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State Bar Court of California  
Hearing Department  
Los Angeles  
ACTUAL SUSPENSION

<p>Counsel for the State Bar</p> <p><b>Kelly McNamara</b> Senior Trial Counsel 845 S. Figueroa St. Los Angeles, CA 90017 (213) 765-1369</p> <p>State Bar # 214997</p>	<p>Case Number(s):</p> <p><b>SBC-19-<del>0</del>30261</b></p> <p>(OCTC Case Numbers: 18-O-16056, 18-O-16644)</p>	<p>For Court use only</p> <p><b>PUBLIC MATTER</b> <b>FILED</b></p> <p><i>✓</i></p> <p><b>JUN 18 2019</b></p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>In Pro Per Respondent</p> <p><b>Yvonne Quadra McGovern</b> Bergstrom Law, Ltd. 9555 S Eastern Ave, Ste 200 Las Vegas, NV 89123-8007 (702) 333-0007</p> <p>State Bar # 193753</p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: <b>YVONNE QUADRA MCGOVERN</b></p> <p>State Bar # 193753</p> <p>(Respondent)</p>		

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

**A. Parties' Acknowledgments:**

- (1) Respondent is an attorney of the State Bar of California, admitted **December 22, 1997**.
- (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 **20** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. It is recommended that (check one option only):
- Costs be 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. Unless the time for payment of discipline costs is extended pursuant to subdivision (c) of section 6086.10, costs assessed against an attorney who is actually suspended or disbarred must be paid as a condition of reinstatement or return to active status.
  - Costs be 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. SELECT ONE of the costs must be paid with Respondent's annual fees for each of the following years:  
  
If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance will be due and payable immediately.
  - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs."
  - Costs are entirely waived.

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

- (1)  **Prior record of discipline:**
- (a)  State Bar Court case # of prior case:
  - (b)  Date prior discipline effective:
  - (c)  Rules of Professional Conduct/ State Bar Act violations:
  - (d)  Degree of prior discipline:
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.
- (2)  **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3)  **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by, misrepresentation.
- (4)  **Concealment:** Respondent's misconduct was surrounded by, or followed by, concealment.

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- (5)  **Overreaching:** Respondent's misconduct was surrounded by, or followed by, overreaching.
- (6)  **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code, or the Rules of Professional Conduct.
- (7)  **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (8)  **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of Respondent's misconduct.
- (10)  **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of Respondent's misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11)  **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing. **See page 16.**
- (12)  **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13)  **Restitution:** Respondent failed to make restitution.
- (14)  **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15)  **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

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

- (1)  **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not likely to recur.
- (2)  **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3)  **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of Respondent's misconduct or to the State Bar during disciplinary investigations and proceedings.
- (4)  **Remorse:** Respondent promptly took objective steps demonstrating spontaneous remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of Respondent's 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 Respondent.
- (7)  **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.

- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct, Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish were directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by Respondent, 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 resulting from circumstances which were not reasonably foreseeable or were beyond Respondent's control and were directly responsible for the misconduct.
- (10)  **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in Respondent's 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 Respondent's misconduct.
- (12)  **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances:**

**No Prior Record of Discipline: See page 16.**

**Profiling Stipulation: See page 16.**

**Good Character: See page 17.**

**Community Service: See page 17.**

**D. Recommended Discipline:**

- (1)  **Actual Suspension:**

Respondent is suspended from the practice of law for **one year**, the execution of that suspension is stayed, and Respondent is placed on probation for **one year** with the following conditions.

- Respondent must be suspended from the practice of law for the first **30 days** of the period of Respondent's probation.

- (2)  **Actual Suspension "And Until" Rehabilitation:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum of the first \_\_\_\_\_ of Respondent's probation and until Respondent provides proof to the State Bar Court of Respondent's rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

- (3)  **Actual Suspension "And Until" Restitution (Single Payee) and Rehabilitation:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

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- Respondent must be suspended from the practice of law for a minimum of the first \_\_\_\_\_ of Respondent's probation, and Respondent will remain suspended until both of the following requirements are satisfied:
  - a. Respondent makes restitution to \_\_\_\_\_ or such other recipient as may be designated by the Office of Probation or the State Bar Court, in the amount of \$ \_\_\_\_\_ plus 10 percent interest per year from \_\_\_\_\_ (or reimburses the Client Security Fund to the extent of any payment from the Fund to such payee, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
  - b. Respondent provides proof to the State Bar Court of Respondent's rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(4)  **Actual Suspension "And Until" Restitution (Multiple Payees) and Rehabilitation:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum of the first \_\_\_\_\_ of Respondent's probation, and Respondent will remain suspended until both of the following requirements are satisfied:
  - a. Respondent must make restitution, including the principal amount plus 10 percent interest per year (and furnish satisfactory proof of such restitution to the Office of Probation), to each of the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburse the Client Security Fund to the extent of any payment from the Fund to such payee in accordance with Business and Professions Code section 6140.5):

