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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
<p>Counsel For The State Bar</p> <p>Jessica A. Lienau 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1165</p> <p>Bar # 269753</p>	<p>Case Number(s): 10-O-09487; 10-O-09643; Investigation No. 11-O-17554</p>	<p>For Court use only</p> <p style="text-align: center;">FILED</p> <p style="text-align: center;">FEB - 6 2012</p> <p style="text-align: center;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> <p style="text-align: center; font-size: 2em; opacity: 0.5;">PUBLIC MATTER</p>
<p>In Pro Per Respondent</p> <p>Mayra I. Laureano 1200 Gaviota Ave. Apt. 301 Long Beach, CA 90813 (714) 560-8830</p> <p>Bar # 194702</p>	<p>Submitted to: Assigned Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: MAYRA I. LAUREANO</p> <p>Bar # 194702</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 April 6, 1998.
- (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 15 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. (Check one option only):
 - Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: three billing cycles following the effective date of the Supreme Court order. (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

B. Aggravating Circumstances [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 09-O-14973
 - (b) Date prior discipline effective December 9, 2011
 - (c) Rules of Professional Conduct/ State Bar Act violations: Rules 3-110(A), 3-700(D)(1), 3-700(D)(2), Rules of Professional Conduct
 - (d) Degree of prior discipline One year suspension, stayed, with two years of probation with conditions including restitution, passage of the MPRE, and others
 - (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.

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- (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.
- (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.
- (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.

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- (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:
- (b) The above-referenced suspension is stayed.

- (2) **Probation:**

Respondent must be placed on probation for a period of two (2) years, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

- (3) **Actual Suspension:**

- (a) Respondent must be actually suspended from the practice of law in the State of California for a period of six (6) months.
- 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:

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in the general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.

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- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
- No Ethics School recommended. Reason: _____
- (9) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) The following conditions are attached hereto and incorporated:
- | | |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions | <input checked="" type="checkbox"/> Financial Conditions |

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without**

further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.

No MPRE recommended. Reason:

- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:** By Supreme Court order dated November 9, 2011, in Supreme Court Case No. S196228, State Bar Court Case No. 09-O-14973, which became effective on December 9, 2011, Respondent was ordered to attend Ethics School by December 9, 2012 and to take and pass the MPRE by December 9, 2012. Respondent's fulfillment of the Ethics School and MPRE conditions in connection with Case No. 09-O-14973 shall be deemed to fulfill the Ethics School and MPRE conditions in this matter, even if done prior to the effective date of the discipline imposed herein.

9. On or about July 13, 2011, a State Bar investigator sent Respondent a second letter, which she received, requesting that she respond to specified allegations of misconduct by July 29, 2011. Respondent failed to do so.

10. On or about July 29, 2011, a State Bar investigator sent Respondent a third letter, which she received, requesting that she respond to specified allegations of misconduct by August 16, 2011. Respondent failed to do so.

CONCLUSIONS OF LAW:

11. By delaying in requesting a trial date when Respondent knew time was of the essence, and failing to provide any substantive response to Delgadillo's status inquiries, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

12. By failing to provide Delgadillo with an accounting of the advanced fees he had paid, Respondent failed to render appropriate accounts to a client regarding all funds coming into Respondent's possession in willful violation of Rules of Professional Conduct, rule 4-100(B)(3).

13. By failing to refund any of the unearned fees, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

14. By failing to provide a written response to any of the three letters as requested, Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent in willful violation of Business and Professions Code, section 6068(i).

Case No. 10-O-09643 (Complainant: Dinorah Dao)

FACTS:

15. On or about February 22, 2008, Dinorah Dao ("Dao"), employed Respondent on a contingency fee basis, to represent her in a civil dispute against Storage Etc.

16. On or about October 28, 2008, Respondent filed a civil lawsuit against Storage Etc. on behalf of Dao, in San Diego County Superior Court, *Dinorah Dao vs. Storage Etc.*, 37-2008-00094916 ("the complaint").

17. On or about January 13, 2009, counsel for Storage Etc. filed a demurrer to the complaint ("the demurrer").

18. On or about January 16, 2009, the Court issued an Order to Show Cause ("OSC") re: Failure to File Certificate of Service, with a hearing scheduled for February 13, 2009. Respondent received notice of the OSC and OSC Hearing scheduled for February 13, 2009.

