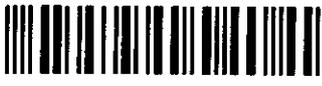


(Do not write above this line.)

<b>State Bar Court of California</b>		
Hearing Department <input type="checkbox"/> Los Angeles <input checked="" type="checkbox"/> San Francisco		
<p>Counsel for the State Bar</p> <p><b>MARIA J. OROPEZA</b> DEPUTY TRIAL COUNSEL 180 HOWARD STREET SAN FRANCISCO, CA 94105 (415) 538-2000</p> <p>Bar # 182660</p>	<p>Case number(s)</p> <p style="text-align: center;">03-0-01171</p> <p>kwiktag®      022 605 211</p> 	<p>(for Court's use)</p> <p style="text-align: center;"><b>PUBLIC MATTER</b></p> <p style="text-align: center;"><b>FILED</b> <i>[Signature]</i></p> <p style="text-align: center;">SEP 14 2005</p> <p style="text-align: center;">STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p><input type="checkbox"/> Counsel for Respondent <input checked="" type="checkbox"/> In Pro Per, Respondent</p> <p><b>GREGG ALAN PARKER</b> 876 40th STREET, #A OAKLAND, CA 94608 (510) 295-5182</p> <p>Bar # 96564</p>	<p>Submitted to    <input type="checkbox"/> assigned judge    <input checked="" type="checkbox"/> settlement judge</p>	<p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>STAYED SUSPENSION; NO ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>
<p>In the Matter of</p> <p><b>GREGG ALAN PARKER</b></p> <p>Bar # 96564</p> <p>A Member of the State Bar of California (Respondent)</p>		

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

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted DECEMBER 23, 1980  
(date)
- (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 and order consist of 12 pages.
- (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."
- (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.

(Do not write above this line.)

(8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):

- (a)  costs added to membership fee for calendar year following effective date of discipline  
(b)  costs to be paid in equal amounts prior to February 1 for the following membership years:

\_\_\_\_\_ (hardship, special circumstances or other good cause per rule 282, Rules of Procedure)

- (c)  costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"  
(d)  costs entirely waived

**B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.**

(1)  Prior record of discipline [see standard 1.2(f)]

(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 or a separate attachment entitled "Prior Discipline".

(2)  **Dishonesty:** Respondent's misconduct was 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~~ the public or the administration of justice.

(5)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

(Do not write above this line.)

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

Additional aggravating circumstances:

**C. Mitigating Circumstances [see standard 1.2(e)]. 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 or person who was the object of the misconduct.
- (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 in good faith.
- (8)  **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct, Respondent suffered extreme emotional difficulties or physical 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 Respondent no longer suffers from such difficulties or disabilities.
- (9)  **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.

(Do not write above this line.)

- (10)  **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.
- (11)  **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12)  **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13)  **No mitigating circumstances** are involved.

Additional mitigating circumstances:

#### D. Discipline

1.  Stayed Suspension.

(a)  Respondent must be suspended from the practice of law for a period of ONE (1) 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 1.4(c)(ii), 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: \_\_\_\_\_

The above-referenced suspension is stayed.

2.  Probation.

Respondent is placed on probation for a period of ONE (1) YEAR, which will commence upon the effective date of the Supreme Court order herein. (See rule 953, California Rules of Court.)

(Do not write above this line.)

**E. Additional Conditions of Probation:**

- (1)  During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2)  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.
- (3)  Within 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.
- (4)  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 in each report 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.

- (5)  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.
- (6)  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.
- (7)  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 State Bar Ethics School, and passage of the test given at the end of that session.
  - No Ethics School recommended. Reason: \_\_\_\_\_
- (8)  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.
- (9)  The following conditions are attached hereto and incorporated:

- Substance Abuse Conditions       Law Office Management Conditions
- Medical Conditions                       Financial Conditions

(Do not write above this line.)

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**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 within one year. Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 951(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.

No MPRE recommended. Reason: \_\_\_\_\_

(2)  Other Conditions:

**ATTACHMENT TO**

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

IN THE MATTER OF:        Gregg Alan Parker; Bar Number 96564

CASE NUMBER(S):        03-O-01171 ET AL.