<i>Payee</i>	<i>Principal Amount</i>	<i>Interest Accrues From</i>

- b. Respondent provides proof to the State Bar Court of Respondent's rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(5)  **Actual Suspension "And Until" Restitution (Single Payee) with Conditional Std. 1.2(c)(1) Requirement:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum for the first \_\_\_\_\_ of Respondent's probation, and Respondent will remain suspended until the following requirements are satisfied:

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- a. Respondent makes restitution to \_\_\_\_\_ or such other recipient as may be designated by the Office of Probation or the State Bar Court, in the amount of \$ \_\_\_\_\_ plus 10 percent interest per year from \_\_\_\_\_ (or reimburses the Client Security Fund to the extent of any payment from the Fund to such payee, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar’s Office of Probation in Los Angeles; and,
- b. If Respondent remains suspended for two years or longer, Respondent must provide proof to the State Bar Court of Respondent’s rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(6)  **Actual Suspension “And Until” Restitution (Multiple Payees) with Conditional Std. 1.2(c)(1) Requirement:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent must be suspended from the practice of law for a minimum for the first \_\_\_\_\_ of Respondent’s probation, and Respondent will remain suspended until the following requirements are satisfied:
  - a. Respondent must make restitution, including the principal amount plus 10 percent interest per year (and furnish satisfactory proof of such restitution to the Office of Probation), to each of the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburse the Client Security Fund to the extent of any payment from the Fund to such payee in accordance with Business and Professions Code section 6140.5):

<i>Payee</i>	<i>Principal Amount</i>	<i>Interest Accrues From</i>

- b. If Respondent remains suspended for two years or longer, Respondent must provide proof to the State Bar Court of Respondent’s rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

(7)  **Actual Suspension with Credit for Interim Suspension:**

Respondent is suspended from the practice of law for \_\_\_\_\_, the execution of that suspension is stayed, and Respondent is placed on probation for \_\_\_\_\_ with the following conditions.

- Respondent is suspended from the practice of law for the first \_\_\_\_\_ of probation (with credit given for the period of interim suspension which commenced on \_\_\_\_\_).

**E. Additional Conditions of Probation:**

- (1)  **Review Rules of Professional Conduct:** Within 30 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must read the California Rules of Professional Conduct (Rules of Professional Conduct) and Business and Professions Code sections 6067, 6068, and 6103 through 6126. Respondent must provide a declaration, under penalty of perjury, attesting to Respondent's compliance with this requirement, to the State Bar's Office of Probation in Los Angeles (Office of Probation) with Respondent's first quarterly report.
- (2)  **Comply with State Bar Act, Rules of Professional Conduct, and Probation Conditions:** Respondent must comply with the provisions of the State Bar Act, the Rules of Professional Conduct, and all conditions of Respondent's probation.
- (3)  **Maintain Valid Official State Bar Record Address and Other Required Contact Information:** Within 30 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must make certain that the State Bar Attorney Regulation and Consumer Resources Office (ARCR) has Respondent's current office address, email address, and telephone number. If Respondent does not maintain an office, Respondent must provide the mailing address, email address, and telephone number to be used for State Bar purposes. Respondent must report, in writing, any change in the above information to ARCR, within ten (10) days after such change, in the manner required by that office.
- (4)  **Meet and Cooperate with Office of Probation:** Within 15 days after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must schedule a meeting with Respondent's assigned probation case specialist to discuss the terms and conditions of Respondent's discipline and, within 30 days after the effective date of the court's order, must participate in such meeting. Unless otherwise instructed by the Office of Probation, Respondent may meet with the probation case specialist in person or by telephone. During the probation period, Respondent must promptly meet with representatives of the Office of Probation as requested by it and, subject to the assertion of applicable privileges, must fully, promptly, and truthfully answer any inquiries by it and provide to it any other information requested by it.
- (5)  **State Bar Court Retains Jurisdiction/Appear Before and Cooperate with State Bar Court:** During Respondent's probation period, the State Bar Court retains jurisdiction over Respondent to address issues concerning compliance with probation conditions. During this period, Respondent must appear before the State Bar Court as required by the court or by the Office of Probation after written notice mailed to Respondent's official State Bar record address, as provided above. Subject to the assertion of applicable privileges, Respondent must fully, promptly, and truthfully answer any inquiries by the court and must provide any other information the court requests.
- (6)  **Quarterly and Final Reports:**
  - a. **Deadlines for Reports.** Respondent must submit written quarterly reports to the Office of Probation no later than each January 10 (covering October 1 through December 31 of the prior year), April 10 (covering January 1 through March 31), July 10 (covering April 1 through June 30), and October 10 (covering July 1 through September 30) within the period of probation. If the first report would cover less than 30 days, that report must be submitted on the next quarter date and cover the extended deadline. In addition to all quarterly reports, Respondent must submit a final report no earlier than ten (10) days before the last day of the probation period and no later than the last day of the probation period.
  - b. **Contents of Reports.** Respondent must answer, under penalty of perjury, all inquiries contained in the quarterly report form provided by the Office of Probation, including stating whether Respondent has complied with the State Bar Act and the Rules of Professional Conduct during the applicable quarter or period. All reports must be: (1) submitted on the form provided by the Office of Probation; (2) signed and dated after the completion of the period for which the report is being submitted (except for the final report); (3) filled out completely and signed under penalty of perjury; and (4) submitted to the Office of Probation on or before each report's due date.

