



1 THE STATE BAR OF CALIFORNIA
2 OFFICE OF PROBATION
3 TERRIE GOLDADE, No. 155348
4 SUPERVISING ATTORNEY
5 845 South Figueroa Street
6 Los Angeles, California 90017-2515
7 Telephone: (213) 765-1000

FILED

JAN 21 2016

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

PUBLIC MATTER

STATE BAR COURT

HEARING DEPARTMENT - LOS ANGELES

10 In the Matter of:

11 BERYL DEAN DROEGEMUELLER,
12 No. 76278,

13 A Member of the State Bar

) Case No. 16-PM- *10320*
)
) MOTION TO REVOKE PROBATION;
) MEMORANDUM OF POINTS AND
) AUTHORITIES; DECLARATION OF
) MICHAEL KANTERAKIS; EXHIBITS 1
) THROUGH 3; PROBATION REVOCATION
) RESPONSE FORM [Rule 5.310 et seq., Rules
) of Procedure of the State Bar]

16 **TO: The State Bar Court and Beryl Dean Droegemueller, Respondent:**

17 **PLEASE TAKE NOTICE THAT** the State Bar of California, Office of Probation,
18 hereby moves pursuant to Rules of Procedure of the State Bar of California, rules 5.310, et seq.,
19 to revoke the probation imposed upon Beryl Dean Droegemueller (“Respondent”) in prior
20 disciplinary case no. 14-O-01596 and to impose upon Respondent the entire period of suspension
21 of one year previously stayed by order no. S222830 of the Supreme Court filed on January 22,
22 2015. The State Bar requests that Respondent be ordered to comply with rule 9.20, California
23 Rules of Court, and that Respondent be placed on involuntary inactive enrollment pursuant to
24 Business and Professions Code section 6007(d).

25 This motion is based upon the factual allegations that Respondent has violated the terms
26 of probation imposed on Respondent by the aforementioned order as follows:

- 27 1. As a condition of probation, Respondent was ordered to, within 30 days from the
28 effective date of discipline—by March 23, 2015, contact the Office of Probation and schedule a

1 meeting to discuss the terms and conditions of his probation. Respondent has not complied in
2 that Respondent was late in contacting the Office of Probation to schedule a meeting; he did not
3 contact the Office of Probation until April 1, 2015 to schedule his meeting¹.

4 2. As a condition of probation, Respondent was ordered to comply with the State
5 Bar Act and the Rules of Professional Conduct and to report such compliance to the Office of
6 Probation under penalty of perjury each January 10, April 10, July 10, and October 10
7 (“quarterly reports”). Respondent has not complied in that he has failed to file three quarterly
8 reports, which were due July 10 and October 10, 2015 and January 10, 2016.²

9 This motion is also based on the attached Memorandum of Points and Authorities, the
10 attached Declaration of Michael Kanterakis, the attached exhibits, and all documents on file with
11 the court in this matter.

12 In accordance with rules 5.314(A) and 5.314(E) of the Rules of Procedure of the State
13 Bar of California, the Office of Probation requests that a hearing be held unless the Court, based
14 upon this motion and any response, determines that imposition of the discipline as requested
15 above is warranted.

16 **NOTICE – FAILURE TO RESPOND**

17 YOUR FAILURE TO FILE A RESPONSE WITHIN TWENTY (20) DAYS OF
18 SERVICE OF THIS MOTION WILL CONSTITUTE AN ADMISSION OF THE
19 FACTUAL ALLEGATIONS CONTAINED IN THIS MOTION AND MAY
20 RESULT IN THE IMPOSITION OF ACTUAL SUSPENSION PURSUANT TO
21 THE UNDERLYING DISCIPLINARY ORDER. ALSO, FAILURE TO
22 REQUEST A HEARING WILL CONSTITUTE A WAIVER OF YOUR RIGHT
23 TO A HEARING. SEE RULE 5.314(B) OF THE RULES OF PROCEDURE OF
24 THE STATE BAR.

25 **NOTICE – INACTIVE ENROLLMENT**

26 YOU ARE HEREBY NOTIFIED THAT, PURSUANT TO BUSINESS AND
27 PROFESSIONS CODE SECTION 6007(d), IF THE STATE BAR COURT
28 RECOMMENDS ACTUAL SUSPENSION ON ACCOUNT OF A PROBATION
VIOLATION OR OTHER DISCIPLINARY MATTER, YOU MAY BE
INVOLUNTARILY ENROLLED AS AN INACTIVE MEMBER OF THE
STATE BAR. YOUR INACTIVE ENROLLMENT WOULD BE IN ADDITION
TO ANY DISCIPLINE RECOMMENDED BY THE STATE BAR COURT.
SEE RULE 5.315, RULES OF PROCEDURE OF THE STATE BAR.

1 The meeting was then held as scheduled on April 7, 2015.

2 Respondent timely filed his quarterly report due April 10, 2015 on April 7, 2015.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

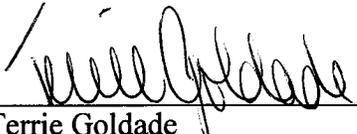
NOTICE – COST ASSESSMENT

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10. SEE RULE 5.129, ET SEQ., RULES OF PROCEDURE OF THE STATE BAR.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF PROBATION

DATED: January 21, 2016

By: 
Terrie Goldade
Supervising Attorney

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. RESPONDENT HAS NOT COMPLIED WITH THE TERMS OF PROBATION, AND
3 PROBATION SHOULD BE REVOKED.

4 By order filed January 22, 2015, the Supreme Court imposed discipline on Respondent in
5 case no. S222830. The Supreme Court suspended Respondent for one year but stayed the
6 execution of the suspension on the condition that Respondent comply with all terms of probation.

7 As terms of probation, Respondent was ordered as follows:

- 8 1. within 30 days from the effective date of discipline—by March 23, 2015, contact the
9 Office of Probation and schedule a meeting to discuss the terms and conditions of his
10 probation. Respondent has not complied in that Respondent was late in contacting the
11 Office of Probation to schedule a meeting; he did not contact the Office of Probation until
12 April 1, 2015 to schedule his meeting³.
- 13 2. comply with the State Bar Act and the Rules of Professional Conduct and to report
14 such compliance to the Office of Probation under penalty of perjury each January 10,
15 April 10, July 10, and October 10 (“quarterly reports”). Respondent has not complied in
16 that he has failed to file three quarterly reports, which were due July 10 and October 10,
17 2015 and January 10, 2016.⁴

18 Consequently, the State Bar Court should recommend revocation of Respondent’s probation.

19 Attached hereto as Exhibit 1 is a certified copy of Respondent’s registration card and
20 Respondent’s membership records address history with the State Bar of California. Exhibit 1
21 will be offered as evidence based upon the certification of Membership Records and
22 Certification to show that Respondent was properly served in this proceeding.

23 A. Respondent Was Served With The Supreme Court Order.

24 It is presumed that Respondent was served with the disciplinary order of the Supreme
25 Court imposing a period of probation. The clerks of the reviewing courts have a duty to transmit
26 a copy of all decisions of those courts to the parties. (California Rules of Court, rule 8.532(a).)

27 ³ The meeting was then held as scheduled on April 7, 2015.

28 ⁴ Respondent timely filed his quarterly report due April 10, 2015 on April 7, 2015.

1 Pursuant to Evidence Code section 664, there is a rebuttable presumption that such official duties
2 have been regularly performed. Therefore, absent any evidence to the contrary, it is presumed
3 that the Supreme Court clerk has complied with the duty to transmit to Respondent a copy of the
4 order placing Respondent on probation. (*In re Linda D.* (1970) 3 Cal.App. 3d 567; *People v.*
5 *Smith* (1965) 234 Cal.App. 2d 407; *Fischer v. Lukens* (1919) 41 Cal.App. 358.)

6 B. Respondent's Violation of Probation Was Willful

7 Violation of a condition of probation must be willful to warrant discipline. (*In the Matter*
8 *of Potack* (1991 Review Dept.) 1 Cal. State Bar Ct. Rptr. 525.) A willful failure is demonstrated
9 by a general purpose or willingness to permit the omission and can be proven by direct or
10 circumstantial evidence. (*Durbin v. State Bar* (1979) 23 Cal. 3d 461; *Zitny v. State Bar* (1966)
11 64 Cal. 2d 787.) It does not require bad faith.

12 The burden of proof in a probation revocation proceeding is the preponderance of the
13 evidence. (Rule 5.311, Rules of Procedure.) For purposes of determining culpability, it is
14 misguided to distinguish between "substantial" and "insubstantial" or "technical" violations of
15 probation conditions. (*In the Matter of Potack*, supra.) Respondent's failure to comply with
16 probation demonstrates a lack of concern about professional responsibilities, and therefore,
17 probation should be revoked.

18 II. RESPONDENT'S VIOLATION OF PROBATION WARRANTS THE IMPOSITION
19 OF THE FULL STAYED SUSPENSION.

20 In a probation revocation proceeding, the hearing judge may recommend actual
21 suspension up to the entire period of stayed suspension. (Rule 5.312, Rules of Procedure.) In
22 this case, the Supreme Court imposed a stayed suspension of one year. Based on the violation of
23 probation, the hearing judge should now recommend that Respondent be actually suspended for
24 the full period of stayed suspension.

25 III. UPON FINDING OF VIOLATION OF PROBATION, THE COURT MAY ORDER A
26 RESPONDENT PLACED ON INACTIVE STATUS.

27 In a probation revocation proceeding, the hearing judge may order the involuntary
28 inactive enrollment of a Respondent upon a finding that each of the elements of Business and

1 Professions Code section 6007(d) have occurred. (Rule 5.315, Rules of Procedure.) Those
2 elements have occurred where the Respondent is under an order of stayed suspension with a
3 period of probation and has violated that probation and where the hearing judge recommends a
4 period of actual suspension. (Business and Professions Code, section 6007(d)(1).) See *In the*
5 *Matter of Tiernan* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 523, 531-532. The order
6 enrolling a respondent inactive shall be effective upon service unless otherwise ordered by the
7 judge. (Rule 5.315, Rules of Procedure.)

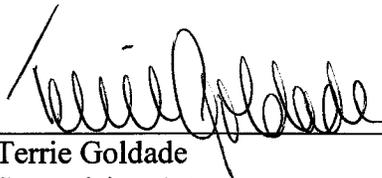
8 CONCLUSION

9 The Supreme Court has stayed Respondent's suspension and placed him on probation,
10 and Respondent has violated that probation. The State Bar requests that the hearing judge
11 recommend revocation of Respondent's probation and the imposition of one year of actual
12 suspension. Furthermore, the hearing judge should order Respondent placed on involuntary
13 inactive enrollment until the suspension is effective and order Respondent to comply with Rule
14 9.20, California Rules of Court.