**FACTS AND CONCLUSIONS OF LAW.**

**Statement of Facts: Count One (Case No. 03-O-01171)**

1.        Gregg Alan Parker ("respondent") was admitted to the practice of law in the State of California on December 23, 1980, was a member at all times pertinent to these charges, and is currently a member of the State Bar of California.

2.        Respondent wilfully violated Business and Professions Code, section 6068(a), by advertising or holding himself out as practicing or entitled to practice law when he was not an active member of the State Bar of California in violation of Business and Professions Code, sections 6125 and 6126, as follows:

3.        On or about June 12, 2002, the State Bar Office of Certification wrote to respondent and informed him that he had failed to comply with his Minimum Continuing Legal Education ("MCLE"). The letter advised respondent that he needed to comply by August 30, 2002, failure to comply would result in respondent being placed on not entitled status. The letter was sent to respondent's official membership records address as reported by the respondent in compliance with Business and Professions Code Section 6002.1.

4.        Respondent received the June 12, 2002 non-MCLE compliance notification.

5.        On or about August 6, 2002, the Office of Certification wrote to respondent and informed respondent that he had not complied with his MCLE requirements for a two periods. Respondent was advised that if he did not comply by August 30, 2002, he would be placed on not entitled status. The letter was sent to respondent's official membership records address as reported by the respondent in compliance with Business and Professions Code Section 6002.1.

6.        Membership Billing Service wrote to respondent and informed respondent that he had failed to pay his membership dues. The letter advised respondent that the Board of Governors at its June 21-22, 2002, meeting would recommend that respondent be suspended.

7.        On August 16, 2002, the California Supreme Court filed Order No. S108829, ("Order No. S108829") suspending the respondent from the practice of law as a result of respondent's failure to pay his membership dues.

8.        On August 16, 2002, the Clerk of the Supreme Court served the respondent with Order No. S108829.

9.        On or about September 3, 2002, respondent was also placed on administrative

inactive status due to noncompliance with Minimum Continuing Legal Education requirements.

10. Supreme Court Order No. S108829, became effective on September 4, 2002, and has remained in force until December 20, 2002.

11. On or about September 16, 2002, the Office of Certification notified respondent that he had been placed on not entitled status.

12. On or about November 13, 2002, Membership Billing Services wrote to respondent and advised respondent how to reinstate his status to active status.

13. Between October 31, 2002 and December 5, 2002, respondent made three appearances in Marin County in a criminal matter entitled the *People v. Mitchell Howie*, Case No. SC126640A.

14. Respondent was not entitled to practice law when he made the three appearances in *People v. Howie*.

15. Between October 3, 2002 and December 12, 2002, respondent made five appearances in Alameda County in a criminal matter entitled the *People v. Cecilia Rupley*, Case No. 473397.

16. Respondent was not entitled to practice law when he made the five appearances in *People v. Rupley*.

17. On September 24, 2002, respondent made one appearance in Alameda County in a criminal matter entitled the *People v. Norman Moore*, Case No. 143679

18. Respondent was not entitled to practice law when he made his appearance in *People v. Moore*.

19. On September 20, 2002 and December 9, 2002, respondent made two appearances in Alameda County in a criminal matter entitled the *People v. James Patterson*, Case No. 143600.

20. Respondent was not entitled to practice law when he made his two appearances in *People v. Patterson*.

21. Between September 12, 2002 and November 26, 2002, respondent made five appearances in Alameda County in a criminal matter entitled the *People v. Yolanda Thomas*, Case No. S476288.

22. Respondent was not entitled to practice law when he made his five appearances in *People v. Thomas*.

23. Between September 4, 2002 and January 8, 2003, respondent made nine appearances in Alameda County in a criminal matter entitled the *People v. Beverly Ann Pippins*, Case No. 479360C.

24. Respondent was not entitled to practice law when he made his nine appearances in *People v. Pippins*.

25. Between September 11, 2002 and January 8, 2003, respondent made five appearances in Alameda County in a criminal matter entitled the *People v. Ann Lanita Jackson*, Case No. 473942A.