**c. Submission of Reports.** All reports must be submitted by: (1) fax or email to the Office of Probation; (2) personal delivery to the Office of Probation; (3) certified mail, return receipt requested, to the Office of Probation (postmarked on or before the due date); or (4) other tracked-service provider, such as Federal Express or United Parcel Service, etc. (physically delivered to such provider on or before the due date).

**d. Proof of Compliance.** Respondent is directed to maintain proof of Respondent's compliance with the above requirements for each such report for a minimum of one year after either the period of probation or the period of Respondent's actual suspension has ended, whichever is longer. Respondent is required to present such proof upon request by the State Bar, the Office of Probation, or the State Bar Court.

- (7)  **State Bar Ethics School:** Within one year after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must submit to the Office of Probation satisfactory evidence of completion of the State Bar Ethics School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and Respondent will not receive MCLE credit for attending this session. If Respondent provides satisfactory evidence of completion of the Ethics School after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (8)  **State Bar Ethics School Not Recommended:** It is not recommended that Respondent be ordered to attend the State Bar Ethics School because .
- (9)  **State Bar Client Trust Accounting School:** Within one year after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must submit to the Office of Probation satisfactory evidence of completion of the State Bar Client Trust Accounting School and passage of the test given at the end of that session. This requirement is separate from any Minimum Continuing Legal Education (MCLE) requirement, and Respondent will not receive MCLE credit for attending this session. If Respondent provides satisfactory evidence of completion of the Client Trust Accounting School after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (10)  **Minimum Continuing Legal Education (MCLE) Courses – California Legal Ethics [Alternative to State Bar Ethics School for Out-of-State Residents]:** Because Respondent resides outside of California, within **one year** after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must either submit to the Office of Probation satisfactory evidence of completion of the State Bar Ethics School and passage of the test given at the end of that session or, in the alternative, complete **six (6)** hours of California Minimum Continuing Legal Education-approved participatory activity in California legal ethics and provide proof of such completion to the Office of Probation. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for this activity. If Respondent provides satisfactory evidence of completion of the Ethics School or the hours of legal education described above, completed after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (11)  **Criminal Probation:** Respondent must comply with all probation conditions imposed in the underlying criminal matter and must report such compliance under penalty of perjury in all quarterly and final reports submitted to the Office of Probation covering any portion of the period of the criminal probation. In each quarterly and final report, if Respondent has an assigned criminal probation officer, Respondent must provide the name and current contact information for that criminal probation officer. If the criminal probation was successfully completed during the period covered by a quarterly or final report, that fact must be reported by Respondent in such report and satisfactory evidence of such fact must be provided with it. If, at any time before or during the period of probation, Respondent's criminal probation is revoked, Respondent is sanctioned by the criminal court, or Respondent's status is otherwise changed due to any



alleged violation of the criminal probation conditions by Respondent, Respondent must submit the criminal court records regarding any such action with Respondent's next quarterly or final report.

- (12)  **Minimum Continuing Legal Education (MCLE):** Within \_\_\_\_\_ after the effective date of the Supreme Court order imposing discipline in this matter, Respondent must complete \_\_\_\_\_ hour(s) of California Minimum Continuing Legal Education-approved participatory activity in SELECT ONE \_\_\_\_\_ and must provide proof of such completion to the Office of Probation. This requirement is separate from any MCLE requirement, and Respondent will not receive MCLE credit for this activity. If Respondent provides satisfactory evidence of completion of the hours of legal education described above, completed after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this condition.
- (13)  **Other:** Respondent must also comply with the following additional conditions of probation: \_\_\_\_\_
- (14)  **Proof of Compliance with Rule 9.20 Obligations:** Respondent is directed to maintain, for a minimum of one year after commencement of probation, proof of compliance with the Supreme Court's order that Respondent comply with the requirements of California Rules of Court, rule 9.20, subdivisions (a) and (c). Such proof must include: the names and addresses of all individuals and entities to whom Respondent sent notification pursuant to rule 9.20; a copy of each notification letter sent to each recipient; the original receipt or postal authority tracking document for each notification sent; the originals of all returned receipts and notifications of non-delivery; and a copy of the completed compliance affidavit filed by Respondent with the State Bar Court. Respondent is required to present such proof upon request by the State Bar, the Office of Probation, or the State Bar Court.
- (15)  **The following conditions are attached hereto and incorporated:**
- Financial Conditions  Medical Conditions
- Substance Abuse Conditions