15 Respectfully submitted,

16 THE STATE BAR OF CALIFORNIA
17 OFFICE OF PROBATION

18
19 DATED: January 21, 2016

20 By: 

21 Terrie Goldade
22 Supervising Attorney
23
24
25
26
27
28

1 7. A review of the probation file on Respondent reflects that a disciplinary order
2 imposing probation is contained therein. A certified copy of said order, filed on January 22,
3 2015, is attached hereto and incorporated by reference as Exhibit 2. A certified copy of the
4 stipulation filed September 16, 2014 is also included within Exhibit 2 for the Court's
5 convenience. Pursuant to said order, the terms and conditions of probation imposed on
6 Respondent include the following:

7 a. within 30 days from the effective date of discipline—by March 23, 2015,
8 contact the Office of Probation and schedule a meeting to discuss the terms and
9 conditions of his probation. Respondent has not complied in that Respondent was late in
10 contacting the Office of Probation to schedule a meeting; he did not contact the Office of
11 Probation until April 1, 2015 to schedule his meeting⁵.

12 b. comply with the State Bar Act and the Rules of Professional Conduct and to
13 report such compliance to the Office of Probation under penalty of perjury each January
14 10, April 10, July 10, and October 10 (“quarterly reports”). Respondent has not complied
15 in that he has failed to file three quarterly reports, which were due July 10 and October
16 10, 2015 and January 10, 2016.⁶

17 8. As Custodian of Records, I have reviewed the entire contents of the probation file
18 on Respondent which reflects that the relevant portions of the disciplinary orders imposing
19 probation and a letter confirming the terms and conditions of probation, including suspension,
20 were provided to the Respondent on January 29, 2015.

21 9. The following documents, attached hereto and incorporated by reference
22 collectively as Exhibit 3, are contained in the Office of Probation file maintained on respondent:

23 a. Courtesy reminder letter mailed to Respondent on January 29, 2015 outlining
24 the terms and conditions of his probation.

25
26
27

⁵ The meeting was then held as scheduled on April 7, 2015.

28 ⁶ Respondent timely filed his quarterly report due April 10, 2015 on April 7, 2015.

- 1 b. March 26, 2015 letter mailed to Respondent setting forth his noncompliance
- 2 of failing to contact to schedule his required meeting and enclosing a copy of
- 3 the January 29, 2015 letter.
- 4 c. Letter mailed to Respondent on April 7, 2015 enclosing a copy of the
- 5 Required Probation Meeting Record for April 7, 2015 meeting with
- 6 Respondent.
- 7 d. Respondent's quarterly report due April 10, 2015, filed April 7, 2015.
- 8 e. October 19, 2015 letter mailed to Respondent setting forth his noncompliance,
- 9 including failure to file two quarterly reports.

10 10. A complete review of the Respondent's file reflects that none of the letters
11 referred to above were returned to the State Bar of California, Office of Probation by the United
12 States Postal Service as undeliverable, or for any other reason.

13 11. On April 1, 2015, I received a telephonic voice mail message from Respondent
14 stating that he had not timely scheduled his required meeting and providing me with his cell
15 phone number.

16 12. On April 7, 2015, Respondent telephoned me and we conducted his meeting and
17 reviewed all of his conditions and deadlines.

18 13. On August 12, 2015, I called Respondent. The outgoing message stated that it
19 was for (what sounded to me like) Pasto Halls' office. I left a message on the machine asking
20 that Respondent call me back.

21 14. On August 12, 2015, I called Respondent and left a voice mail stating that I was
22 calling about his outstanding quarterly report which had been due by July 10, 2015. I stated that
23 he was to submit it immediately and that he could call or email me if he had questions. I said my
24 telephone number.

25 15. On August 31, 2015, I left a voice mail message for Respondent stating that his
26 July 10, 2015 quarterly report was outstanding and that he was to call me. I said my telephone
27 number.

28

DECLARATION OF SERVICE BY CERTIFIED AND REGULAR MAIL

CASE NUMBER(s): NEW PM

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 S. Figueroa Street, Los Angeles, California 90017-2515, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within

MOTION TO REVOKE PROBATION; MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATION OF MICHAEL KANTERAKIS EXHIBITS 1 THROUGH 3; PROBATION REVOCATION RESPONSE FORM { Rule 5.310 et seq., Rules of Procedure of the State Bar }

in a sealed envelope placed for collection and mailing as Certified mail #7160 3901 9845 4871 9475 and **regular mail** mailed at Los Angeles, on the date shown below, addressed to:

Beryl Dean Droegemueller
2836 Hutchison St
Vista, CA 92084

Courtesy copy by regular mail to:
Beryl Dean Droegemueller
2836 Hutchison St
Vista, CA 92084

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

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

DATED: January 21, 2016

SIGNED:



Mia Hibler
Declarant

Counsel for Respondent	(for Court use)
In the Matter of Bar # A member of the State Bar of California ("Respondent")	Case no(s). PROBATION REVOCATION RESPONSE (Rule 5.314, Rules of Procedure)

As required by rule 5.314(B), Rules of Procedure, Respondent attaches one or more declarations to this form which set forth the facts upon which my opposition to the motion to revoke probation is based.

(1) Respondent requests a hearing in this matter and intends to participate.

OR

(2) Respondent requests that this proceeding be resolved on the pleadings without any hearing.

If you checked box (1), check one of the following:

(a) Respondent requests the opportunity to cross-examine the person(s) who executed declaration(s) in support of the motion to revoke my probation.

(b) Respondent does not request the opportunity to cross-examine the person(s) who executed declaration(s) in support of the motion to revoke my probation.

Date: _____

Signature



THE STATE BAR
OF CALIFORNIA

MEMBER RECORDS & COMPLIANCE

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

January 12, 2016

TO WHOM IT MAY CONCERN:

I, Louise Turner, Custodian of Membership Records of the State Bar of California, hereby certify that attached is a full, true and correct copy of the registration card on file in the Membership Records Department of the State Bar of California for BERYL DEAN DROEGEMUELLER, #76278.

THE STATE BAR OF CALIFORNIA

Louise Turner
Custodian of Membership Records

00001

56-
THE STATE BAR OF CALIFORNIA
REGISTRATION CARD

Druegamueller, | Beryl | Dean
Surname (Please Print or Type) | Given Name or Names

OFFICE ADDRESS:
Street and number 1910 Allesandro Trail

City - State Vista, California Zip Code 92083

Date of birth June 19, 1939 Place of birth Fairmont, Minnesota

If not born in United States, when and where naturalized? N/A

Undergraduate degree from Augsburg College Law degree from Western State University--
Minneapolis, Minn. San Diego

Dates and places of prior admission to practice None

Dates and places of actual practice prior to admission in California None

Date December 5, 1977

MICROFILMED

Signature *[Handwritten Signature]*

LEAVE THIS SECTION
BLANK

76278

No.

12-21-77

Date Admitted

00002



THE STATE BAR OF CALIFORNIA

MEMBER RECORDS & COMPLIANCE

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

January 12, 2016

TO WHOM IT MAY CONCERN:

I, Louise Turner, Custodian of Membership Records of the State Bar of California, hereby certify that attached is a full, true and correct copy of the address history on file in the Membership Records Department of the State Bar of California for BERYL DEAN DROEGEMUELLER, #76278 from December 21, 1977 to the date of this certificate.

THE STATE BAR OF CALIFORNIA

A handwritten signature in cursive script that reads "Louise Turner".

Louise Turner
Custodian of Membership Records

00003

MM595R2

MEMBER ADDRESS CHANGE HISTORY

Print Date: 1/12/16

Member #: 076278

Date of Admission: 12/21/1977 Status: Active

Effective: 3/23/2015

Name: Beryl Dean Droegemueller

Address:

Eff: 1/26/1990

2836 Hutchison St
Vista CA 92084

Eff:12/21/1977

1910 Allesandro Trail
Vista CA 92083

00004

JAN 22 2015

(State Bar Court No. 14-O-01596)

S222830

Frank A. McGuire Clerk

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re BERYL DEAN DROEGEMUELLER on Discipline

The court orders that Beryl Dean Droegemueller, State Bar Number 76278, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. Beryl Dean Droegemueller is suspended from the practice of law for the first 30 days of probation;
2. Beryl Dean Droegemueller 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 September 16, 2014; and
3. At the expiration of the period of probation, if Beryl Dean Droegemueller has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Beryl Dean Droegemueller 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).)

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-third of the costs must be paid with his membership fees for each of the years 2016, 2017, and 2018. If Beryl Dean Droegemueller 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

CANTIL-SAKAUYE

Chief Justice

23 day of January 20 15
Clerk
By: [Signature]
Deputy

00001

(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
Counsel For The State Bar R. Kevin Bucher Deputy Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017-2515 (213)765-1630 Bar # 132003	Case Number(s): 14-O-01596	For Court use only PUBLIC MATTER FILED SEP 16 2014 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In Pro Per Respondent Beryl Dean Droegemueller 700 East Bobier Drive Vista, CA 92084 (760) 724-7730 Bar # 76278	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: BERYL DEAN DROEGEMUELLER Bar # 76278 A Member of the State Bar of California (Respondent)		

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

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **December 21, 1977.**
- (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 **10** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".

(Effective January 1, 2014)

Actual Suspension

- (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: **three 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(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.
- (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.

(Do not write above this line.)

- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (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.
- (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.

(Effective January 1, 2014)

Actual Suspension

Additional mitigating circumstances:

**No Prior Discipline - See attachment, page 7.
Pre-filing Stipulation - See attachment, page 7.**

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 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 **one year**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(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 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.

(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 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:

(Do not write above this line.)

- (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:**

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 the 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 applicable standard is found in standard 2.7, which applies to respondent’s misrepresentation and provides disbarment or actual suspension is appropriate for an act of moral turpitude, dishonesty, fraud, corruption or concealment of a material fact. The degree of sanction depends on the magnitude of the misconduct and the extent to which the misconduct harmed or misled the victim and related to the member’s practice of law.

Here, actual suspension is appropriate because respondent’s misrepresentation to the State Bar regarding respondent’s MCLE compliance, made under penalty of perjury, constitutes an act of dishonesty directly related to the practice of law and places respondent’s fitness to practice law in question. Additionally, misrepresentations are compounded when made in writing under penalty of perjury, which thereby includes an imprimatur of veracity which should place a reasonable person on notice to take care that their statement is accurate, complete and true. (*In the Matter of Maloney and Virsik* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 774, 786.) For these reasons, respondent’s misconduct is serious and undermines public confidence in the profession.

