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

<p>Counsel For The State Bar Erin McKeown Joyce Deputy Trial Counsel State Bar of California 1149 South Hill Street Los Angeles, CA 90015-2299 (213) 765-1356</p> <p>Bar # 149946</p>	<p>Case Number (s) 09-O-10319-RAH</p> <p>PUBLIC MATTER</p>	<p>(for Court's use)</p> <p>FILED AUG 17 2010 <i>[Signature]</i> STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>In Pro Per Respondent</p> <p>Robert Schmidt, Esq. 425 S. 2nd Ave. #1778 Barstow, CA 92311 (702) 339-0633</p> <p>Bar # 248289</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT</p> <p>DISBARMENT</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: Robert Raymond Schmidt</p> <p>Bar # 248289</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 **February 2, 2007**.
- (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 resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **(12)** 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."



- (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):
 - Costs to be awarded to the State Bar
 - Costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
 - Costs entirely waived
- (9) ORDER OF INACTIVE ENROLLMENT:
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 220(c).

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**
 - (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 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.

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- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or 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. **Respondent suffers debilitating effects from a brain injury which have seriously impeded his ability to practice law and impaired his ability to recall key events for his moral character application.**
- (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 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: Disbarment.

E. Additional Requirements:

- (1) **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.

- (2) **Restitution:** Respondent must make restitution to _____ in the amount of \$ _____ plus 10 percent interest per year from _____. If the Client Security Fund has reimbursed _____ for all or any portion of the principal amount, respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5. Respondent must pay the above restitution and furnish satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles no later than _____ days from the effective date of the Supreme Court order in this case.

- (3) **Client Security Fund Reimbursement:** Respondent must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment obligation is enforceable as provided under Business and Professions Code section 6140.5.

- (4) **Other:**

The Attachment to the Stipulation re Facts, Conclusions of Law and Disposition comprises pages 6 through 11.

In the Matter of
Robert Raymond Schmidt

Case number(s):
09-O-10319

A Member of the State Bar

NOLO CONTENDERE PLEA TO STIPULATION AS TO FACTS, CONCLUSIONS OF LAW AND DISPOSITION

Bus. & Prof. Code § 6085.5 Disciplinary Charges; Pleas to Allegations

There are three kinds of pleas to the allegations of a Notice of Disciplinary Charges or other pleading which initiates a disciplinary proceeding against a member:

- (a) Admission of culpability.
- (b) Denial of culpability.
- (c) **Nolo contendere, subject to the approval of the State Bar Court. The court shall ascertain whether the member completely understands that a plea of nolo contendere shall be considered the same as an admission of culpability and that, upon a plea of nolo contendere, the court shall find the member culpable. The legal effect of such a plea shall be the same as that of an admission of culpability for all purposes, except that the plea and any admission required by the court during any inquiry it makes as to the voluntariness of, or the factual basis for, the pleas, may not be used against the member as an admission in any civil suit based upon or growing out of the act upon which the disciplinary proceeding is based. (Added by Stats. 1996, ch. 1104.) (emphasis supplied)**

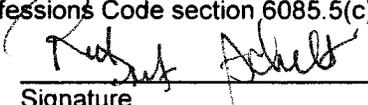
Rule 133, Rules of Procedure of the State Bar of California **STIPULATION AS TO FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

(a) A proposed stipulation as to facts, conclusions of law, and disposition must set forth each of the following:

- (5) a statement that Respondent either
 - (i) admits the facts set forth in the stipulation are true and that he or she is culpable of violations of the specified statutes and/or Rules of Professional Conduct or
 - (ii) **pleads nolo contendere to those facts and violations. If the Respondent pleads nolo contendere, the stipulation shall include each of the following:**
 - (a) **an acknowledgement that the Respondent completely understands that the plea of nolo contendere shall be considered the same as an admission of the stipulated facts and of his or her culpability of the statutes and/or Rules of Professional Conduct specified in the stipulation; and**
 - (b) **if requested by the Court, a statement by the Deputy Trial Counsel that the factual stipulations are supported by evidence obtained in the State Bar investigation of the matter (emphasis supplied)**

I, the Respondent in this matter, have read the applicable provisions of Bus. & Prof. Code § 6085.5 and rule 133(a)(5) of the Rules of Procedure of the State Bar of California. I plead nolo contendere to the charges set forth in this stipulation and I completely understand that my plea must be considered the same as an admission of culpability except as state in Business and Professions Code section 6085.5(c).

July 21, 2010
Date


Signature

Robert Raymond Schmidt
Print Name

(Nolo Contendere Plea form approved by SBC Executive Committee 10/22/1997. Revised 12/16/2004; 12/13/2006.)

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

In the Matter of Robert Raymond Schmidt, Case No. 09-O-10319

PENDING PROCEEDINGS:

The disclosure date referred to on page two, paragraph A.(7), was July 14, 2010.