The period of probation will commence on the effective date of the Supreme Court order imposing discipline in this matter. At the expiration of the probation period, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

#### F. Other Requirements Negotiated by the Parties (Not Probation Conditions):

- (1)  **Multistate Professional Responsibility Examination Within One Year or During Period of Actual Suspension:** Respondent must take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year after the effective date of the Supreme Court order imposing discipline in this matter or during the period of Respondent's actual suspension, whichever is longer, and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).) If Respondent provides satisfactory evidence of the taking and passage of the above examination after the date of this stipulation but before the effective date of the Supreme Court's order in this matter, Respondent will nonetheless receive credit for such evidence toward Respondent's duty to comply with this requirement.
- (2)  **Multistate Professional Responsibility Examination Requirement Not Recommended:** It is not recommended that Respondent be ordered to take and pass the Multistate Professional Responsibility Examination because \_\_\_\_\_
- (3)  **California Rules of Court, Rule 9.20:** Respondent must comply with the requirements of California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 \_\_\_\_\_

and 40 days, respectively, after the effective date of the Supreme Court order imposing discipline in this matter. Failure to do so may result in disbarment or suspension.

For purposes of compliance with rule 9.20(a), the operative date for identification of “clients being represented in pending matters” and others to be notified is the filing date of the Supreme Court order, not any later “effective” date of the order. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45.) Further, Respondent is required to file a rule 9.20(c) affidavit even if Respondent has no clients to notify on the date the Supreme Court filed its order in this proceeding. (*Powers v. State Bar* (1988) 44 Cal.3d 337, 341.) In addition to being punished as a crime or contempt, an attorney’s failure to comply with rule 9.20 is, inter alia, cause for disbarment, suspension, revocation of any pending disciplinary probation, and denial of an application for reinstatement after disbarment. (Cal. Rules of Court, rule 9.20(d).)

- (4)  **California Rules of Court, Rule 9.20 – Conditional Requirement:** If Respondent remains suspended for 90 days or longer, Respondent must comply with the requirements of California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the effective date of the Supreme Court order imposing discipline in this matter. Failure to do so may result in disbarment or suspension. In addition, Respondent must also comply with the probation condition at paragraph E.(14) entitled Proof of Compliance with Rule 9.20 Obligations.

For purposes of compliance with rule 9.20(a), the operative date for identification of “clients being represented in pending matters” and others to be notified is the filing date of the Supreme Court order, not any later “effective” date of the order. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45.) Further, Respondent is required to file a rule 9.20(c) affidavit even if Respondent has no clients to notify on the date the Supreme Court filed its order in this proceeding. (*Powers v. State Bar* (1988) 44 Cal.3d 337, 341.) In addition to being punished as a crime or contempt, an attorney’s failure to comply with rule 9.20 is, inter alia, cause for disbarment, suspension, revocation of any pending disciplinary probation, and denial of an application for reinstatement after disbarment. (Cal. Rules of Court, rule 9.20(d).)

- (5)  **California Rules of Court, Rule 9.20, Requirement Not Recommended:** It is not recommended that Respondent be ordered to comply with the requirements of California Rules of Court, rule 9.20, because

- (6)  **Other Requirements:** It is further recommended that Respondent be ordered to comply with the following additional requirements:

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

IN THE MATTER OF: YVONNE QUADRA MCGOVERN

CASE NUMBERS: 18-O-16056, 18-O-16644

**FACTS AND CONCLUSIONS OF LAW.**

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

Case No. 18-O-16056 (Complainant: Melissa Griffin)

FACTS:

1. Respondent's license was suspended from September 1, 2017 to October 31, 2017, for failure to pay State Bar licensing fees.
2. Prior to respondent's suspension, on May 12, 2017, the Office of Attorney Regulation & Consumer Resources ("Attorney Regulation") sent a letter to respondent's membership records address informing her she had not paid the annual licensing fees.
3. On July 24, 2017, the California Supreme Court issued order S243236, suspending attorneys who had not paid licensing fees, effective September 1, 2017.
4. On August 1, 2017, Attorney Regulation mailed a letter to respondent's membership records address stating respondent would be suspended if dues were not paid.
5. On both August 4, 2017, and August 29, 2017, Attorney Regulation sent email reminders regarding payment of fees to respondent's membership records email address.
6. Respondent's suspension was effective September 1, 2017. During respondent's period of suspension, respondent was counsel of record for Arrowood Indemnity Company in the case entitled *Arrowood Indemnity Company v. Melissa L. Griffin*, San Francisco Superior Court case no. CGC-17-559211 ("Arrowood matter").
7. On September 18, 2017, respondent filed a First Amended Complaint on behalf of Arrowood. In addition, on October 4, 2017, respondent filed a Case Management Conference Statement in the Arrowood matter.
8. On October 12, 2017, Attorney Regulation mailed a letter to respondent's membership records address advising her how to reinstate her suspended license.
9. On October 31, 2017, respondent paid the delinquent fees. Her suspension terminated that day, and she was restored to "Active" status.