However, the degree of discipline necessary to protect the public is mitigated by the fact that respondent has, with this stipulation, acknowledged the wrongfulness of the misconduct, and by his 35 years of discipline free practice. A level of discipline at the low end of the range of discipline set forth in standard 2.7 is consistent with the purposes of imposing sanctions for attorney misconduct.

Guidance on the level of discipline to be imposed in this matter can be found in *Drociak v. State Bar* (1991) 52 Cal.3d 1085. In *Drociak*, the attorney used his client's pre-signed verification to respond to discovery without first consulting with his client to ensure the veracity of assertions of fact in the discovery responses, thereby committing an act of moral turpitude and dishonesty in violation of Business and Professions Code section 6106 and seeking to mislead the court by an artifice or false statement of fact in violation of Business and Professions Code section 6068(d) and former rule 7-501(1) of the Rules of Professional Conduct. The attorney, who had no prior record of discipline in 25 years of practice, received a 30-day actual suspension. In imposing the 30-day actual suspension, the Supreme Court noted that while the attorney's history of discipline free practice was commendable, it did not render the recommended 30-day actual suspension inappropriate. (Id. at pp. 1090-1091.)

Although respondent's misconduct does not involve a misrepresentation to a court, respondent nonetheless committed an act of moral turpitude and dishonesty. Respondent made a misrepresentation under penalty of perjury in order to circumvent continuing legal educational requirements established for the purpose of enhancing attorney competence and protecting the public.

In light of the totality of the facts and circumstances surrounding respondent's misconduct, including the mitigation afforded respondent's cooperation in resolving this matter, his 35 years of discipline free practice, and in light of standard 2.7, discipline consisting of a one-year suspension, stayed, and a one-year period of probation with conditions including a 30 day actual suspension from the practice of law is appropriate to protect the public, the courts and the legal profession, to maintain high professional standards by attorneys, and to preserve public confidence in the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of August 15, 2014, the prosecution costs in this matter are \$2,992. 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 of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of BERYL DEAN DROEGEMUELLER	Case number(s): 14-O-01596
---	--------------------------------------

SIGNATURE OF THE PARTIES

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

8/28/2014

Date

9.3.14

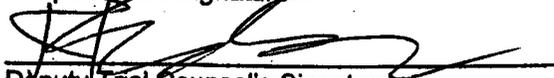
Date



Respondent's Signature

BERYL DEAN DROEGEMUELLER

Print Name



Deputy Trial Counsel's Signature

R. KEVIN BUCHER

Print Name

(Do not write above this line.)

In the Matter of: BERYL DEAN DROEGEMUELLER	Case Number(s): 14-O-01596
---	-------------------------------

ACTUAL SUSPENSION ORDER

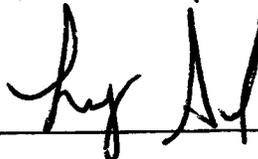
Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

- 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

Sept 16, 2014



Judge of the State Bar Court

LUCY ARMENDARIZ

CERTIFICATE OF SERVICE

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

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of San Francisco, on September 16, 2014, I deposited a true copy of the following document(s):

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

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

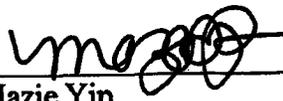
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at San Francisco, California, addressed as follows:

**BERYL DEAN DROEGEMUELLER
2836 HUTCHISON ST
VISTA, CA 92084**

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

RONALD K. BUCHER, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on September 16, 2014.



Mazie Yip
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 January 14, 2016

State Bar Court, State Bar of California,
Los Angeles

By 
Clerk



THE STATE BAR
OF CALIFORNIA

845 SOUTH FIGUEROA STREET, LOS ANGELES, CALIFORNIA 90017-2515

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

FAX: (213) 765-1439

<http://www.calbar.ca.gov>

Michael Angelo Kanterakis: (213) 765-1410

January 29, 2015

Beryl Dean Droegemueller
2836 Hutchison St
Vista, CA 92084

OFFICE OF PROBATION

ADDRESS VERIFIED

January 29, 2015

BY: _____

In re: **S222830**

In the Matter of **Beryl Dean Droegemueller**

Dear Beryl Dean Droegemueller:

This reminder letter is sent to you as a courtesy and based upon information that you are not currently represented by counsel in this matter—the enforcement of your probation terms and conditions. If this is incorrect, please complete the Notice of Counsel Representation form and submit the original to the Office of Probation within **five** days so that future communications may be directed to your counsel.

As you know, on January 22, 2015, the Supreme Court of California filed an Order, effective February 21, 2015, suspending you from the practice of law for a period of one year, staying execution and placing you on probation upon certain conditions for a period of one year. Further, pursuant to the Order of the Court, you have been placed on actual suspension for the first 30 days of your probation.¹

Please take notice that attorneys are not relieved of MCLE requirements during the pendency of their disciplinary period.

Rule of Professional Conduct 1-311 requires that a firm or attorney who employs an attorney who is disbarred, resigned, suspended or involuntarily enrolled inactive, provide certain notices to the State Bar and to clients. While there is no prescribed form, in order to assist attorneys to comply with the rule, the State Bar has created notices for the employer's use. If you are or become employed by an attorney or a law firm, please remind your employer of this requirement. Forms are available at the State Bar website under Attorney Forms/Reportable Actions or you may contact the Intake Unit, Office of the Chief Trial Counsel, at (213) 765-1000.

You must schedule a meeting with me to discuss the terms and conditions of your discipline within 30 days from the effective date of discipline. Make sure you read this letter including all attachments before the required meeting.

¹ Please review your stipulation or decision carefully. You may have been ordered to remain on actual suspension until you have fully paid the costs imposed as a result of your discipline. The Office of Probation does NOT monitor costs. If you have questions, contact Membership Billing at (415) 538-2360.

00001

Additionally, by court order, you must take and provide proof of successful passage of the Multi-State Professional Responsibility Examination (MPRE) to the Office of Probation on or before **February 21, 2016**. You must select "California" as the jurisdiction to receive your score report during registration. It is important that you plan to take this examination well in advance of the due date so that you can re-take the examination if you do not receive a passing score. The passing scaled score is 86. The MPRE is only offered three (3) times a year, but you may not have three chances to take the MPRE by your particular deadline. Failure to provide proof of passage of this examination by the due date may result in your indefinite suspension until you provide proof that you have passed the examination. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.)

In order to comply with the terms and conditions of your probation, you must report the status of your compliance, in each and every respect, by letter with any attachments, executed under penalty of perjury, and addressed to the Office of Probation. As a courtesy, the Office of Probation has prepared a Quarterly Report form for your use. Should you happen to lose your Quarterly Report form, you must submit your request for a copy in writing explaining why you could not maintain a copy for yourself.

Each of your reports must be a clear and unequivocal statement of compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

Please read the Instructions and review the Quarterly Report carefully to determine whether you believe that it accurately reflects the required terms and conditions. If you believe there is an error, or if there are any questions, please notify me immediately. **You are responsible for timely complying with each and every term and condition whether or not it is reflected in this letter and/or the Quarterly Report form.** You are reminded that for all conditions, proof of compliance must be physically received in the Office of Probation by your due date. **Being even one day late** means that you are **NOT** in compliance.

The conditions of your probation with compliance due dates are outlined below. Please note this summary **only** reflects those conditions and compliance due dates that require submission of proof of compliance to the Office of Probation. For a thorough review of all conditions, please refer to the enclosed copy of that portion of the disciplinary order setting forth the conditions of probation.

Condition

Deadline(s)

- | | |
|---|-------------------------------------|
| 1. Contact Probation Deputy & Schedule Required Meeting | March 23, 2015 |
| 2. Quarterly Reports | Quarterly, beginning April 10, 2015 |
| 3. State Bar Ethics School | February 21, 2016 |
| 4. MPRE | February 21, 2016 |
| 5. Final Report | February 21, 2016 |

Beryl Dean Droegemueller
January 29, 2015
Page 3

You are reminded that all Quarterly Reports are due **on or before the 10th day** after the end of each quarter. **If the 10th falls on a holiday or a weekend, the report must be received by the Office of Probation prior to that holiday or weekend.** Your Final Report is due on or before **February 21, 2016.**

You are required to report, and in no event in more than ten (10) days, to the Membership Records Office of the State Bar and the Office of Probation, all changes of information including current name, office address and telephone number, or other address for State Bar purposes as prescribed by section 6002.1 of the Business and Professions Code. The Office of Probation will only send documents to your official membership records address.

Further, please be advised that the Office of Probation **does not** have the authority to extend compliance due dates or modify the terms and conditions of the discipline order. **Request for extension of time or modification of the terms and conditions** of the discipline order **must be filed with** the State Bar Court Hearing Department or Review Department. See, Rules of Procedure of the State Bar of California, rules 5.162 and 5.300, et seq. A copy of the motion must be served upon the Office of Probation. **Failure to timely** submit reports or any other proof of compliance **may result in a non-compliance referral** which may lead to the imposition of additional discipline.

Enclosed are copies of the Supreme Court Order and conditions of probation, which you have already received from the Courts or your counsel, Multi-State Professional Responsibility Examination schedule, Quarterly Report with instructions, and Notice of Counsel Representation form. Also enclosed is scheduling and enrollment information for the State Bar's Ethics School.

It is recommended that you maintain a file containing all orders as well as communication between the Office of Probation and yourself. Keep your file in a convenient location so that if you have contact with the Office of Probation, any question can be quickly addressed. It is further recommended that you sign all original documents in blue so that the Office of Probation will immediately be able to ascertain whether you have provided the required original(s).

Please note that the Court has determined that the repeated need of the State Bar to actively intervene to seek compliance with disciplinary terms and conditions is inconsistent with the self-governing nature of probation as a rehabilitative part of the attorney discipline system. *In the Matter of Gorman* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 567, 573.

Sincerely,



Michael Angelo Kanterakis
Probation Deputy

/mak
Enclosures

00003

JAN 22 2015

(State Bar Court No. 14-O-01596)

S222830

Frank A. McGuire Clerk

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re BERYL DEAN DROEGEMUELLER on Discipline

The court orders that Beryl Dean Droegemueller, State Bar Number 76278, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. Beryl Dean Droegemueller is suspended from the practice of law for the first 30 days of probation;
2. Beryl Dean Droegemueller 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 September 16, 2014; and
3. At the expiration of the period of probation, if Beryl Dean Droegemueller has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Beryl Dean Droegemueller 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).)