19. On or about February 13, 2009, Respondent failed to appear for the OSC Hearing.

20. On or about February 18, 2009, the Court issued an OSC, why the case should not be dismissed due to Respondent's failure to appear on February 13, 2009, and set an OSC Hearing set for

March 13, 2009. Respondent received notice of the OSC and OSC Hearing scheduled for March 13, 2009.

21. On or about March 12, 2009, the Court issued its tentative ruling (“the tentative ruling”) sustaining the demurrer and granting Dao two weeks to file and serve a First Amended Complaint.

22. Respondent did not appear at the March 13, 2009 OSC Hearing. On or about March 13, 2009, the Court confirmed the tentative ruling. Respondent received notice of the ruling.

23. Respondent did not file and serve a First Amended Complaint.

24. On or about June 22, 2009, counsel for Storage Etc. filed a Motion to Dismiss Plaintiff’s Complaint for Failure to Prosecute (“the Motion”) and served it on Respondent. The Court set a hearing on the Motion for September 3, 2009. Respondent received notice of the hearing on the Motion. Respondent did not oppose the Motion. The Court granted the Motion and dismissed the complaint.

25. On or about October 9, 2009, Respondent filed a Motion to Set Aside the Dismissal, based on California Civil Code of Procedure § 473(b). On or about November 25, 2009, the Court denied the Motion to Set Aside the Dismissal.

26. On or about January 22, 2010, Respondent filed a Notice of Appeal on behalf of Dao, with the California Court of Appeal, Fourth Appellate District, Division One, *Dinorah Dao v. Storage Etc.*, D056638.

27. On or about August 17, 2010, the Court of Appeal dismissed the appeal for Respondent’s failure to file an opening brief. Respondent did not inform Dao that the Court of Appeal dismissed her appeal, which was a significant development in Dao’s appeal case.

28. On or about October 26, 2010, the State Bar opened an investigation based on Dao’s complaint.

29. On or about January 25, 2011, a State Bar investigator sent a letter to Respondent, which she received, requesting that she provide responses to specific allegations of misconduct by February 8, 2011. Respondent failed to do so.

30. On or about July 13, 2011, the investigator sent a second letter to Respondent, which she received, requesting that she provide responses to specific allegations of misconduct by July 29, 2011. Respondent failed to do so.

CONCLUSIONS OF LAW:

31. By failing to appear at the OSC hearings, failing to file and serve a First Amended Complaint, failing to oppose the Motion, and failing to file an opening brief on appeal, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

32. By failing to inform Dao that the appeal had been dismissed, Respondent failed to keep a client reasonably informed of significant developments in a matter in which Respondent had agreed to provide legal services in willful violation of Business and Professions Code, section 6068(m).

33. By failing to provide a written response to either of the two letters as requested, Respondent failed to cooperate and participate in a disciplinary investigation pending against Respondent in willful violation of Business and Professions Code, section 6068(i).

Investigation No. 11-O-17554 (Complainant: Elias)

FACTS:

34. In or about September 2010, Martin Ruelas ("Martin") and his daughter Lucia Elias ("Elias") consulted with attorney Patricia Vargas ("Vargas") about representing Martin's son, Ramon de Jesus Ruelas ("Ramon"), in a criminal matter. Vargas told Martin and Elias that she could not take Ramon's case due to the declining health of her mother.

35. In or about October 2010, Martin and Elias came back to Vargas' office seeking representation for Ramon. Vargas informed Martin and Elias that she still could not take the case but that Vargas would find an attorney associated with Vargas' office.

36. Vargas spoke to Respondent about representing Ramon in the criminal matter and Respondent agreed to represent Ramon on the condition that the retainer agreement be between Ramon and Vargas' office and that payments would be made from Ramon's family to Vargas' office.

37. On or about October 4, 2010, Martin, on behalf of Ramon, signed a Fee Agreement with Vargas' office.

38. From between in or about October 2010 until in or about April 2011, Martin and Elias made payments to Vargas on behalf of Ramon totaling \$13,000.00. Vargas forwarded fees to Respondent at various intervals.

39. Between in or about October 13, 2010 until January 27, 2011, Respondent appears in Los Angeles County Superior Court on behalf of Ramon in Case No. KA091532, *People v. Ramon de Jesus Ruelas*.