10. Respondent admitted she filed a First Amended Complaint and a Case Management Conference Statement in the Arrowood matter while her license was suspended. Respondent was unaware that her license had been suspended for failure to pay licensing fees. Respondent believed her firm would cover the licensing fees; however, she later found out that the firm required respondent to pay the fees herself, then seek reimbursement from the firm.

#### CONCLUSIONS OF LAW:

11. By filing a First Amended Complaint and a Case Management Conference Statement in the case entitled *Arrowood Indemnity Company v. Melissa L. Griffin*, San Francisco Superior Court case no. CGC-17-559211 while on suspension for failure to pay licensing fees, respondent practiced law when respondent was not an active member of the State Bar, in willful violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

12. By engaging in the unauthorized practice of law with gross negligence while suspended for failure to pay licensing fees, respondent committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, sections 6106.

#### Case No. 18-O-16644 (State Bar Investigation)

#### FACTS:

13. The State Bar initiated an investigation to determine the nature and extent of respondent's practice during her period of suspension for failure to pay licensing fees between September 1, 2017 and October 31, 2017.

14. Respondent primarily represents corporations in debt collection matters in a high-volume practice. Although respondent is licensed in California, she works in her firm's Las Vegas office.

15. Respondent identified approximately 34 additional matters in which she filed pleadings and/or appeared during her suspension. The majority of respondent's conduct during her suspension involved filing pleadings. Respondent made an appearance on two occasions.

16. On September 1, 2017, respondent filed a Notice of Settlement of Entire Case in *LCS Capital, LLC v. Gensui Imamura* (37-2017-00935674-CL-BC-CJC) in Orange County Superior Court.

17. On September 1, 2017, respondent filed a Notice of Entry of Judgment in *Farmers Financial Services, Inc. v. Baljinder Johal* (15CECG01246) in Fresno County Superior Court. On September 8, 2017, respondent filed a Memorandum of Costs after Judgment in that matter.

18. On September 5, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Valerie Aceves* (CIVDS1717214) in San Bernardino County Superior Court.

19. On September 5, 2017, respondent filed a Request for Default Judgment in *Arrowood Indemnity Company v. Thomas Tyler Humphrey* (37-2016-00031055-CU-BC-CTL) in San Diego County Superior Court.

20. On September 7, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Dominique Smith* (17STLC03572) in Los Angeles County Superior Court. On October 17, 2017, respondent filed a Request for Dismissal Without Prejudice in that matter.

21. On September 8, 2017, respondent filed a Complaint in *Coastal Credit LLC v. Nanette Blanca* (37-2017-00033275-CL-BC-CTL) in San Diego County Superior Court.

22. On September 8, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Fermin Anacleto* (17STLC03572) in Los Angeles County Superior Court.

23. On September 8, 2017, respondent filed a Plaintiff's Notice of Errata to Motion to Allow Filing of Renewal of Judgment in *Mountain Peaks Financial v. Natasha Arline* (06K03797) in Los Angeles County Superior Court.

24. On September 11, 2017, respondent filed a Substitution of Attorney, a Memorandum of Interest, and a Memorandum of Credits in *Investment Retrievers, Inc. v. Golriz Natasha Shahabi Prevost* (civmsl-13-01757) in Contra Costa County Superior Court.

25. On September 11, 2017, respondent filed a Complaint in *Coastal Credit LLC v. Apoldo, Kyle Robert & Apoldo, Katelyn Rose* (37-2017-00033647-CL-BC-NC) in San Diego County Superior Court.

26. On September 13, 2017, respondent filed a Complaint in *Coastal Credit, LLC v. Dominique J. Hinton* (37-2017-00033783-CL-BC-CTL) in San Diego County Superior Court.

27. On September 15, 2017, respondent filed a Request for Entry of Default in *LCS Financial Services Corporation v. Jody Ann Buchholtz* (17LCP-0367) in San Luis Obispo County Superior Court.

28. On September 20, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Deshana Drake* (17 STLC02375) in Los Angeles County Superior Court.

29. On September 20, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Sandra Lemus-Fuentes* (17STLC02352) in Los Angeles County Superior Court.

30. On September 20, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Angie Rivera* (17STLC02380) in Los Angeles County Superior Court.

31. On September 20, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Brian Mendoza* (17STLC02353) in Los Angeles County Superior Court.

32. On September 21, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Jose Manuel Favela* (30-2017-00945049-CL-BC-CJC) in Orange County Superior Court.