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-third of the costs must be paid with his membership fees for each of the years 2016, 2017, and 2018. If Beryl Dean Droegemueller 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

CANTIL-SAKAUYE

Chief Justice

23 day of January 20 15
Clerk

By: [Signature]
Deputy

00004

Additional mitigating circumstances:

No Prior Discipline - See attachment, page 7.
Pre-filing Stipulation - See attachment, page 7.

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 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 one year, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(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 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.
- (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:
 - Substance Abuse Conditions
 - Law Office Management Conditions
 - Medical Conditions
 - 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:

00006

Guidance on the level of discipline to be imposed in this matter can be found in *Drociak v. State Bar* (1991) 52 Cal.3d 1085. In *Drociak*, the attorney used his client's pre-signed verification to respond to discovery without first consulting with his client to ensure the veracity of assertions of fact in the discovery responses, thereby committing an act of moral turpitude and dishonesty in violation of Business and Professions Code section 6106 and seeking to mislead the court by an artifice or false statement of fact in violation of Business and Professions Code section 6068(d) and former rule 7-501(1) of the Rules of Professional Conduct. The attorney, who had no prior record of discipline in 25 years of practice, received a 30-day actual suspension. In imposing the 30-day actual suspension, the Supreme Court noted that while the attorney's history of discipline free practice was commendable, it did not render the recommended 30-day actual suspension inappropriate. (Id. at pp. 1090-1091.)

Although respondent's misconduct does not involve a misrepresentation to a court, respondent nonetheless committed an act of moral turpitude and dishonesty. Respondent made a misrepresentation under penalty of perjury in order to circumvent continuing legal educational requirements established for the purpose of enhancing attorney competence and protecting the public.

In light of the totality of the facts and circumstances surrounding respondent's misconduct, including the mitigation afforded respondent's cooperation in resolving this matter, his 35 years of discipline free practice, and in light of standard 2.7, discipline consisting of a one-year suspension, stayed, and a one-year period of probation with conditions including a 30 day actual suspension from the practice of law is appropriate to protect the public, the courts and the legal profession, to maintain high professional standards by attorneys, and to preserve public confidence in the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of August 15, 2014, the prosecution costs in this matter are \$2,992. 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 of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION ("MPRE")

2015 Examination Schedule and Information

This document was created as a courtesy by the State Bar of California, Office of Probation.

The State Bar of California does NOT administer the MPRE.
**TO REGISTER AND FOR THE MOST RECENT INFORMATION REGARDING MPRE TEST
DATES, DEADLINES, RESOURCES, ETC., YOU MUST CONTACT:**

National Conference of Bar Examiners ("NCBE")

Website: www.ncbex.org

Registration opens on Monday, December 15, 2014

Test Dates*	Regular Registration Deadline (\$80)*	Late Registration Deadline (\$160)*	Scores Tentatively Released by
Saturday, March 28, 2015	February 5, 2015	February 12, 2015	May 2, 2015
Saturday, August 15, 2015	June 25, 2015	July 2, 2015	September 19, 2015
Saturday, November 7, 2015	September 17, 2015	September 24, 2015	December 12, 2015

1. The MPRE fee for applications received on or before the regular receipt deadline is \$80. The MPRE fee for applications received after the regular receipt deadline but before the late receipt deadline is \$160.
2. To provide proof of successful passage of the MPRE to the Office of Probation, you **MUST**: 1) during registration, select California as the jurisdiction to receive your score report; **AND** 2) send a copy of your score release to the Office of Probation ***on or before your due date***. Failure to comply with these requirements will delay confirming your passage of the MPRE, and it may result in an automatic suspension in probation matters or a non-compliance referral in all other matters.
3. Requests for special accommodations during the examination must be made to the National Conference of Bar Examiners in advance of the examination.

Passing scaled score 86

**Information may change at any time, please check the NCBE's website for current information.*

Revised 11/05/14

00008

IN THE MATTER OF
Beryl Dean Droegemueller

CASE NO(s): S222830

Probation

(For Office of Probation Use Only)

QUARTERLY REPORT

First Report Due: April 10, 2015
(for period February 21, 2015 through March 31, 2015)

Final Report Due: February 21, 2016
(for period January 1, 2016 through February 21, 2016)

Due: January 10, 20__ April 10, 20__ July 10, 20__ October 10, 20__
(for period 10/1 through 12/31) (for period 01/01 through 3/31) (for period 4/1 through 6/30) (for period 7/1 through 9/30)

Make sufficient copies of this form for future use and mail reports to State Bar of California, Attn: Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515.

Place an "X" before each of the statements below that applies to you:

Compliance with State Bar Act and Rules; and Report on SBC Proceedings

___ During the reporting period noted above or portion thereof, I have complied with all provisions of the State Bar Act, Rules of Professional Conduct, and all conditions of probation; and during the preceding calendar quarter, there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

Or

___ During the reporting period above or portion thereof, I have complied with all provisions of the State Bar Act, Rules of Professional Conduct, and all conditions of probation **EXCEPT** (please list specific violations or exceptions - - do NOT list pending proceedings in this space):

_____(attach declaration under penalty of perjury if more space is needed); and during the preceding calendar quarter, there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

00009

Current Address

___ Within 10 days of any change, I reported to the Membership Records Office and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information including current name, office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code

Suspension

___ I did not practice law at any time during the reporting period noted above or applicable portion thereof during which I was suspended pursuant to the Supreme Court order in this case.

State Bar Ethics School

___ I have registered for the State Bar Ethics School course given on _____.

___ I have completed the State Bar Ethics School course given on _____.
A copy of my certificate of completion is attached if not previously submitted.

Multi-State Professional Responsibility Examination

___ I have registered for the MPRE given on _____.

___ I have taken the MPRE given on _____ and am awaiting the results.

___ I passed the MPRE given on _____. A copy of my results is attached if not previously submitted.

___ I did not pass the MPRE given on _____ and have re-scheduled to take the examination given on _____.

I declare under penalty of perjury under the laws of the State of California that all of the information provided in this report is true and accurate.

Date: _____
(Date of actual signature)

Signature: _____
Beryl Dean Droegemueller
(Please sign in blue ink)

QUARTERLY REPORT INSTRUCTIONS

1. The enclosed Quarterly Report form has been tailored to reflect the conditions of your discipline that are to be reported to the Office of Probation. Please review it carefully. If you believe that it does not accurately reflect your conditions, immediately contact the Office of Probation. Note that even if the Office of Probation makes an error, **you are required to timely complete all of your ordered conditions**. The report form is provided as a courtesy only, and you are not required to use it.
2. The Office of Probation will **NOT** provide you with multiple copies of the courtesy Quarterly Report form. **YOU MUST MAKE ENOUGH COPIES TO USE FOR ALL FUTURE QUARTERLY AND FINAL REPORTS.** In the future, one additional copy **may** be provided if you make a written request with an explanation under penalty of perjury why you need such copy made.
3. For each quarter's report, mark the box for the correct reporting period and write in the correct year. Place an "X" in front of each condition that applies to your activities during each respective reporting period. Provide all required information.
4. Your report may be signed and mailed at the end of your business day on the last day of the month of each calendar quarter (i.e., March 31st, June 30th, September 30th and December 31st). **YOUR REPORT WILL BE REJECTED IF YOU DATE, SIGN, AND/OR SEND IT BEFORE THE LAST DAY OF THE LAST MONTH OF EACH CALENDAR QUARTER.**

REPORTING PERIOD	REPORT TO BE RECEIVED IN THE OFFICE OF PROBATION BY
January 1 - March 31	April 10
April 1 - June 30	July 10
July 1 - September 30	October 10
October 1 - December 31	January 10

5. Your original signed and dated report must be physically **received in the Office of Probation** on or before the tenth of January, April, July, and October. **If the tenth falls on a weekend or holiday, you must send your report so that it is received no later than the last State Bar business day before the 10th; The State Bar is not open on weekends or holidays and does not receive mail on those days.** State Bar observed holidays include among others, New Year's day, Cesar Chavez Day, Independence Day, and Columbus day. For all conditions, being **even one day late** means that you are **not** in compliance.
6. The report must contain an **original signature** in order to be filed with the Office of Probation. It is recommended that you sign each report using blue ink. Because your report must be made under penalty of perjury, you must date it the date you sign it and not pre-date it or post-date it. See, Code of Civil Procedure section 2015.5.
7. Because it is your responsibility to have an original, compliant report in to the Office of Probation by the tenth, and because some Respondents have claimed that their reports were lost in the mail, you may choose to send your reports in a manner that provides you with proof of delivery.
8. The Office of Probation files your report as of the date it is received, and **NOT** the date you mail it.
9. The Office of Probation will **NOT** contact you before and/or after each quarterly report is due. **You must calendar all of your deadlines to ensure timely receipt by the Office of Probation.**
10. Each report is to be a perpetual document and is to reflect past and/or current status or compliance.
11. Each of your reports must be a clear and unequivocal statement of your compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

If you have any questions regarding this information, please contact Michael Angelo Kanterakis in the Office of Probation at (213)765-1410.

00011

NOTICE OF COUNSEL REPRESENTATION

Respondent: Beryl Dean Droegemueller

State Bar Case #: S222830

Member Number: 76278

Counsel Name: _____

Firm Name: _____

Address: _____

Bar Number: _____

Phone Number: _____

Respondent Signature: _____

Date: _____

Counsel Signature: _____

Date: _____

Please complete and return this form to the Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515.



THE STATE BAR
OF CALIFORNIA

845 S. FIGUEROA STREET, LOS ANGELES, CA 90017-2515

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309

FAX: (213) 765-1029

TDD: (213) 765-1566

<http://www.calbar.ca.gov>

State Bar of California Ethics/CTA School Information

Ethics and Client Trust Accounting classes are given throughout the year at the State Bar offices:

LOS ANGELES
845 S. Figueroa Street
Los Angeles, CA 90017-2515

SAN FRANCISCO
180 Howard Street
San Francisco, CA 94105

Ethics School is all day (9:00 a.m. to 4:00 p.m.), with a lunch break. The fee for the course is **\$150.00**. Client Trust Account School is held for three (3) hours, (9:00 a.m. to 12:00 Noon). The fee for the course is **\$100.00**.

Please note that pursuant to Rules of Procedure of the State Bar of California, rule 3201, you will **NOT** receive Minimum Continuing Legal Education credit if your attendance at Ethics School or Client Trust Accounting School is required by a Decision or Order of the State Bar Court or Supreme Court.