FACTS

Respondent admits that the following facts are true and that he is culpable of violations of the specified Rule of Professional Conduct and Business and Professions Code section.

1. On September 14, 1993, Respondent was named as an individual defendant in a civil action entitled *CCDI Composites, et al. v. Robert Schmidt et al.*, filed in Orange County Superior Court, Case No. 717337 (the "CCDI action"). The complaint in the CCDI action alleged fraud among other causes of action against Respondent.

2. The CCDI action went to trial in June 1995. Both Respondent and his wife, who were defendants and cross-complainants in the CCDI action, were represented by counsel at trial.

3. On March 14, 1996, the Statement of Decision was filed in the CCDI action, in which the trial court found that Respondent was liable for committing fraud and making false representations to the plaintiffs in the business venture which was the subject of the CCDI action.

4. The amended judgment in the CCDI action filed December 11, 1997, provided that Respondent was jointly and severally liable to pay plaintiff Gwendolyn Carter \$27,725 in compensatory damages and \$4,000 in punitive damages, and plaintiff Fred Good \$36,000 in punitive damages.

5. Respondent and his wife filed for bankruptcy protection in Nevada in September, 1995, case no. 95-23807.

6. After Respondent filed his bankruptcy petition, on December 15, 1995, the plaintiffs in the CCDI action, Carter and Good, filed an adversary proceeding to determine the dischargeability of the fraud judgment in the CCDI action (the "adversary proceeding").

7. On June 9, 1997, Carter and Good filed a motion for summary judgment in the adversary proceeding.

8. On January 20, 1998, the bankruptcy court in the adversary proceeding granted in part Carter and Good's motion for summary judgment, and found that the judgment for the compensatory damages in the amount of \$27,725 awarded to Carter and the cost of suit determined in the CCDI action by the Orange County Superior Court were nondischargeable.

9. In April 2006, Respondent completed his Application for Determination of Moral Character ("Application") to be submitted to the Committee of Bar Examiners ("Committee") in connection with his application for membership to the State Bar of California.

10. Pursuant to Rule 4.5(A) of Division 1 of Title 4 of the Rules of the State Bar of California ("Rules") regulating admissions, "[a] document filed with the Committee pursuant to these rules must be completed according to instructions; verified or made under penalty of perjury; and submitted with any required fee."

11. In accordance with Rule 4.5 of the Rules, Respondent submitted his Application in his own handwriting under the penalty of perjury under the laws of the State of California and represented to the Committee that his Application was complete and accurate.

12. On the Application, Form 1, Record of Civil Actions and Administrative Proceedings, Respondent was required to disclose the nature of all litigation brought against him. Respondent described the circumstances of only one lawsuit on Form 1, which he labeled *Frederick A. Good v. Robert Schmidt* (the "Good action") as follows:

This was the main basis of the Chapter 7 Bankruptcy filing. The company dispute among shareholders since no shareholders' agreement was made. This suit was abandoned by one shareholder and we could not maintain the suit, because we ran out of money and the other party's girlfriend was an attorney. This case made me want to become a lawyer.

13. Respondent did not disclose the case name, case number or venue of the *CCDI* action on Form 1 of the Application.

14. On that same page of Form 1, Respondent averred that the *Good* action was filed in "Approx. 1994." Respondent failed to disclose the case number of the *Good* action, the date of the final disposition, the disposition, and the date the judgment was satisfied. Respondent misrepresented the disposition of the *Good* action as "[d]ischarged in bankruptcy."

15. On the page of the Application entitled Prior Applications for Admission to Practice Law, Respondent answered "Yes" to Question No. 11.2 which asked if Respondent had ever been a party to any civil action or proceeding.

16. Respondent also answered "Yes" to Question No. 11.3 which asked if Respondent had any judgments filed against him.

17. The instructions underneath Questions 11.2 and 11.3 on the Application provide that if Respondent answered "Yes" to either of these two questions, he was to complete Form 1 and was to make as many copies of Form 1 as he needed.

18. Respondent only submitted one Form 1 with his Application.

19. On that same page of the Application, Respondent answered "No" to Question No. 11.4, which asked whether Respondent had any complaint alleging fraud, deceit, misrepresentation, forgery or legal malpractice filed and sustained against him in any civil, criminal or administrative forum.

20. On the Application, Form 3, Record of Bankruptcy or Insolvency, Respondent identified the personal bankruptcy filed by Respondent and his wife in 1995. In his description of the circumstances surrounding the filing of Respondent's bankruptcy petition, he averred:

A lawsuit among the investors of CCDI Composites developed into lengthy legal battle. We were unable to finance it and had to default on personal notes. Also compounding the situation was [sic] unforeseen medical bills & legal fees. We could not afford an attorney & defaulted on the base case – see Administrative Form 1.