26. Respondent was not entitled to practice law when he made his five appearances in *People v. Jackson*.

27. Between September 11, 2002, and December 19, 2002, respondent made six

appearances in Alameda County in a criminal matter entitled the *People v. Marcus Charles Criner*, Case No. S477299A.

28. Respondent was not entitled to practice law when he made his six appearances in *People v. Criner*.

Conclusions of Law: Count One (Case No. 03-O-01171)

29. By continuing to hold himself out as an attorney authorized to practice law in the State of California, when he was not entitled to practice law, respondent wilfully violated Business and Professions Code sections 6125 and 6126, and thereby failed to abide by and support the laws of the State of California.

Statement of Facts: Count Two (Case No. 03-O-01171)

30. Respondent wilfully violated Business and Professions Code, section 6103, by wilfully disobeying or violating an order of the court requiring him to do or forbear an act connected with or in the course of respondent's profession which he ought in good faith to do or forbear, as follows:

31. The allegations contained in paragraphs, 7, 8, and 10 of Count One of this Stipulation are herein incorporated by reference as is set forth in full.

32. Respondent made a total of 36 court appearances after being suspended by the Supreme Court for failing to pay his membership dues.

33. Respondent was well aware that he was not entitled to practice law pursuant to Supreme Court Order S108829.

Conclusions of Law: Count Two (Case No. 03-O-01171)

34. By appearing before the court(s) of the State of California, when respondent was not entitled to practice law, respondent wilfully disobeyed or violated an order of the court requiring him to do or forbear an act connected with or in the course of respondent's profession which he ought in good faith to do or forbear.

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

**PENDING PROCEEDINGS.**

The disclosure date referred to, on page one, paragraph A.(7), was August 2, 2005.

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

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of August 2, 2005, the estimated prosecution costs in this matter are approximately \$2,416.46. Respondent acknowledges that this figure is an estimate. 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.

### **AGGRAVATING CIRCUMSTANCES.**

Harm: Respondent's misconduct harmed the public and the administration of justice.

Multiple Misconduct: Respondent's misconduct evidences multiple acts of wrongdoing.

### **MITIGATING CIRCUMSTANCES.**

No prior discipline: Respondent was admitted into practice in 1980 and has no disciplinary history.

Candor/Cooperation: Respondent displayed candor and cooperation to the State Bar during the disciplinary investigation and proceeding.

### **STATE BAR ETHICS SCHOOL.**

Because respondent has agreed to attend State Bar Ethics School as part of this stipulation, respondent may receive Minimum Continuing Legal Education credit upon the satisfactory completion of State Bar Ethics School.

### **MULTI STATE PROFESSIONAL RESPONSIBILITY EXAM**

Respondent is required to take and pass the Multi-State Professional Responsibility Exam within one year of the effective date of the discipline

(Do not write above this line.)

In the Matter of  <b>GREGG ALAN PARKER</b>	Case number(s):  <b>03-0-01171</b>
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### SIGNATURE OF THE PARTIES

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

8/12/05  
Date

  
Respondent's signature

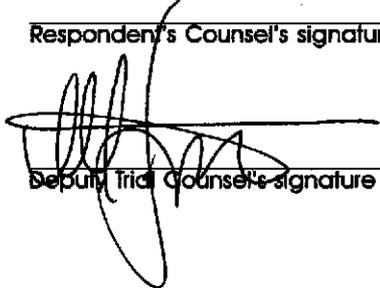
**GREGG ALAN PARKER**  
Print name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Respondent's Counsel's signature

\_\_\_\_\_  
Print name

8/15/05  
Date

  
Deputy Trial Counsel's signature

**MARIA J. OROPEZA**  
Print name

(Do not write above this line.)

In the Matter of  <b>GREGG ALAN PARKER</b>	Case number(s):  <b>03-0-01171</b>
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### 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 135(b), 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 953(a), California Rules of Court.)

9-14-05  
Date

  
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 San Francisco, on September 14, 2005, 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:

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

**GREGG ALAN PARKER**  
**876 40TH ST #A**  
**OAKLAND CA 94608**

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

**MARIA OROPEZA, Enforcement, San Francisco**

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on September 14, 2005.



**Bernadette C. O. Molina**  
Case Administrator  
State Bar Court