skill.

30. By accepting employment with Mejia in order to perform legal services in connection with the mortgage of his Texas home, respondent effectively held herself out as entitled to practice law in the state of Texas.

31. In November 2014, after Mejia had submitted a state bar complaint against her, respondent provided Mejia with a full refund of the attorney's fees that Mejia paid to Endeavor.



#### CONCLUSIONS OF LAW:

32. By accepting Mejia as a client when respondent was not licensed to practice law in the state of Texas, respondent held herself out as entitled to practice law in the state of Texas, thereby violating the regulations of the profession in the state of Texas in willful violation of Rules of Professional Conduct, rule 1-300(B).

33. By entering into an agreement for, charging, and collecting attorney's fees from Mejia when respondent was not licensed to practice law in the state of Texas, respondent entered into an agreement for, charged, and collected an illegal fee from Mejia in willful violation of Rules of Professional Conduct, rule 4-200(A).

#### Case No. 14-O-04613 (Complainant: Linda Mitchell)

#### FACTS:

34. The general background facts are incorporated by reference.

35. On November 3, 2013, Linda Mitchell ("Mitchell"), a California resident, employed Endeavor to perform legal services in connection with assisting Mitchell in attempting to obtain a modification of her mortgage which was secured by her home in California.

36. Between November 18, 2013, and January 18, 2014, Mitchell paid Endeavor a total of \$3,000 in attorney's fees for respondent's loan modification services.

37. Respondent did not fully perform each and every loan modification service respondent had contracted to perform for Mitchell, prior to demanding, charging, collecting or receiving any of the advanced attorney fees.

38. In August 2014, after Mitchell had submitted a State Bar complaint against her, respondent provided Mitchell with a full refund of the attorney's fees that Mitchell paid to Endeavor.

#### CONCLUSIONS OF LAW:

39. By negotiating, arranging, or offering to perform a mortgage loan modification for a fee paid by a borrower, and demanding, charging collecting, and receiving fees from Mitchell prior to fully performing each and every service respondent had contracted to perform in violation of Civil Code, section 2944.7, respondent willfully violated Business and Professions Code, section 6106.3.

#### AGGRAVATING CIRCUMSTANCES.

**Multiple Acts of Misconduct (Std. 1.5(b)):** Respondent committed six violations of the Rules of Professional Conduct and the State Bar Act involving four client matters. Respondent's multiple acts of misconduct are an aggravating circumstance.

## MITIGATING CIRCUMSTANCES.

**Prefiling Stipulation:** Respondent is entitled to mitigation for entering into this stipulation prior to the filing of notice of disciplinary charges, thereby saving the State Bar Court time and resources. (*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].)

**No Prior Discipline:** Respondent has been a member of the State Bar since December 1, 1993, and has no prior record of discipline. At the time that the misconduct in these matters occurred, respondent had practiced law for approximately 20 years. Respondent is entitled to mitigation for her nearly 20 years of discipline-free practice. (*In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr. 41, 39 [attorney's practice of law for more than 17 years considered to be mitigating circumstance even though misconduct at issue was considered serious].)

## 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 most severe sanction applicable to respondent's misconduct is found in Standard 2.14, which applies to respondent's violations of Business and Professions Code, section 6106.3 in the Jones and Mitchell matters, and provides that disbarment or actual suspension is appropriate for any violation of Article 6 of the Business and Professions Code, not otherwise specified in the standards.

In addition, respondent committed other serious misconduct involving a total of four clients. Respondent's multiple acts of misconduct are an aggravating factor.

However, even though respondent's misconduct is serious, respondent's approximately 20 years of discipline-free practice is a significant mitigating factor. Further, respondent is entitled to mitigation for entering into this stipulation. By entering into this stipulation, respondent has demonstrated that she acknowledges her misconduct and is taking the initial steps to conform her future conduct to the ethical requirements of the profession.

There are two other factors which are not mitigating factors, but nonetheless are relevant to the determination of the appropriate level of discipline. First, after the complaining witnesses submitted complaints against respondent with the State Bar, respondent returned the illegal fees that the complaining witnesses paid to Endeavor. (See *Bradpiece v. State Bar* (1974) 10 Cal.3d 742, 748 [only prompt restitution after a complaint is made but before proceedings begin may be considered in mitigation].) Second, respondent is no longer providing loan modification services to clients.

In light of the mitigating, and other factors, disbarment would be too severe of a discipline for the misconduct discussed in this stipulation. However, the mitigating factors are not sufficiently compelling to warrant a deviation from Standard 2.14.

In consideration of respondent's multiple acts of misconduct, the appropriate standards, the mitigating, as well as the other relevant factors surrounding respondent's misconduct, and the purposes of attorney discipline, a discipline consisting of a two year suspension, stayed, and two years' probation, with conditions including a 90-day actual suspension is warranted.