40. On or about January 18, 2011, the State Bar of California filed a Notice of Disciplinary Charges ("NDC") against Respondent in the State Bar Court, Case No. 09-O-14973. Respondent was properly served with the NDC. Respondent received the NDC.

41. On or about February 14, 2011, the States Bar filed a Motion for Entry of Default in Case No. 09-O-14973. Respondent was properly served with the Motion for Entry of Default. Respondent received the Motion for Entry of Default.

42. On or about March 2, 2011, the State Bar Court in Case No. 09-O-14973 entered Respondent's default and ordered Respondent to involuntary inactive status, to be effective on or about March 5, 2011. Respondent was properly served with the Court's March 2, 2011 Order. Respondent received the Court's March 2, 2011 Order.

43. From on or about March 5, 2011 until on or about May 23, 2011, Respondent's status with the State Bar of California was involuntary inactive.

44. On or about May 23, 2011, the State Bar Court, in Case No. 09-O-14973, on its own motion, vacated the default entered on or about March 2, 2011 and vacated the order enrolling Respondent to involuntary inactive status entered on or about March 2, 2011.

45. On or about March 18, 2011, April 1, 2011, and April 5, 2011, Respondent appeared on behalf of Ramon in Los Angeles County Superior Court on behalf of Ramon in Case No. KA091532, *People v. Ramon de Jesus Ruelas*, when Respondent knew that she was on involuntary inactive status.

46. On or about April 5, 2011, the Court in Los Angeles County Superior Court on behalf of Ramon in Case No. KA091532, *People v. Ramon de Jesus Ruelas*, ordered Respondent removed as counsel for Ramon due to the fact that she was on involuntary inactive status and had a public defender appointed for Ramon.

47. On or about April 2011, Vargas reimbursed Martin and Elias \$5,000.00.

48. On or about April 5, 2011, Respondent was in receipt of \$4,000.00 in advance fees from Elias and Martin. Respondent earned no portion of the \$4,000.00 in advanced fees paid from Elias and Martin. To date, Respondent has refunded no portion of the \$4,000.00 in advanced attorney fees.

CONCLUSIONS OF LAW:

49. By failing to refund any of the unearned fees, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

50. By appearing on behalf of Ramon in Los Angeles County Superior Court in Case No. KA091532, *People v. Ramon de Jesus Ruelas*, on at least three occasions when Respondent knew that she was enrolled as involuntary inactive status in violation of section 6125 and 6126(b), Business and Professions Code, Respondent failed to support the Constitution and laws of the United States and of this state in willful violation of section 6068(a), Business and Professions Code.

PENDING PROCEEDINGS.

The disclosure date referred to, on page 2, paragraph A(7), was January 5, 2012.

AUTHORITIES SUPPORTING DISCIPLINE.

Standards:

Standard 1.3, Title IV, Standards for Attorney Sanctions for Professional Misconduct, provides that the primary purposes of the disciplinary system 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."

Standard 1.7 holds that if a Respondent has a prior record of discipline, the degree of discipline in the current stipulation should be greater than that imposed in the prior discipline. Respondent has one prior imposition of discipline, which was a one-year stayed suspension, so the level of discipline should be greater than a one-year stayed suspension.

Standard 2.2 holds that violations of rule 4-100 that do not result in misappropriation shall result in at least a three month actual suspension, irrespective of mitigating circumstances.

Standard 2.4 states failing to perform or failing to communicate in individual matter not evidencing a pattern shall result in reproof or suspension depending on the extent of the misconduct and the degree of harm to the client.

Standard 2.6 holds that a violation of § 6068 shall result in disbarment or suspension depending on the gravity of the offense or harm, if any, to the victim.

Standard 2.10 holds that the violation of rule 3-700(D)(2), failure to return unearned fees, shall result in reproof or suspension, depending on the gravity of the offense or the harm to the victim.

Caselaw:

In *In the Matter of Kaplan* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 509, the Review Department found the member culpable of misconduct in nine matters, including the failure to sign substitution of attorney forms and/or to forward client files in seven matters, failure to communicate properly in five matters, reckless or repeated failure to perform legal services competently in three matters, failure to endorse and return a settlement draft in one matter and failure to pay court-ordered sanctions in one matter. The Review Department recommended that the member be suspended from the practice of law for two years stayed, with probation of two years and an actual suspension of 90 days.

