

**FILED****MAR 05 2010**

STATE BAR COURT
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LOS ANGELES

STATE BAR COURT OF CALIFORNIA
HEARING DEPARTMENT – LOS ANGELES

In the Matter of)	Case Nos.: 99-O-12936; 99-O-13583;
)	99-O-13586 (Consolidated.)
MARLENE GERDTS,)	(S118399)
)	
Member No. 93815,)	AMENDED ORDER EXTENDING
)	TIME TO PAY COSTS
<u>A Member of the State Bar.</u>)	

On February 24, 2010, the court filed an order partially granting respondent's motion for extension of time of two years to commence payment of costs. On its own motion, the court files this amended order extending time to pay costs. This amended order extending time to pay costs supersedes (i.e., replaces) the court's February 24, 2010 order.

This matter is before the court on **MARLENE GERDTS'S** January 26, 2010 motion for an extension of time to pay costs.¹ On February 9, 2010, the Office of the Chief Trial Counsel of the State Bar of California ("State Bar") filed a response to Gerdts's motion. Gerdts is representing herself in this matter. The State Bar is represented by Deputy Trial Counsel Charles Murray.

¹ Gerdts inartfully titled her motion as a motion for "an extension of time of two years to commence payment of costs of discipline"

In her motion, Gerdts seeks an extension of time to pay the \$10,351.95 in disciplinary costs that were assessed against her under the Supreme Court's December 23, 2003 order in *In re Marlene Gerdts on Discipline*, case number S118399 (State Bar Court case number 99-O-12936, etc.). Gerdts has established grounds of hardship and special circumstances sufficient for this court to grant her an extension of time to pay those costs.

ORDER

The court orders that **MARLENE GERDTS'S** January 26, 2010 motion for an extension of time to pay costs is GRANTED to the extent that, because of hardship and special circumstances, the time in which she must pay the \$10,351.95 in costs that were assessed against her under the Supreme Court's December 23, 2003 order is extended for three years until March 10, 2013, on the following terms. (Bus. & Prof. Code, § 6086.10, subd. (c); Rules Proc. of State Bar, rule 282.) No later than the 10th day of each month from April 2010 through February 2013, Gerdts must make a payment of at least \$20 towards the assessed costs. Then, on March 10, 2013, the entire remaining unpaid balance of the \$10,351.95 in costs, if any, will become due and payable and will be enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.²

If Marlene Gerdts fails to make any minimum monthly payment within the time provided hereinabove or as may be modified by the State Bar Court (Bus. & Prof. Code, § 6086.10, subd. (c); Rules Proc. of State Bar, rule 282), the remaining unpaid balance of the \$10,351.95 in costs

² If Gerdts pays only \$20 per month for the next three years, the remaining unpaid balance on March 10, 2013, will be a little more than \$9,000. Accordingly, if Gerdts sees that she is not going to be able to pay the remaining unpaid balance on March 10, 2013, Gerdts is to file another motion in the State Bar Court in the later part of 2012 seeking a further extension of time to pay or for such other relief to which might be entitled.

will become due and payable immediately and will be enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

Dated: March 5, 2010.



RICHARD A. PLATEL
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; 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 March 5, 2010, I deposited a true copy of the following document(s):

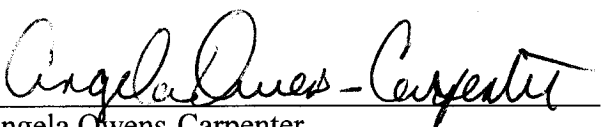
AMENDED ORDER EXTENDING TIME TO PAY COSTS

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:
- MARLENE GERDTS
10001 VENICE BLVD STE 303
LOS ANGELES CA 90034
- ☐ by certified mail, No. , with return receipt requested, through the United States Postal Service at , California, addressed as follows:
- ☐ by overnight mail at , California, addressed as follows:
- ☐ by fax transmission, at fax number . No error was reported by the fax machine that I used.
- ☐ By personal service by leaving the documents in a sealed envelope or package clearly labeled to identify the attorney being served with a receptionist or a person having charge of the attorney's office, addressed as follows:
- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

CHARLES MURRAY, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on March 5, 2010.


Angela Owens-Carpenter
Case Administrator
State Bar Court