The case law also supports the recommended level of discipline. In *In the Matter of Swazi Taylor* (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 221, the attorney collected illegal fees from eight clients in violation of Civil Code section 2944.7(a) and Business and Professions Code, section 6106.3. The attorney also failed to notify one client about the lack of necessity of a third-party negotiator in violation of Civil Code section 2944.6(a). In total, the attorney in *Taylor* committed nine statutory violations involving eight clients. In aggravation, the attorney committed multiple acts of misconduct, caused harm to his clients by failing to refund the illegal fees that he collected from them and displayed indifference and lack of remorse towards his misconduct. In mitigation, the attorney provided evidence of his good character. The Review Department recommended that the attorney receive a discipline consisting of a two year suspension, stayed, and two years' probation with conditions including a six month actual suspension and until the attorney made restitution to his clients.

Here, although respondent's misconduct is more diverse than that committed by the attorney in *Taylor*, the misconduct involves fewer clients. Further, respondent refunded the illegal fees that she collected from her clients, and by entering into this stipulation, respondent has acknowledged her wrongdoing. The totality of the facts and circumstances surrounding respondent's misconduct justify a less severe discipline than that imposed against the attorney in *Taylor*.

In *In the Matter of Wells* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 896, the attorney engaged in the unauthorized practice of law ("UPL") in South Carolina in two client matters. The attorney was also culpable of collecting an illegal fee, failing to return unearned fees, a trust account violation, and moral turpitude involving dishonesty with the South Carolina authorities investigating her UPL. The attorney had a prior discipline involving trust account violations and other aggravating factors including multiple acts of wrongdoing, significant harm, and indifference. In mitigation, the attorney was experiencing emotional distress, demonstrated good character, and cooperated with the State Bar. The Review Department recommended that the attorney receive a discipline consisting of a six-month actual suspension and until the attorney made restitution.

Here, although respondent committed misconduct in four client matters, respondent's misconduct, unlike the misconduct committed by the attorney in *Wells*, does not involve trust account violations or moral turpitude. Further, respondent does not have a prior record of discipline. Again, the totality of the facts and circumstances surrounding respondent's misconduct warrants a less severe discipline than that imposed against the attorney in *Wells*.

#### **COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed her that as of December 9, 2014, the prosecution costs in this matter are \$5,857. 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. The disciplinary costs are to be paid in equal amounts prior to February 1 for the following two billing cycles following the effective date of the Supreme Court order herein.

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 MCLE CREDIT**


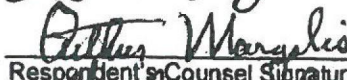
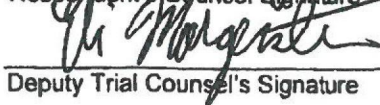
Pursuant to rule 3201, respondent may not receive MCLE credit for completion State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: INGRID MARIE CAUSEY	Case number(s): 14-O-00517; 14-O-03300; 14-O-04202; 14-O-04613
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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>12/19/2014</u> Date	<u></u> Respondent's Signature	<u>Ingrid Marie Causey</u> Print Name
<u>12/22/14</u> Date	<u></u> Respondent's Counsel Signature	<u>Arthur L. Margolis</u> Print Name
<u>12/23/14</u> Date	<u></u> Deputy Trial Counsel's Signature	<u>Eli D. Morgenstern</u> Print Name

(Do not write above this line.)

In the Matter of: INGRID MARIE CAUSEY	Case Number(s): 14-O-00517; 14-O-03300; 14-O-04202; 14-O-04613
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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.

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

1/14/15

  
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 January 14, 2015, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION**

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:

**ARTHUR LEWIS MARGOLIS  
MARGOLIS & MARGOLIS LLP  
2000 RIVERSIDE DR  
LOS ANGELES, CA 90039**

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

**ELI MORGENSTERN, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 14, 2015.

  
\_\_\_\_\_  
Tammy Cleaver  
Case Administrator  
State Bar Court



The document to which this certificate is affixed is a full, true and correct copy of the original on file and of record in the State Bar Court.

ATTEST October 6, 2017

State Bar Court, State Bar of California,  
Los Angeles

By  
Clerk

*Elizabeth Alley*



## 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 7, 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:

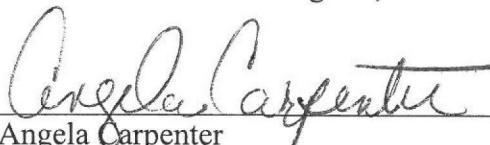
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ARTHUR LEWIS MARGOLIS  
MARGOLIS & MARGOLIS LLP  
2000 RIVERSIDE DR  
LOS ANGELES, CA 90039

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

Murray B. Greenberg, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 7, 2017.

  
\_\_\_\_\_  
Angela Carpenter  
Case Administrator  
State Bar Court