Additionally, in *In the Matter of Lais* (Review Dept. 1998) 3 Cal. State Bar Ct. Rptr. 907, the Review Department found the member culpable of misconduct in five client matters, including acts of moral turpitude in two of the matters by inducing two clients to withdraw discipline complaints. The member was also found culpable of appearing without a client's authority, failing to promptly return unearned fees and client papers, failure to communicate properly with clients and recklessly and repeatedly failing to provide competent legal services. The Review Department recommended that the member be suspended from the practice of law for two years stayed, with probation of three years and an actual suspension of 90 days.

Although Respondent's current matter only involves three client matter, Respondent has a previous imposition of discipline and mitigating factors are not present.

See also, *Matthew v. State Bar* (1989) 49 Cal.3d 784 [actual suspension of 60 days for member's failure to competently perform legal services in three client matters and failure to refund unearned fees in two of the matters]; *In the Matter of Kennon* (Review Dept. 1990) 1 Cal. State Bar Ct. Rptr. 267 [30 days actual suspension for member's failure to competently perform services, failure to communicate and failure to refund unearned fees in two client matters].

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of January 5, 2012, the prosecution costs in this matter are \$5,053.00. 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.

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In the Matter of: MAYRA I. LAUREANO	Case Number(s): 10-O-09487; 10-O-09643; Investigation No. 11-O-17554
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Financial Conditions

a. Restitution

- Respondent must pay restitution (including the principal amount, plus interest of 10% per annum) to the payee(s) listed below. If the Client Security Fund ("CSF") has reimbursed one or more of the payee(s) for all or any portion of the principal amount(s) listed below, Respondent must also pay restitution to CSF in the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From
Stephen Delgadillo	\$750.00	March 6, 2010
Martin T. Ruelas, Ramon de Jesus Ruelas & Lucia Elias	\$4000.00	October 4, 2010

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than the end of the probation period.

b. Installment Restitution Payments

- Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of revocation), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

- If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

c. Client Funds Certificate

- 1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
 - a. Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";

- b. Respondent has kept and maintained the following:
- i. A written ledger for each client on whose behalf funds are held that sets forth:
 - 1. the name of such client;
 - 2. the date, amount and source of all funds received on behalf of such client;
 - 3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
 - 4. the current balance for such client.
 - ii. a written journal for each client trust fund account that sets forth:
 - 1. the name of such account;
 - 2. the date, amount and client affected by each debit and credit; and,
 - 3. the current balance in such account.
 - iii. all bank statements and cancelled checks for each client trust account; and,
 - iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.
- c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:
- i. each item of security and property held;
 - ii. the person on whose behalf the security or property is held;
 - iii. the date of receipt of the security or property;
 - iv. the date of distribution of the security or property; and,
 - v. the person to whom the security or property was distributed.
2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.
3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

d. Client Trust Accounting School

- Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.

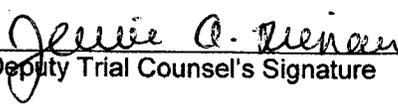
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In the Matter of: MAYRA I. LAUREANO	Case number(s): 10-O-09487; 10-O-09643; Investigation No. 11-O-17554
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SIGNATURE OF THE PARTIES

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.

1-24-12
Date Respondent's Signature  Mayra I. Laureano
Print Name

1/25/12
Date Respondent's Counsel Signature  Jessica A. Lienau
Deputy Trial Counsel's Signature Print Name

(Do not write above this line.)

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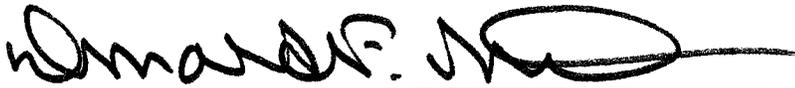
ACTUAL SUSPENSION ORDER

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.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 5.58(E) & (F), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

2/6/12
Date


DONALD F. MILES
Judge of the State Bar Court

CERTIFICATE OF SERVICE

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

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on February 6, 2012, I deposited a true copy of the following document(s):

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

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:

**MAYRA I. LAUREANO
LAW OFC MAYRA I LAUREANO
1522 E 4TH ST
SANTA ANA, CA 92701**

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

JESSICA LIENAU, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on February 6, 2012.



Tammy Cleaver
Case Administrator
State Bar Court