21. Respondent stated that the bankruptcy petition terminated on "08/26/1999" on Form 3 of the Application. He further averred that there was an adversary proceeding which was terminated.

22. To the question of whether there were any debts not discharged, Respondent stated "No" on Form 3.

23. Form 3 provided in bold, capital letters that the applicant was to "attach the petition for bankruptcy, all schedules and statements filed with the bankruptcy petition, any objection or exemption to discharge filed by a creditor and the ruling thereon, and discharge from the Bankruptcy Court." Form 3 further provided "[i]f you do not have all the required documents, you must contact the bankruptcy court where you filed the petition. If the bankruptcy court no longer has the documents, the court will provide you with a locator number for the documents and will direct you to the appropriate federal archives location where you can request copies of the documents."

24. Despite the clear direction on Form 3, Respondent only provided to the Committee the discharge order on his personal bankruptcy filed December 20, 1995, his petition, a court-generated discharge checklist, several proofs of claim from various creditors, the notice of creditors' meeting, the report of the creditors' meeting, an amendment to the petition and the final decree dated August 26, 2009, discharging the trustee. Respondent submitted no documents related to the adversary proceeding in his bankruptcy case to the Committee.

25. Respondent's Application was false in several material respects, as follows:

- a. On Form 1, Respondent failed to identify all litigation in which he had been an party, specifically the *CCDI* action.
- b. On Form 1, Respondent misrepresented the circumstances of the civil litigation in which he had been a party;
- c. On Form 1, Respondent misrepresented the disposition of the civil litigation in which he had been a party.
- d. On the page entitled Prior Applications for Admission to Practice Law, Respondent falsely claimed that he never had a complaint alleging fraud, misrepresentation, forgery, or legal malpractice filed and sustained against him.
- e. On Form 3, Respondent misrepresented the circumstances surrounding the filing of his petition for bankruptcy.

- f. On Form 3, Respondent misrepresented the disposition of the adversary proceeding filed in his bankruptcy.
- g. On Form 3, Respondent falsely claimed that there were no debts not discharged in his bankruptcy.

26. Respondent knew the true circumstances of the *CCDI* action and the adversary proceeding at the time he completed the Application. Nonetheless, Respondent affirmatively misrepresented the facts and circumstances of the *CCDI* action and the adversary proceeding to the Committee.

27. Respondent's failure to disclose to the Committee the true facts and circumstances of the *CCDI* action and the adversary proceeding deprived the Committee of the ability to consider this information in its determination of Respondent's moral fitness or capacity to practice law.

28. In addition to the false information Respondent submitted in connection with his Application, Respondent also failed to provide required documents with his application, which were material to his Application, as follows:

- a. Respondent failed to attach documents to Form 1 comprising the pleadings, allegations and judgment in the fraud action in which he was a party, the *CCDI* action.
- b. Respondent failed to attach to Form 3 all schedules and statements filed with the bankruptcy petition, any objection or exemption to discharge filed by a creditor and the ruling thereon, and discharge from the bankruptcy court.

29. Respondent failed to comply with clear directions on the Application to provide relevant documents related to the *CCDI* action and the adversary proceeding which would have disclosed the true facts and circumstances of the two cases to the Committee.

30. Respondent's failure to provide the required documents and information in connection with his Application deprived the Committee of the ability to consider these documents and the withheld information in its determination of Respondent's moral fitness or capacity to practice law.

31. Respondent knowingly failed to disclose the facts and circumstances of the *CCDI* action and adversary proceeding to the Committee because he wanted to avoid increased scrutiny by the Committee into the fraud judgment against him.

32. He further failed to provide required documents related to the *CCDI* action and the adversary proceeding to conceal the fraud judgment against him.

CONCLUSIONS OF LAW

By misrepresenting the true facts and circumstances of the *CCDI* action and the adversary proceeding to the Committee, Respondent knowingly made a false statement regarding a material fact in connection with an application for admission to the State Bar in willful violation of Rule of Professional Conduct 1-200(A).

By failing to provide the relevant documents related to the *CCDI* action and the adversary proceeding as required in the Application, Respondent knowingly failed to disclose a material fact in connection with an application for admission to the State Bar in willful violation of Rule of Professional Conduct 1-200(A).

By failing to disclose the true facts and circumstances of the *CCDI* action and the adversary proceeding to the Committee on his Application, Respondent committed an act involving moral turpitude, dishonesty or corruption in willful violation of Business and Professions Code section 6106.

STANDARDS FOR ATTORNEY SANCTIONS

To determine the appropriate level of discipline, the standards provide guidance. *Drociak v. State Bar* (1991) 52 Cal.3d 1085; *In the Matter of Sampson*, 3 Cal. State Bar Ct. Rptr. 119. A disciplinary recommendation must be consistent with the discipline in similar proceedings. See *Snyder v. State Bar* (1990) 49 Cal.3d 1302. Also, the recommended discipline must rest upon a balanced consideration of relevant factors. *In the Matter of Sampson*, 3 Cal. State Bar Ct. Rptr. 119.