If your attendance at Ethics School is **NOT** required by a Decision or Order of the State Bar Court or Supreme Court, you may receive six (6) hours of Minimum Continuing Legal Education credit upon successful completion of the class. If your attendance at CTA School is **NOT** required by a Decision or Order of the State Bar Court or Supreme Court, you may receive three (3) hours of Minimum Continuing Legal Education credit upon successful completion of the class.

An application form and a schedule of classes are enclosed for your convenience. Fees **MUST** be submitted with the application in order to secure a seat in the class. Classes for some dates may fill up quickly. Payment for classes must be in the form of a personal check, money order or cashier's check. **CASH PAYMENTS WILL NOT BE ACCEPTED.**

Please indicate on the application form, by checking the appropriate space, whether you are attending the class as a result of a Decision of the Court after a hearing; as a result of a stipulated disposition; pursuant to an Agreement in Lieu of Discipline; voluntarily by letter agreement with the Office of Chief Trial Counsel or the Committee of Bar Examiners for Bar applicants, or voluntarily for some other reason.

If you have a question about probation, please direct your inquiries in writing to the State Bar of California, Attention: Office of Probation, 845 S. Figueroa Street, Los Angeles, CA 90017-2515.

OFFICE OF THE CHIEF TRIAL COUNSEL

Letty Ramos
Administrative Secretary

Enc.

00014

Revised 10/28/14



THE STATE BAR
OF CALIFORNIA

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

845 S. FIGUEROA STREET, LOS ANGELES, CA 90017-2515

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California Ethics/CTA School Enrollment Form

DATE: _____

APPLICANT'S NAME: _____ SBN: _____

APPLICANT'S ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS: _____

LOS ANGELES
845 South Figueroa Street
Los Angeles, CA 90017-2515

SAN FRANCISCO
180 Howard Street
San Francisco, CA 94105

ETHICS (\$150) DATE OF CLASS: _____ LOCATION (LA OR SF): _____
CTA (\$100) DATE OF CLASS: _____ LOCATION (LA OR SF): _____

Return completed Application Enrollment Form with personal check, money order or cashier's check made payable to the State Bar of California, 845 S. Figueroa Street, Los Angeles, CA, 90017-2515, attention: Letty Ramos, Office of the Chief Trial Counsel. Upon receipt of your application and payment, a confirming reservation letter will be mailed to you. If you have any questions, please contact Letty Ramos at (213) 765-1309 or by fax at (213) 765-1029.

Please indicate below the reason for your attendance:

- Supreme Court Order/State Bar Court Decision after hearing requiring attendance
- Supreme Court Order/State Bar Court Order following stipulated disposition requiring attendance
- Agreement in Lieu of Discipline
- Voluntary Agreement with the Office of the Chief Trial Counsel
- State Bar Applicant for Admission
- Voluntarily

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on the form; or 2) going online at www.calbar.ca.gov: Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. You are NOT registered until your payment is received. If you have any questions, please contact Letty Ramos at (213) 765-1309.

Revised 10/28/14

00015



THE STATE BAR
OF CALIFORNIA

845 SOUTH FIGUEROA STREET, LOS ANGELES, CALIFORNIA 90017-2515

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

FAX: (213) 765-1439

<http://www.calbar.ca.gov>

Michael Angelo Kanterakis: (213) 765-1410

March 26, 2015

OFFICE OF PROBATION
ADDRESS VERIFIED

March 26, 2015

Beryl Dean Droegemueller
2836 Hutchison St
Vista, CA 92084

BY: 

In re: S222830

In the Matter of Beryl Dean Droegemueller

Dear Beryl Dean Droegemueller:

On January 29, 2015, this office sent to you a letter (copy enclosed) for the purpose of reminding you of the terms and conditions of your probation imposed by the Supreme Court which became effective February 21, 2015.

One of those conditions requires that you contact the Office of Probation and schedule the required meeting with your assigned Probation Deputy. Your contact was due no later than March 23, 2015. *This letter is to advise you that the Office of Probation has no record of your contact. Please contact the Office of Probation immediately.*

Consequently, you are not in compliance with the terms and conditions of your Probation, and you may face a non-compliance referral which may result in the imposition of additional discipline and attendant costs (see attached). Even if you contact the Office of Probation, a referral may still be prepared. The Office of Probation will not send any further reminder letters regarding the aforementioned non-compliance or any future compliance due dates or lack of receipt of compliance documentation.

Please be reminded that LATE completion, submission, or filing of proof/documents, does not mean you are in compliance. You will never be in compliance because being even one day late means that you are not in compliance with the terms and conditions of your Probation.

If for any reason, you cannot *timely* comply with the terms and conditions of the discipline imposed, and to avoid a non-compliance referral, *you must* file a motion with the State Bar Court. See rules 5.162 and 5.300, et seq., Rules of Procedure of the State Bar of California. A copy of the motion must be served upon the Office of Probation. *The Office of Probation does not have the authority to extend compliance due dates or modify the terms and conditions of your probation.*

Please note that even if you are referred, you are **STILL REQUIRED TO TIMELY COMPLY** with all probation conditions in this matter. Additional violations may be subject to a separate non-compliance referral. If you have any questions regarding this matter, please contact me at (213) 765-1410.

Sincerely,



Michael Angelo Kanterakis
Probation Deputy

/mak

Enclosure(s)

00017



THE STATE BAR
OF CALIFORNIA

845 SOUTH FIGUEROA STREET, LOS ANGELES, CALIFORNIA 90017-2515

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

FAX: (213) 765-1439

<http://www.calbar.ca.gov>

Michael Angelo Kanterakis: (213) 765-1410

January 29, 2015

Beryl Dean Droegemueller
2836 Hutchison St
Vista, CA 92084

OFFICE OF PROBATION

ADDRESS VERIFIED

January 29, 2015

BY: _____

In re: S222830

In the Matter of Beryl Dean Droegemueller

Dear Beryl Dean Droegemueller:

This reminder letter is sent to you as a courtesy and based upon information that you are not currently represented by counsel in this matter—the enforcement of your probation terms and conditions. If this is incorrect, please complete the Notice of Counsel Representation form and submit the original to the Office of Probation within five days so that future communications may be directed to your counsel.

As you know, on January 22, 2015, the Supreme Court of California filed an Order, effective February 21, 2015, suspending you from the practice of law for a period of one year, staying execution and placing you on probation upon certain conditions for a period of one year. Further, pursuant to the Order of the Court, you have been placed on actual suspension for the first 30 days of your probation.¹

Please take notice that attorneys are not relieved of MCLE requirements during the pendency of their disciplinary period.

Rule of Professional Conduct 1-311 requires that a firm or attorney who employs an attorney who is disbarred, resigned, suspended or involuntarily enrolled inactive, provide certain notices to the State Bar and to clients. While there is no prescribed form, in order to assist attorneys to comply with the rule, the State Bar has created notices for the employer's use. If you are or become employed by an attorney or a law firm, please remind your employer of this requirement. Forms are available at the State Bar website under Attorney Forms/Reportable Actions or you may contact the Intake Unit, Office of the Chief Trial Counsel, at (213) 765-1000.

You must schedule a meeting with me to discuss the terms and conditions of your discipline within 30 days from the effective date of discipline. Make sure you read this letter including all attachments before the required meeting.

¹ Please review your stipulation or decision carefully. You may have been ordered to remain on actual suspension until you have fully paid the costs imposed as a result of your discipline. The Office of Probation does NOT monitor costs. If you have questions, contact Membership Billing at (415) 538-2360.

Additionally, by court order, you must take and provide proof of successful passage of the Multi-State Professional Responsibility Examination (MPRE) to the Office of Probation on or before **February 21, 2016**. You must select "California" as the jurisdiction to receive your score report during registration. It is important that you plan to take this examination well in advance of the due date so that you can re-take the examination if you do not receive a passing score. The passing scaled score is 86. The MPRE is only offered three (3) times a year, but you may not have three chances to take the MPRE by your particular deadline. Failure to provide proof of passage of this examination by the due date may result in your indefinite suspension until you provide proof that you have passed the examination. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn 8.)

In order to comply with the terms and conditions of your probation, you must report the status of your compliance, in each and every respect, by letter with any attachments, executed under penalty of perjury, and addressed to the Office of Probation. As a courtesy, the Office of Probation has prepared a Quarterly Report form for your use. Should you happen to lose your Quarterly Report form, you must submit your request for a copy in writing explaining why you could not maintain a copy for yourself.

Each of your reports must be a clear and unequivocal statement of compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

Please read the Instructions and review the Quarterly Report carefully to determine whether you believe that it accurately reflects the required terms and conditions. If you believe there is an error, or if there are any questions, please notify me immediately. **You are responsible for timely complying with each and every term and condition whether or not it is reflected in this letter and/or the Quarterly Report form.** You are reminded that for all conditions, proof of compliance must be physically received in the Office of Probation by your due date. **Being even one day late** means that you are **NOT** in compliance.

The conditions of your probation with compliance due dates are outlined below. Please note this summary **only** reflects those conditions and compliance due dates that require submission of proof of compliance to the Office of Probation. For a thorough review of all conditions, please refer to the enclosed copy of that portion of the disciplinary order setting forth the conditions of probation.

Condition

Deadline(s)

- | | |
|---|-------------------------------------|
| 1. Contact Probation Deputy & Schedule Required Meeting | March 23, 2015 |
| 2. Quarterly Reports | Quarterly, beginning April 10, 2015 |
| 3. State Bar Ethics School | February 21, 2016 |
| 4. MPRE | February 21, 2016 |
| 5. Final Report | February 21, 2016 |

Beryl Dean Droegemueller
January 29, 2015
Page 3

You are reminded that all Quarterly Reports are due on or before the 10th day after the end of each quarter. **If the 10th falls on a holiday or a weekend, the report must be received by the Office of Probation prior to that holiday or weekend.** Your Final Report is due on or before **February 21, 2016.**

You are required to report, and in no event in more than ten (10) days, to the Membership Records Office of the State Bar and the Office of Probation, all changes of information including current name, office address and telephone number, or other address for State Bar purposes as prescribed by section 6002.1 of the Business and Professions Code. The Office of Probation will only send documents to your official membership records address.