33. On September 22, 2017, respondent filed a Notice of Settlement of Entire Case in *LCS Capital, LLC v. Angelica Ramos* (17K07997) in Los Angeles County Superior Court.

34. On September 25, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Andrew Alvarado* (CIVDS1818721) in San Bernardino County Superior Court.

35. On September 25, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Thad Johnson* (CIVDS1719273) in San Bernardino County Superior Court.
36. On September 25, 2017, respondent filed a Complaint in *Coastal Credit LLC v. Rebecca Wells* (37-2017-00035663-CL-BC-CTL) in San Diego County Superior Court.
37. On September 26, 2017, respondent filed a Complaint in *Consumer Portfolio Services, Inc. v. Danny Lee Bishop & Kimberly Michelle Najera* (RIC1718607) in Riverside County Superior Court.
38. On October 6, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Carlos Calderon* (RIC1719367) in Riverside County Superior Court.
39. On September 27, 2017, respondent filed a Motion to Continue Trial and an Ex Parte Application in *United Guaranty Commercial Insurance Company of North Carolina v. Dalton Gaudin* (30-2016-00835262-CL-CL-CJC) in Orange County Superior Court. On September 29, 2017, respondent appeared at an ex parte hearing regarding the Motion to Continue Trial.
40. On October 6, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Daniel Perez Menses* (RIC1719303) in Riverside County Superior Court.
41. On October 10, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Cynthia De La Torre* (17STLC02858) in Los Angeles County Superior Court.
42. On October 10, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Precilla Martell* (17STLC04310) in Los Angeles County Superior Court.
43. On October 10, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Rosa Wendy Alberto* (17STLC02860) in Los Angeles County Superior Court.
44. On October 17, 2017, respondent filed a Petition for Writ of Mandamus in *Planet Home Lending, LLC v. Michael D. Flores, et al.* (17CECG03579) in Fresno County Superior Court.
45. On October 18, 2017, respondent filed a Complaint in *Consumer Portfolio Services, Inc. v. Tanisha Wilson* (17CV318326) in Santa Clara County Superior Court.
46. On October 26, 2017, respondent filed a Complaint in *Consumer Portfolio Services, Inc. v. Holly C. Baham* (17STLC03568) in Los Angeles County Superior Court.
47. On October 26, 2017, respondent filed a Complaint in *LCS Capital, LLC v. Vivian Cabrera* (17STLC03573) in Los Angeles County Superior Court.
48. On October 26, 2017, respondent filed a complaint in *LCS Capital, LLC v. Marelyne Rodriguez* (17STLC03572) in Los Angeles County Superior Court.
49. On October 31, 2017, respondent filed a Notice of Entry of Judgment in *United Auto Credit Corporation v. Jasmine McClain* (PSC17-01559) in Riverside County Superior Court.

50. In addition to the matters identified by respondent, the State Bar identified 11 more matters in which respondent filed pleadings and/or appeared during her suspension between September 1, 2017 and October 31, 2017.

51. On September 1, 2017, respondent filed a Request for Default Judgment in *United Guaranty Commercial Insurance Company v. McKinney* (HG 16832303) in Alameda County Superior Court. In addition, on September 7, 2017, respondent appeared at a Case Management Conference in that matter.

52. On September 8, 2017, respondent filed a Request for Default Judgment in *United Guaranty Commercial Insurance v. Hong* (HG 16831942) in Alameda County Superior Court. On September 14, 2017, respondent filed a Declaration of Respondent Why Sanctions Should not be Imposed for Failure Pursuant to Code Civ. Pro. § 177.5 and/or CRC Rule 2.30 in that matter. In addition, on October 2, 2017, respondent filed a Notice of Entry of Judgment in that matter.

53. On September 11, 2017, respondent filed a Complaint in *Consumer Portfolio Services, Inc. v. Aina* (HG 17876669) in the Alameda County Superior Court.

54. On September 11, 2017, respondent filed a Notice of Entry of Judgment in *Consumer Portfolio Services, Inc. v. Enrique Bravo* (LOD-CV-LBC-2017-0002684) in San Joaquin County Superior Court. On October 19, 2017, respondent filed a Memorandum of Costs after Judgment in that matter.

55. On September 12, 2017, respondent filed a Complaint in *United Guaranty Commercial Insurance Company of North Carolina v. Concepcion Paniagua, et al* (17-CLJ-04125) in San Mateo County Superior Court.

56. On September 12, 2017, respondent filed an Application for Order for Publication of Summons in *Consumer Portfolio Services, Inc. v. Medina-Contreras* (HG 16832396) in Alameda County Superior Court. On October 31, 2017, respondent filed a Case Management Conference statement in that matter.

57. On September 19, 2017, respondent filed an Application for Publication of Summons in *Consumer Portfolio Services, Inc. v. Juan Gonzalez* (34-2017-00214309) in Sacramento County Superior Court.