Pursuant to Standard 1.3 of the Standards for Attorney Sanctions for Professional Misconduct:

The primary purposes of disciplinary proceedings conducted by the State Bar of California and of sanctions imposed upon a finding or acknowledgment of a member's professional misconduct are the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession.

Pursuant to Standard 2.3 of the Standards for Attorney Sanctions for Professional Misconduct:

Culpability of a member of an act of moral turpitude, fraud or intentional dishonesty toward a court, client or another person . . . shall result in actual suspension or disbarment depending upon the extent to which the victim of the misconduct is harmed or misled and depending upon the magnitude of the act of misconduct and the degree to which it relates to the member's acts within the practice of law.

Pursuant to Standard 2.10 of the Standards for Attorney Sanctions for Professional Misconduct:

Culpability of a member of a violation of any provision of the Business and Professions Code not specified in these standards or of a willful violation of any Rule of Professional Conduct not specified in these standards shall result in reproof or suspension according to the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.

AUTHORITIES SUPPORTING DISCIPLINE

In *State Bar v. Langert*, the respondent was found to have deliberately concealed in his State Bar Application that he had been charged with unprofessional conduct and recommended to be disbarred in another State. The Supreme Court concluded that the Committee of Bar Examiners' ("Committee") approval of the respondent was based on false answers in his Application and therefore cancelled his law license. *State Bar v. Langert* (1954) 43 Cal.2d 636. Like in *Langert*, the respondent in this case deliberately concealed his fraud conviction in his Application to the Committee, depriving the Committee of the opportunity to consider all material facts in determining Respondent's admission to the practice of law. The appropriate discipline in this case is therefore cancellation of Respondent's law license and disbarment. (See also *Goldstein v. State Bar* (1989) 47 Cal.3d 937; *In the Matter of Ike* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 483).

The court held *In the Matter of Pasayanos*, that a public reproof, rather than license cancellation, was an adequate disciplinary measure. *In the Matter of Pasayanos* (2005) 4 Cal. State Bar Ct. Rptr. 746. However, this case is unlike *Pasayanos*, because in that case, the hearing judge found the respondent made an innocent mistake when she failed to update her Application to include a misdemeanor conviction. The court found the respondent had no intent to mislead the Committee and therefore, while determining respondent had violated Rule of Professional Conduct 1-200(A), the court did not find respondent culpable of violating Business and Professions Code section 6106. Contrastingly, the Respondent in this case purposefully omitted material facts regarding his pre-existing fraud conviction from his Application with the clear intent to conceal such facts and mislead the Committee.

FURTHER AGREEMENTS OF THE PARTIES

The factual statements contained in this Stipulation constitute admissions of fact and may not be withdrawn by either party, except with court approval.

COSTS

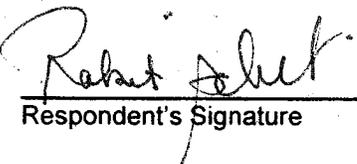
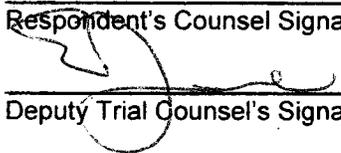
Respondent acknowledges that the Office of the Chief Trial Counsel has informed him that as of July 14, 2010, the estimated costs in this matter are \$2,466.00. Respondent further acknowledges that, should this Stipulation be rejected or should relief from the Stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

(Do not write above this line.)

In the Matter of Robert Raymond Schmidt	Case number(s): 09-O-10319
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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>7-21-10</u> Date	 Respondent's Signature	<u>Robert Raymond Schmidt</u> Print Name
<u> </u> Date	<u> </u> Respondent's Counsel Signature	<u> </u> Print Name
<u>8-3-10</u> Date	 Deputy Trial Counsel's Signature	<u>Erin McKeown Joyce</u> Print Name

(Do not write above this line.)

In the Matter of Robert Raymond Schmidt	Case Number(s): 09-O-10319
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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:

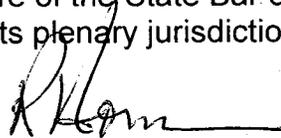
- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

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 9.18(a), California Rules of Court.)**

Respondent **Robert Raymond Schmidt** is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three (3) calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 490(b) of the Rules of Procedure of the State Bar of California, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

8-11-10

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 Los Angeles, on August 17, 2010, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND
DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY
INACTIVE ENROLLMENT

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:

ROBERT R. SCHMIDT
425 S 2ND AVE #1778
BARSTOW, CA 92311

- 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 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:

Erin M. Joyce, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on August 17, 2010.



Cristina Potter
Case Administrator
State Bar Court