Further, please be advised that the Office of Probation **does not** have the authority to extend compliance due dates or modify the terms and conditions of the discipline order. **Request for extension of time or modification of the terms and conditions of the discipline order must be filed with the State Bar Court Hearing Department or Review Department.** See, Rules of Procedure of the State Bar of California, rules 5.162 and 5.300, et seq. A copy of the motion must be served upon the Office of Probation. **Failure to timely submit reports or any other proof of compliance may result in a non-compliance referral** which may lead to the imposition of additional discipline.

Enclosed are copies of the Supreme Court Order and conditions of probation, which you have already received from the Courts or your counsel, Multi-State Professional Responsibility Examination schedule, Quarterly Report with instructions, and Notice of Counsel Representation form. Also enclosed is scheduling and enrollment information for the State Bar's Ethics School.

It is recommended that you maintain a file containing all orders as well as communication between the Office of Probation and yourself. Keep your file in a convenient location so that if you have contact with the Office of Probation, any question can be quickly addressed. It is further recommended that you sign all original documents in blue so that the Office of Probation will immediately be able to ascertain whether you have provided the required original(s).

Please note that the Court has determined that the repeated need of the State Bar to actively intervene to seek compliance with disciplinary terms and conditions is inconsistent with the self-governing nature of probation as a rehabilitative part of the attorney discipline system. *In the Matter of Gorman* (Review Dept. 2003) 4 Cal. State Bar Ct. Rptr. 567, 573.

Sincerely,



Michael Angelo Kanterakis
Probation Deputy

/mak
Enclosures

00020

JAN 22 2015

(State Bar Court No. 14-O-01596)

S222830

Frank A. McGuire Clerk

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

In re BERYL DEAN DROEGEMUELLER on Discipline

The court orders that Beryl Dean Droegemueller, State Bar Number 76278, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. Beryl Dean Droegemueller is suspended from the practice of law for the first 30 days of probation;
2. Beryl Dean Droegemueller 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 September 16, 2014; and
3. At the expiration of the period of probation, if Beryl Dean Droegemueller has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Beryl Dean Droegemueller 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).)

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-third of the costs must be paid with his membership fees for each of the years 2016, 2017, and 2018. If Beryl Dean Droegemueller 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

CANTIL-SAKAUYE

Chief Justice

23 day of January 2015
Clerk
By: [Signature]
Deputy

00021

Additional mitigating circumstances:

No Prior Discipline - See attachment, page 7.
Pre-filing Stipulation - See attachment, page 7.

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 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 one year, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(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 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.

(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 Prob 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 11, 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:
 - Substance Abuse Conditions Law Office Management Conditions
 - Medical Conditions 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:

00023

Guidance on the level of discipline to be imposed in this matter can be found in *Drociak v. State Bar* (1991) 52 Cal.3d 1085. In *Drociak*, the attorney used his client's pre-signed verification to respond to discovery without first consulting with his client to ensure the veracity of assertions of fact in the discovery responses, thereby committing an act of moral turpitude and dishonesty in violation of Business and Professions Code section 6106 and seeking to mislead the court by an artifice or false statement of fact in violation of Business and Professions Code section 6068(d) and former rule 7-501(1) of the Rules of Professional Conduct. The attorney, who had no prior record of discipline in 25 years of practice, received a 30-day actual suspension. In imposing the 30-day actual suspension, the Supreme Court noted that while the attorney's history of discipline free practice was commendable, it did not render the recommended 30-day actual suspension inappropriate. (*Id.* at pp. 1090-1091.)

Although respondent's misconduct does not involve a misrepresentation to a court, respondent nonetheless committed an act of moral turpitude and dishonesty. Respondent made a misrepresentation under penalty of perjury in order to circumvent continuing legal educational requirements established for the purpose of enhancing attorney competence and protecting the public.

In light of the totality of the facts and circumstances surrounding respondent's misconduct, including the mitigation afforded respondent's cooperation in resolving this matter, his 35 years of discipline free practice, and in light of standard 2.7, discipline consisting of a one-year suspension, stayed, and a one-year period of probation with conditions including a 30 day actual suspension from the practice of law is appropriate to protect the public, the courts and the legal profession, to maintain high professional standards by attorneys, and to preserve public confidence in the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of August 15, 2014, the prosecution costs in this matter are \$2,992. 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 of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION ("MPRE")

2015 Examination Schedule and Information

This document was created as a courtesy by the State Bar of California, Office of Probation.

The State Bar of California does **NOT** administer the MPRE.
**TO REGISTER AND FOR THE MOST RECENT INFORMATION REGARDING MPRE TEST
DATES, DEADLINES, RESOURCES, ETC., YOU MUST CONTACT:**

National Conference of Bar Examiners ("NCBE")

Website: www.ncbex.org

Registration opens on Monday, December 15, 2014

Test Dates*	Regular Registration Deadline (\$80)*	Late Registration Deadline (\$160)*	Scores Tentatively Released by
Saturday, March 28, 2015	February 5, 2015	February 12, 2015	May 2, 2015
Saturday, August 15, 2015	June 25, 2015	July 2, 2015	September 19, 2015
Saturday, November 7, 2015	September 17, 2015	September 24, 2015	December 12, 2015

1. The MPRE fee for applications received on or before the regular receipt deadline is \$80. The MPRE fee for applications received after the regular receipt deadline but before the late receipt deadline is \$160.
2. To provide proof of successful passage of the MPRE to the Office of Probation, you **MUST**: 1) during registration, select California as the jurisdiction to receive your score report; **AND** 2) send a copy of your score release to the Office of Probation on or before your due date. Failure to comply with these requirements will delay confirming your passage of the MPRE, and it may result in an automatic suspension in probation matters or a non-compliance referral in all other matters.
3. Requests for special accommodations during the examination must be made to the National Conference of Bar Examiners in advance of the examination.

Passing scaled score 86

**Information may change at any time, please check the NCBE's website for current information.*

IN THE MATTER OF
Beryl Dean Droegemueller

(For Office of Probation Use Only)

CASE NO(s): S222830

Probation

QUARTERLY REPORT

First Report Due: April 10, 2015
(for period February 21, 2015 through March 31, 2015)

Final Report Due: February 21, 2016
(for period January 1, 2016 through February 21, 2016)

Due: January 10, 20__ April 10, 20__ July 10, 20__ October 10, 20__
(for period 10/1 through 12/31) (for period 01/01 through 3/31) (for period 4/1 through 6/30) (for period 7/1 through 9/30)

Make sufficient copies of this form for future use and mail reports to State Bar of California, Attn: Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515.

Place an "X" before each of the statements below that applies to you:

Compliance with State Bar Act and Rules; and Report on SBC Proceedings

During the reporting period noted above or portion thereof, I have complied with all provisions of the State Bar Act, Rules of Professional Conduct, and all conditions of probation; and during the preceding calendar quarter, there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

Or

During the reporting period above or portion thereof, I have complied with all provisions of the State Bar Act, Rules of Professional Conduct, and all conditions of probation **EXCEPT** (please list specific violations or exceptions - - do NOT list pending proceedings in this space):

(attach declaration under penalty of perjury if more space is needed); and during the preceding calendar quarter, there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

00026

Current Address

- ___ Within 10 days of any change, I reported to the Membership Records Office and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information including current name, office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code

Suspension

- ___ I did not practice law at any time during the reporting period noted above or applicable portion thereof during which I was suspended pursuant to the Supreme Court order in this case.

State Bar Ethics School

- ___ I have registered for the State Bar Ethics School course given on _____.
- ___ I have completed the State Bar Ethics School course given on _____.
A copy of my certificate of completion is attached if not previously submitted.

Multi-State Professional Responsibility Examination

- ___ I have registered for the MPRE given on _____.
- ___ I have taken the MPRE given on _____ and am awaiting the results.
- ___ I passed the MPRE given on _____. A copy of my results is attached if not previously submitted.
- ___ I did not pass the MPRE given on _____ and have re-scheduled to take the examination given on _____.

I declare under penalty of perjury under the laws of the State of California that all of the information provided in this report is true and accurate.

Date: _____
(Date of actual signature)

Signature: _____
Beryl Dean Droegemueller
(Please sign in blue ink)

OFFICE OF PROBATION
QUARTERLY REPORT INSTRUCTIONS

1. The enclosed Quarterly Report form has been tailored to reflect the conditions of your discipline that are to be reported to the Office of Probation. Please review it carefully. If you believe that it does not accurately reflect your conditions, immediately contact the Office of Probation. Note that even if the Office of Probation makes an error, **you are required to timely complete all of your ordered conditions**. The report form is provided as a courtesy only, and you are not required to use it.
2. The Office of Probation will **NOT** provide you with multiple copies of the courtesy Quarterly Report form. **YOU MUST MAKE ENOUGH COPIES TO USE FOR ALL FUTURE QUARTERLY AND FINAL REPORTS**. In the future, one additional copy **may** be provided if you make a written request with an explanation under penalty of perjury why you need such copy made.
3. For each quarter's report, mark the box for the correct reporting period and write in the correct year. Place an "X" in front of each condition that applies to your activities during each respective reporting period. Provide all required information.
4. Your report may be signed and mailed at the end of your business day on the last day of the month of each calendar quarter (i.e., March 31st, June 30th, September 30th and December 31st). **YOUR REPORT WILL BE REJECTED IF YOU DATE, SIGN, AND/OR SEND IT BEFORE THE LAST DAY OF THE LAST MONTH OF EACH CALENDAR QUARTER.**

REPORTING PERIOD	REPORT TO BE RECEIVED IN THE OFFICE OF PROBATION BY
January 1 - March 31	April 10
April 1 - June 30	July 10
July 1 - September 30	October 10
October 1 - December 31	January 10

5. Your original signed and dated report must be physically **received in the Office of Probation** on or before the tenth of January, April, July, and October. **If the tenth falls on a weekend or holiday, you must send your report so that it is received no later than the last State Bar business day before the 10th; The State Bar is not open on weekends or holidays and does not receive mail on those days.** State Bar observed holidays include among others, New Year's day, Cesar Chavez Day, Independence Day, and Columbus day. For all conditions, being **even one day late** means that you are **not** in compliance.
6. The report must contain an **original signature** in order to be filed with the Office of Probation. It is recommended that you sign each report using blue ink. Because your report must be made under penalty of perjury, you must date it the date you sign it and not pre-date it or post-date it. See, Code of Civil Procedure section 2015.5.
7. Because it is your responsibility to have an original, compliant report in to the Office of Probation by the tenth, and because some Respondents have claimed that their reports were lost in the mail, you may choose to send your reports in a manner that provides you with proof of delivery.
8. The Office of Probation files your report as of the date it is received, and **NOT** the date you mail it.
9. The Office of Probation will **NOT** contact you before and/or after each quarterly report is due. **You must calendar all of your deadlines to ensure timely receipt by the Office of Probation.**
10. Each report is to be a perpetual document and is to reflect past and/or current status or compliance.
11. Each of your reports must be a clear and unequivocal statement of your compliance. See *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 244. If it is not, it can be rejected for filing.