58. On September 20, 2017, respondent filed a Notice of Entry of Judgment and a Memorandum of Costs after Judgment in *Consumer Portfolio Services, Inc. v. Chalon Palmer et. al.* (CGC-17-557708) in San Francisco County Superior Court.

59. On September 21, 2017, respondent filed a Complaint in *Consumer Portfolio Services, Inc. v. Christina Canela* (STK-CV-LBC-2017-0010529) in San Joaquin County Superior Court.

60. On September 25, 2017, respondent filed a Complaint in *Consumer Portfolio Services, Inc. v. Jenalyn R. Blas* (STK-CV-LCCR-2017-0010745) in San Joaquin County Superior Court.

61. On October 27, 2017, respondent filed a Motion for Summary Judgment in *Consumer Portfolio Services, Inc. v. Reyes* (CIVMSL 16-03151) in Contra Costa Superior Court.

62. Respondent inadvertently overlooked these 11 additional matters because she practices in the high-volume practice of debt collection litigation, and she compiled her response to the State Bar approximately one year after the misconduct.

63. Respondent was unaware that her license had been suspended for failure to pay licensing fees. Respondent believed her firm would cover the licensing fees; however, she later found out that the firm required respondent to pay the fees herself, then seek reimbursement from the firm.

#### CONCLUSIONS OF LAW:

64. By filing pleadings in numerous matters pending before in various Superior Court in California while on suspension for failure to pay licensing fees, respondent practiced law when respondent was not an active member of the State Bar, in willful violation of Business and Professions Code, sections 6125 and 6126, and thereby willfully violated Business and Professions Code, section 6068(a).

65. By engaging in the unauthorized practice of law as a result of gross negligence while suspended for failure to pay licensing fees, respondent committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code, sections 6106.

#### AGGRAVATING CIRCUMSTANCES.

**Multiple Acts of Wrongdoing (Std. 1.5(b)):** Between September 1, 2017 and October 31, 2017, respondent committed multiple acts of misconduct by filing pleadings numerous Superior Court matters and appearing in court twice while on suspension for failure to pay licensing fees. These multiple acts of misconduct are an aggravating circumstance pursuant to Standard 1.5(b).

#### MITIGATING CIRCUMSTANCES.

**No Prior Record of Discipline:** Respondent has been licensed to practice in California since December 22, 1997, with an inactive period from January 2001 to July 2006, an ineligible period from July 2011 to March 2013, and a second inactive period from March 2013 to August 2016. Respondent therefore practiced law in California for approximately nine years prior to the misconduct. Respondent will be entitled to some mitigation credit for approximately nine years of practice without discipline. (*In the Matter of Aguiluz* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 32, 44; *Kelly v. State Bar* (1988) 45 Cal.3d 649, 658 [seven years not “especially commendable. Petitioner has been practicing long enough to know that his conduct was wrong, but not so long as to make his blemish-free record surprising.”]; *In re Naney* (1990) 51 Cal.3d 186, 196 [seven years not a strong showing of mitigation]; *Hawes v. State Bar* (1990) 51 Cal.3d 587, 596 [over 10 years of discipline-free practice worth significant weight in mitigation.]])

**Prefiling Stipulation:** By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability]; *In the Matter of Spaitth* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the attorney's stipulation to facts and culpability was held to be a mitigating circumstance].)



**Good Character Evidence:** Respondent provided eight letters from a wide range of individuals in both the legal and general communities attesting to her good character. Each letter indicates respondent explained her misconduct to the author of the letter, and the misconduct appears to be aberrational in light of each character reference's experience with respondent. Accordingly, respondent should receive mitigating credit for good character.

**Community Service:** For six years, respondent was an active member of the National Charity League, a national organization of mothers and daughters promoting leadership activities, character development, and philanthropy work. During her time with National Charity League, respondent served as Philanthropic Chair for the Josh Stevens Foundation, Chron's & Colitis Foundation of America, and Spread the Word Nevada. Respondent also assisted with maintaining the chapter's website. Respondent and her daughter were the recipients of the Mother Daughter Award for the years 2014-2017 for completing 50 hours of philanthropic service together, as well as the Calendar Award for the years 2015-2016 for completing hours of philanthropic service each month of the calendar year.

#### **AUTHORITIES SUPPORTING DISCIPLINE.**

The Standards for Attorney Sanctions for Professional Misconduct "set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances." (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to standards are to this source.) The standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to "great weight" and should be followed "whenever possible" in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) "Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure." (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given standard, in addition to the factors set forth in the specific standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member's willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

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

The most severe sanction applicable to respondent's misconduct is found in standard 2.11, which applies to respondent's violations of Business and Professions Code, section 6106.