If you have any questions regarding this information, please contact Michael Angelo Kanterakis in the Office of Probation at (213)765-1410.

NOTICE OF COUNSEL REPRESENTATION

Respondent: Beryl Dean Droegemueller

State Bar Case #: S222830

Member Number: 76278

Counsel Name: _____

Firm Name: _____

Address: _____

Bar Number: _____

Phone Number: _____

Respondent Signature: _____

Date: _____

Counsel Signature: _____

Date: _____

Please complete and return this form to the Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515.

00029



THE STATE BAR
OF CALIFORNIA

845 S. FIGUEROA STREET, LOS ANGELES, CA 90017-2515

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California

2015 Ethics/Client Trust Accounting ("CTA") School Schedules

LOS ANGELES 845 S. Figueroa Street			
Class	Day	Date	Time
Ethics	Thurs	02/19	9a - 4p
CTA	Fri	02/20	9a - 12p
Ethics	Thurs	05/07	9a - 4p
CTA	Fri	05/08	9a - 12p
Ethics	Thurs	06/04	9a - 4p
CTA	Fri	06/05	9a - 12p
Ethics	Thurs	08/20	9a - 4p
CTA	Fri	08/21	9a - 12p
Ethics	Thurs	09/17	9a - 4p
CTA	Fri	09/18	9a - 12p
Ethics	Thurs	10/22	9a - 4p
CTA	Fri	10/23	9a - 12p
Ethics	Thurs	12/10	9a - 4p
CTA	Fri	12/11	9a - 12p

SAN FRANCISCO 180 Howard Street			
Class	Day	Date	Time
Ethics	Thurs	03/12	9a - 4p
CTA	Fri	03/13	9a - 12p
Ethics	Thurs	06/18	9a - 4p
CTA	Fri	06/19	9a - 12p
Ethics	Thurs	09/17	9a - 4p
CTA	Fri	09/18	9a - 12p
Ethics	Thurs	12/03	9a - 4p
CTA	Fri	12/04	9a - 12p

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on the form; or 2) going online at www.calbar.ca.gov: Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. You are **NOT** registered until your payment is received. If you have any questions, please contact Letty Ramos at (213) 765-1309.

Information may change at any time, please check the State Bar website for current information.



THE STATE BAR
OF CALIFORNIA

845 S. FIGUEROA STREET, LOS ANGELES, CA 90017-2515

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California Ethics/CTA School Information

Ethics and Client Trust Accounting classes are given throughout the year at the State Bar offices:

LOS ANGELES
845 S. Figueroa Street
Los Angeles, CA 90017-2515

SAN FRANCISCO
180 Howard Street
San Francisco, CA 94105

Ethics School is all day (9:00 a.m. to 4:00 p.m.), with a lunch break. The fee for the course is **\$150.00**. Client Trust Account School is held for three (3) hours, (9:00 a.m. to 12:00 Noon). The fee for the course is **\$100.00**.

Please note that pursuant to Rules of Procedure of the State Bar of California, rule 3201, you will **NOT** receive Minimum Continuing Legal Education credit if your attendance at Ethics School or Client Trust Accounting School is required by a Decision or Order of the State Bar Court or Supreme Court.

If your attendance at Ethics School is **NOT** required by a Decision or Order of the State Bar Court or Supreme Court, you may receive six (6) hours of Minimum Continuing Legal Education credit upon successful completion of the class. If your attendance at CTA School is **NOT** required by a Decision or Order of the State Bar Court or Supreme Court, you may receive three (3) hours of Minimum Continuing Legal Education credit upon successful completion of the class.

An application form and a schedule of classes are enclosed for your convenience. Fees **MUST** be submitted with the application in order to secure a seat in the class. Classes for some dates may fill up quickly. Payment for classes must be in the form of a personal check, money order or cashier's check. **CASH PAYMENTS WILL NOT BE ACCEPTED.**

Please indicate on the application form, by checking the appropriate space, whether you are attending the class as a result of a Decision of the Court after a hearing; as a result of a stipulated disposition; pursuant to an Agreement in Lieu of Discipline; voluntarily by letter agreement with the Office of Chief Trial Counsel or the Committee of Bar Examiners for Bar applicants, or voluntarily for some other reason.

If you have a question about probation, please direct your inquiries in writing to the State Bar of California, Attention: Office of Probation, 845 S. Figueroa Street, Los Angeles, CA 90017-2515.

OFFICE OF THE CHIEF TRIAL COUNSEL

Letty Ramos
Administrative Secretary

Enc.

00031

Revised 10/28/14



THE STATE BAR
OF CALIFORNIA

845 S. FIGUEROA STREET, LOS ANGELES, CA 90017-2515

OFFICE OF THE CHIEF TRIAL COUNSEL
ENFORCEMENT

TELEPHONE: (213) 765-1309
FAX: (213) 765-1029
TDD: (213) 765-1566
<http://www.calbar.ca.gov>

State Bar of California Ethics/CTA School Enrollment Form

DATE: _____

APPLICANT'S NAME: _____ SBN: _____

APPLICANT'S ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ FAX: _____

E-MAIL ADDRESS: _____

LOS ANGELES
845 South Figueroa Street
Los Angeles, CA 90017-2515

SAN FRANCISCO
180 Howard Street
San Francisco, CA 94105

ETHICS (\$150) DATE OF CLASS: _____ LOCATION (LA OR SF): _____
CTA (\$100) DATE OF CLASS: _____ LOCATION (LA OR SF): _____

Return completed Application Enrollment Form with personal check, money order or cashier's check made payable to the State Bar of California, 845 S. Figueroa Street, Los Angeles, CA, 90017-2515, attention: Letty Ramos, Office of the Chief Trial Counsel. Upon receipt of your application and payment, a confirming reservation letter will be mailed to you. If you have any questions, please contact Letty Ramos at (213) 765-1309 or by fax at (213) 765-1029.

Please indicate below the reason for your attendance:

- Supreme Court Order/State Bar Court Decision after hearing requiring attendance
- Supreme Court Order/State Bar Court Order following stipulated disposition requiring attendance
- Agreement in Lieu of Discipline
- Voluntary Agreement with the Office of the Chief Trial Counsel
- State Bar Applicant for Admission
- Voluntarily

You can register for Ethics School and/or Client Trust Accounting School by: 1) mailing application form with payment to the address on the form; or 2) going online at www.calbar.ca.gov: Home > Attorneys > Lawyer Regulation > Ethics Schools, go to end of section and click on Register Now, or click on Class Schedule and Registration. You are NOT registered until your payment is received. If you have any questions, please contact Letty Ramos at (213) 765-1309.

00032

Revised 10/28/14

This document to which this certificate is attached,
is a full, true and correct copy of the original on
file and of record in the Office of Probation.



Attest December 14, 2015

By M.A. Kanterakis

Michael Angelo Kanterakis
State Bar of California, Office of Probation
Los Angeles, California

00033



THE STATE BAR
OF CALIFORNIA

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

845 SOUTH FIGUEROA STREET, LOS ANGELES, CALIFORNIA 90017-2515

TELEPHONE: (213) 765-1000

FAX: (213) 765-1439

<http://www.calbar.ca.gov>

Michael Angelo Kanterakis: (213) 765-1410

Michael.Kanterakis@calbar.ca.gov

OFFICE OF PROBATION
ADDRESS VERIFIED

April 7, 2015

April 7, 2015

BY: _____

Beryl Dean Droegemueller
2836 Hutchison St
Vista, CA 92084

In re: S222830

In the Matter of Beryl Dean Droegemueller

Dear Beryl Dean Droegemueller:

Attached, kindly find a copy of the Required Probation Meeting Record completed today during our telephonic meeting.

If you have any questions regarding this matter, please contact me at (213) 765-1410.

Sincerely,

Michael Angelo Kanterakis
Probation Deputy

/mak

00034

REQUIRED PROBATION MEETING RECORD

Case Name:

Beryl Dean Drogemiller

Member No.:

76278 Case Number 820830

Contact:

8-23-15 Contact Date 4-15-15

Compliance Date:

Date of Required Meeting 4-17-15

In person Meeting State Bar Office - 1st

Telephone Meeting

Verified Respondent received copy of current probation order & signed document

Discussed conditions of probation (this is the only sufficient form of proof); provide copy of test

Discussed reporting schedule & requirements

Notified Respondent that compliance document is due on the date of the probation or before the due date. Not signed or posted on the date of the probation

Reminded Respondent that the MPRF is offered three times each year, but not all Respondents will have three chances to take the MPRF by their particular deadline; that they must have the results reported to California (this is the only sufficient form of proof); provide copy of test results to the Office of Probation, and that (in Probation matters) Respondent will be automatically suspended if MPRF is not passed by the due date until proof of passage is provided.

Verified Respondent's current mailing address & telephone number

Same as SB Membership Records address & telephone number

New / Alternate (please circle one) address or telephone number

If condition involves a third party, e.g. restitution owed, ask Respondent to include with first Quarterly Report any identifying/contact info (e.g., full name, CDL, SSN, age, last known work/home tel./address, etc.);

If condition involves drug lab testing, remind Respondent that he will be contacted for random lab testing even if represented by counsel. (The condition is non-delegable)

Advised Respondent that filing of a motion should be considered if unable to meet conditions by the deadlines. Copy of motion should be served on the Office of Probation.

Notified Respondent that a non-compliance referral will be made if conditions are not met by deadlines.

Instructed Respondent to contact the Office of Probation if any questions or concerns arise regarding Respondent's disciplinary orders and compliance thereof.

Comments:

Drug - on m. W. A.

BY:

(Signature)

BY:

Probation Deputy

00035

Respondent (signature & acknowledgment of in-person meeting)

This document to which this certificate is attached,
is a full, true and correct copy of the original on
file and of record in the Office of Probation.