Standard 2.11 states, “Disbarment or actual suspension is the presumed sanction for an act of moral turpitude, dishonesty, fraud, corruption, intentional or grossly negligent misrepresentation, or concealment of a material fact. The degree of sanction depends on the magnitude of the misconduct; the extent to which the misconduct harmed or misled the victim, which may include the adjudicator; the impact on the administration of justice, if any; and the extent to which the misconduct related to the practice of law.” Because Standard 2.11 imposes the most severe sanction, it is the operative standard for assessing level of discipline in this matter.

Here, respondent’s conduct is wholly related to her practice of law. She engaged in the unauthorized practice of law for a period of two months after several warnings from the Office of Attorney Regulation stating her license would be suspended if she did not pay the fees. Therefore, at a minimum, respondent was grossly negligent in not knowing her license was suspended. Accordingly, it is appropriate to impose one year of stayed suspension, one year of probation with conditions, including the condition that respondent be actually suspended for the first thirty days.

This outcome is also consistent with case law. In *In the Matter of Wells* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 896, the attorney represented two clients in employment discrimination matters in South Carolina, a state where she was not licensed to practice law. The Review Department found that the attorney engaged in the unauthorized practice of law, collected an illegal and unconscionable fee, and committed an act of moral turpitude by making misrepresentations to the South Carolina deputy solicitor general investigating her unauthorized practice of law, as well as the State Bar of California in its investigation of her unauthorized practice of law. In aggravation, the attorney had one prior record of discipline, a private reproof, for commingling funds in her client trust account, representing a client without a retainer agreement, and failing to maintain disputed funds in trust. The attorney was actually suspended for six months.

While the attorney in *Wells* knew she was not entitled to practice law in South Carolina, respondent was grossly negligent in not knowing her license was suspended. Moreover, the attorney in *Wells* committed other serious misconduct, including making misrepresentations to those investigating her conduct, and she had a prior record of discipline. In this matter, respondent was forthcoming about the matters she worked on during her period of suspension. Accordingly, it is appropriate to impose discipline significantly lower than that imposed in *Wells*.

In *In the Matter of Trousil* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 229, the attorney was actually suspended for 30 days with two years’ stayed suspension and two years’ probation for continuing employment by a client and appearing in bankruptcy court while suspended for nonpayment of licensing fees. When the attorney attempted to have alternate counsel substitute into the matter during his suspension, the client refused to permit another attorney to work on the case. Moral turpitude was not found because the client was aware of the attorney’s suspension and insisted on his continued representation. In addition, there was no evidence of harm. The attorney had three prior records of discipline with compelling mitigation.

Here, as in *Trousil*, respondent practiced law while suspended for nonpayment of licensing fees. While the attorney in *Trousil* was unaware he was suspended, respondent received several notifications stating that her licensing fees were overdue. If respondent was unaware that her license was suspended, it was due to her own gross negligence, which constitutes moral turpitude. In addition, respondent engaged in far more extensive unauthorized practice compared to the attorney in *Trousil*. However, unlike the attorney in *Trousil* who had three prior disciplines, respondent has no prior record of discipline in

approximately nine years of practice. Accordingly, it is appropriate to impose discipline consistent with that imposed in *Trousil*.

**COSTS OF DISCIPLINARY PROCEEDINGS.**

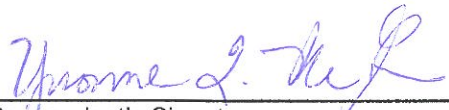

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of May 16, 2019, the discipline costs in this matter are \$3,409. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

(Do not write above this line.)

In the Matter of: Yvonne Quadra McGovern	Case number(s):
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**SIGNATURE OF THE PARTIES**

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

<u>5/30/19</u> Date	<u></u> Respondent's Signature	<u>Yvonne Quadra McGovern</u> Print Name
<u>6/3/19</u> Date	<u></u> Senior Trial Counsel's Signature	<u>Kelly McNamara</u> Print Name

(Do not write above this line.)

In the Matter of: YVONNE QUADRA McGOVERN	Case Number(s): SBC-19-O-30261
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### ACTUAL SUSPENSION ORDER

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

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

On page 18 of the Stipulation, sixth full paragraph, lines 1-2, “While the attorney in *Trousil* was unaware he was suspended,” is deleted, as the court’s reading of *Trousil* does not support this statement.

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 Rules Proc. of State Bar, rule 5.58(E) & (F).) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after the filed date of the Supreme Court order. (See Cal. Rules of Court, rule 9.18(a).)**

Date June 18, 2019

Rebecca Meyer Rosenberg  
REBECCA MEYER ROSENBERG, JUDGE PRO TEM  
State Bar Court

## CERTIFICATE OF SERVICE

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

I am a Court Specialist 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 June 18, 2019, I deposited a true copy of the following document(s):

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

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

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

YVONNE Q. MCGOVERN  
BERGSTROM LAW, LTD.  
9555 S EASTERN AVE  
STE 200  
LAS VEGAS, NV 89123-8007

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

KELLY J. MCNAMARA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 18, 2019.



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Mazie Yip  
Court Specialist  
State Bar Court