Attest December 14, 2015

By M.A. Kanterakis

Michael Angelo Kanterakis
State Bar of California, Office of Probation
Los Angeles, California

00036

<p>IN THE MATTER OF Beryl Dean Droegemueller</p> <p>CASE NO(s): S222830</p> <p>Probation</p>	<p>(For Office of Probation Use Only)</p> <p>FILED</p> <p>APR 07 2015</p> <p>OFFICE OF PROBATION LOS ANGELES</p>
--	---

QUARTERLY REPORT

First Report Due: April 10, 2015
(for period February 21, 2015 through March 31, 2015)

Final Report Due: February 21, 2016
(for period January 1, 2016 through February 21, 2016)

Due: January 10, 20__ April 10, 20__ July 10, 20__ October 10, 20__
(for period 10/1 through 12/31) (for period 01/01 through 3/31) (for period 4/1 through 6/30) (for period 7/1 through 9/30)

Make sufficient copies of this form for future use and mail reports to State Bar of California, Attn: Office of Probation, 845 South Figueroa Street, Los Angeles, California 90017-2515.

Place an "X" before each of the statements below that applies to you:

Compliance with State Bar Act and Rules; and Report on SBC Proceedings

During the reporting period noted above or portion thereof, I have complied with all provisions of the State Bar Act, Rules of Professional Conduct, and all conditions of probation; and during the preceding calendar quarter, there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

Or

During the reporting period above or portion thereof, I have complied with all provisions of the State Bar Act, Rules of Professional Conduct, and all conditions of probation **EXCEPT** (please list specific violations or exceptions -- do NOT list pending proceedings in this space):

- Missed contacting Probation Officer by 3/23/15
- Contacted 4/1/15 upon receipt of Reminder letter
- Phone Interview 4/7/15 at 11:00 A.M.

(attach declaration under penalty of perjury if more space is needed); and during the preceding calendar quarter, there were no proceedings pending against me in the State Bar Court, or if there were, I have attached my declaration, signed under penalty of perjury, regarding my pending proceeding(s) in State Bar Court including the case number(s), and current status.

00037

Current Address

Within 10 days of any change, I reported to the Membership Records Office and to the Office of Probation of the State Bar of California ("Office of Probation"); all changes of information including current name, office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code

Suspension

I did not practice law at any time during the reporting period noted above or applicable portion thereof during which I was suspended pursuant to the Supreme Court order in this case.

State Bar Ethics School

- I have registered for the State Bar Ethics School course given on _____.
- I have completed the State Bar Ethics School course given on _____.
A copy of my certificate of completion is attached if not previously submitted.

Multi-State Professional Responsibility Examination

- I have registered for the MPRE given on _____.
- I have taken the MPRE given on _____ and am awaiting the results.
- I passed the MPRE given on _____. A copy of my results is attached if not previously submitted.
- I did not pass the MPRE given on _____ and have re-scheduled to take the examination given on _____.

I declare under penalty of perjury under the laws of the State of California that all of the information provided in this report is true and accurate.

Date: April 7, 2015
(Date of actual signature)

Signature: Beryl Dean Droegemueller
Beryl Dean Droegemueller
(Please sign in blue ink)

00038

This document to which this certificate is attached,
is a full, true and correct copy of the original on
file and of record in the Office of Probation.



Attest December 14, 2015

By MA Kanterakis

Michael Angelo Kanterakis
State Bar of California, Office of Probation
Los Angeles, California

00039



**THE STATE BAR
OF CALIFORNIA**

845 SOUTH FIGUEROA STREET, LOS ANGELES, CALIFORNIA 90017-2515

OFFICE OF PROBATION

Terrie Goldade, Supervising Attorney (213) 765-1494

TELEPHONE: (213) 765-1000

FAX: (213) 765-1439

<http://www.calbar.ca.gov>

Michael Angelo Kanterakis: (213) 765-1410

Michael.Kanterakis@calbar.ca.gov

OFFICE OF PROBATION

ADDRESS VERIFIED

October 19, 2015

October 19, 2015

BY: 

Beryl Dean Droegemueller
2836 Hutchison St
Vista, CA 92084

In re: **S222830**

In the Matter of **Beryl Dean Droegemueller**

Dear Beryl Dean Droegemueller:

As you are aware, you were ordered to comply with specific terms and conditions of your probation imposed by the Supreme Court which became effective February 21, 2015.

The following chart summarizes your compliance and non-compliance with the conditions of your probation to date:

Condition	Due Date	Completion Date	Comments
Schedule Req'd. Mtg.	March 23, 2015	April 1, 2015	LATE.
Hold Required Mtg.	As Scheduled	April 7, 2015	
Quarterly Reports	April 10, 2015 July 10, 2015 October 10, 2015	April 7, 2015 -- --	NOT RECEIVED. NOT RECEIVED.
Ethics School	February 21, 2016	--	Not yet due.
MPRE	February 21, 2016	--	Not yet due.

You are not in compliance with the terms and conditions of your probation, and you may face a non-compliance referral which may result in the imposition of additional discipline and attendant costs (see attached). Even if you contact the Office of Probation, a referral may still be prepared. The Office of Probation will not send any further reminder letters regarding the aforementioned non-compliance or any future compliance due dates or lack of receipt of compliance documentation.

Please be reminded that LATE completion, submission, or filing of proof/documents, does not mean you are in compliance. You will never be in compliance because being even one day late means that you are not in compliance with the terms and conditions of your probation.

If for any reason, you cannot *timely* comply with the terms and conditions of the discipline imposed, and to avoid a non-compliance referral, *you must* file a motion with the State Bar Court. See rules 5.162 and

Beryl Dean Droegemueller

October 19, 2015

Page 2

5.300, et seq., Rules of Procedure of the State Bar of California. A copy of the motion must be served upon the Office of Probation. *The Office of Probation does not have the authority to extend compliance due dates or modify the terms and conditions of your probation.*

Please note that even if you are referred, you are **STILL REQUIRED TO TIMELY COMPLY** with all probation conditions in this matter. Additional violations may be subject to a separate non-compliance referral. If you have any questions regarding this matter, please contact me at (213) 765-1410.

Sincerely,



Michael Angelo Kanterakis
Probation Deputy

/mak

Enclosure(s)

00041

Discipline Costs - 2015

Effective January 1, 2015.

Pursuant to action by the State Bar's governing board in January 2011 and May 2012, the costs assessed for disciplinary matters are adjusted annually to account for changes in labor and other resource costs. The adjustment is calculated by combining 40% of the year-on-year percentage change in the Consumer Price Index¹ with 60% of the annual percentage change in the Employment Cost Index for Management, Professional and Related Occupations². For 2015, the adjustment is an increase of 2.47%.

For matters filed on or after January 1, 2015, the costs assessed are as follows:

Original Proceedings (Stage at which the matter settles)	Cost Assessment
Matters that go in Default	\$4,451
Matters that Settle Prior to Filing of a Notice of Disciplinary Charges	\$3,066
Matters that Settle during first 120 days of proceeding	\$3,584
Matters that Settle before Pretrial Statement is filed	\$5,680
Matters that Settle before trial but after Pretrial Statement is filed	\$7,431
Matters that proceed to a One-day trial	\$7,431
Matters that proceed to a Multi-day trial	\$16,758
Matters that proceed to the Review Department	\$20,499

Conviction Referrals (Stage at which the matter settles)	Cost Assessment
Matters that go into Default	\$3,003
Matters that Settle during the first 120 days of proceeding	\$2,507
Matters that Settle before Pretrial Statement is filed	\$5,378
Matters that Settle before trial but after Pretrial Statement is filed	\$7,059
Matters that proceed to a One-day trial	\$7,059
Matters that proceed into a Multi-day trial	\$12,854
Matters that proceed to the Review Department	\$18,375

Other Matters	Cost Assessment
Probation Revocation Proceedings	\$2,401
Rule 9.20 Proceedings	\$2,549

Additional Costs (as appropriate)	Cost Assessment
Each investigation matter over one	\$978
Each resignation	\$137
Consolidation cost equal to the minimum cost for the consolidated case type	
Transcript costs incurred by the Office of the Chief Trial Counsel (BPC § 6086.10(b)(1))	
Taxable costs incurred by the Office of the Chief Trial Counsel (BPC § 6086.10(b)(2))	

¹ Specifically, the December-to-December change in U.S. Bureau of Labor Statistics series CUURA422SA0.

² Specifically, the Q4-to-Q4 change in U.S. Bureau of Labor Statistics series CIU20100001000001.

RECEIVED

JAN 12 2016
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

LAW OFFICE OF B. KWAKU DUREN
State Bar No. 147789
420 North Poinsettia Avenue
Compton, California 90221
Tel. 310-780-6739
Email: bkwakuduren@msn.com
bkwakuduren@gmail.com

FILED
JAN 12 2016
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

16-Q-10142

Office of the Clerk of the State Bar Court
845 South Figueroa Street
Los Angeles, CA. 90017

I, B. Kwaku Duren, against whom charges are pending, hereby resign as a member of the State Bar of California and relinquish all right to practice law in the State of California. I agree that, in the event that this resignation is accepted and I later file a petition for reinstatement, the State Bar will consider in connection therewith all disciplinary matters and proceedings against me at the time this resignation is accepted, in addition to other appropriate matters,

I also agree that the Supreme Court may decline to accept my resignation unless I reach agreement with the Chief Trial Counsel on a written stipulation as to facts and conclusions of law regarding the disciplinary matters and proceedings that were pending against me at the time of my resignation.

I further agree that, on the filing of this resignation by the Office of the Clerk, State Bar Court, I will be transferred to inactive membership of the State Bar. On such transfer, I acknowledge that I will be ineligible to practice law or to advertise or hold myself out as practicing or as entitled to practice law.

I further acknowledge that in the event the Supreme Court does not accept my resignation, I will remain an inactive member of the State Bar, pending any further order of the Supreme Court or the State Bar Court.

I further agree that, within 30 days of the filing of the resignation by the Office of the Clerk, State Bar Court, I will perform the acts specified in rule 9.20(a)-(b) of the California Rules of Court, and within 40 days of the date of filing of this resignation by the Office of the Clerk, State Bar Court, I will notify that office as specified in rule 9.20(c) of the California Rules of Court.

Date: January 12, 2015

By: 
B. Kwaku Duren [147789]

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 13, 2016, I deposited a true copy of the following document(s):

RESIGNATION WITH CHARGES PENDING FILED JANUARY 12, 2016

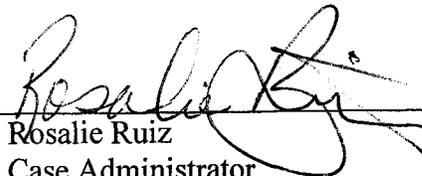
in a sealed envelope for collection and mailing on that date as follows:

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

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

DANE DAUPHINE, Enforcement, Los Angeles
TERRIE GOLDADE, Office of Probation, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 13, 2016.



Rosalie Ruiz
Case Administrator
State Bar Court