

PUBLIC MATTER

FILED

SEP 15 2011

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

1 STATE BAR OF CALIFORNIA  
OFFICE OF THE CHIEF TRIAL COUNSEL  
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9

10 STATE BAR COURT

11 HEARING DEPARTMENT - SAN FRANCISCO

12  
13  
14 In the Matter of: ) Case No. 11-O-10839 [11-O-11766;  
15 WENDELL D. PETERS, ) 11-O-12691; 11-O-14512]  
No. 150132, )  
16 )  
17 ) NOTICE OF DISCIPLINARY CHARGES  
A Member of the State Bar )

18 **NOTICE - FAILURE TO RESPOND!**

19 **IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE**  
20 **WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT**  
**THE STATE BAR COURT TRIAL:**

- 21 (1) **YOUR DEFAULT WILL BE ENTERED;**  
22 (2) **YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU**  
**WILL NOT BE PERMITTED TO PRACTICE LAW;**  
23 (3) **YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN**  
**THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION**  
**AND THE DEFAULT IS SET ASIDE, AND;**  
24 (4) **YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.**  
**SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE**  
**OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN**  
25 **ORDER RECOMMENDING YOUR DISBARMENT WITHOUT**  
26 **FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,**  
**RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

27 The State Bar of California alleges:







1 10. The allegations of Count One are hereby incorporated by reference.

2 11. By holding himself out as entitled to practice law in California and by practicing law  
3 in California when he knew that he was not entitled to practice law in California, respondent  
4 committed an act or acts involving moral turpitude, dishonesty or corruption, in willful violation  
5 of section 6106 of the Business and Professions Code.

6  
7 COUNT THREE

8 Case No. 11-O-11766  
9 Business and Professions Code, section 6103  
[Failure to Obey a Court Order]

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

14 13. On July 22, 2010, the California Supreme Court filed a disciplinary order (Supreme  
15 Court Case Number S183013) in State Bar Court Case Nos. 06-O-15339 (07-O-10805; 07-O-  
16 11639; 07-O-12708; 07-O-13843; 08-O-10119). A true and correct copy of the order is attached  
17 hereto as Exhibit "1," and is incorporated by this reference.

18 14. The order was effective August 21, 2010 and placed respondent on inactive  
19 enrollment for 90 days, or until November 19, 2010, and until he complied with the financial  
20 conditions associated with his discipline. Specifically, until disciplinary costs are paid in full,  
21 respondent will remain actually suspended from the practice of law unless relief is obtained per  
22 rule 284, Rules of Procedure.<sup>2</sup>

23 15. Notice of the rule 9.20 order was properly served upon respondent in the manner  
24 prescribed by California Rule of Court 9.18(b) at the address respondent maintained with the  
25

26 <sup>2</sup> See Stipulation re Facts, Conclusions of Law and Disposition ("Stipulation") filed December 1, 2009, case nos. 06-  
27 O-15339 et alia, page 2, paragraph A.(8), which states in pertinent part "Payment of Disciplinary Costs –  
28 Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only): [X]  
until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is  
obtained per rule 284, Rules of Procedure.

1 State Bar in accordance with Business and Professions Code section 6002.1, subdivision (a).

2 16. The order further required respondent to comply with the following requirements set  
3 forth in California Rules of Court, rule 9.20 within 30 days of the effective date of the order by  
4 September 20, 2010:

5 17. Notify all clients being represented in pending matters and any co-counsel of his  
6 actual suspension and his subsequent disqualification to act as an attorney effective August 21,  
7 2010. In the absence of co-counsel, respondent must also notify the clients to seek legal advice  
8 elsewhere, calling attention to any urgency in seeking the substitution of another attorney or  
9 attorneys;

10 18. Deliver to all clients being represented in pending matters any papers or other  
11 property to which the clients are entitled or notify the clients and any co-counsel of a suitable  
12 place and time where the papers and other property may be obtained, calling attention to any  
13 urgency for containing the papers or other property;

14 19. Refund any part of fees that are unearned; and

15 20. Notify opposing counsel in pending litigation, or in the absence of counsel, the  
16 adverse parties, of respondent's disqualification to act as an attorney effective August 21, 2010,  
17 and file a copy of the notice with the agency, court, or tribunal before which the litigation is  
18 pending for inclusion in the respective file or files. All notices must contain an address where  
19 communications may be directed to respondent.

20 21. Furthermore, 40 days after the effective date of respondent's disqualification to act as  
21 an attorney, or by September 30, 2010, respondent was required to file with the court an affidavit  
22 showing that he has fully complied with the requirements set forth above. The affidavit was  
23 required to set forth an address where communications may be directed to respondent.

24 22. On or about September 27, 2010, respondent filed a Declaration of Wendell D. Peters  
25 Attesting to Compliance with California Rules of Court, Rule 9.20, a true and correct copy is  
26 attached hereto as Exhibit "1." Respondent declared in the declaration that:

1           23. "I have notified all clients and co-counsel, in matters that were pending on the date  
2 upon which the order to comply with rule 9.20 was filed by certified or registered mail, return  
3 receipt requested, of my consequent disqualification to act as an attorney after the effective date  
4 of the order of suspension/disbarment, and in those cases where I had no co-counsel, I urged the  
5 clients to seek legal advice elsewhere, calling attention to any urgency in seeking another  
6 attorney."

7           24. "As of the date upon which the order to comply with rule 9.20 was filed, I had no  
8 papers or property to which clients were entitled."

9           25. "I notified all opposing counsel or adverse parties not represented by counsel in  
10 matters that were pending on the date upon which the order to comply with rule 9.20 was filed  
11 by certified or registered mail, return receipt requested, of my disqualification to act as an  
12 attorney after the effective date of my suspension, disbarment, or the Supreme Court's  
13 acceptance of my resignation, and filed a copy of my notice to opposing counsel/adverse parties  
14 with the court, agency or tribunal before which litigation was pending for inclusion in its files."

15           26. "In the future, communications may be directed to me at the following address: Same  
16 as current State Bar membership Wendell Peters 130 Maple St., Suite 102, Auburn, CA 95603."

17           27. Prior to on or about December 2009, respondent represented Martin Clark Schwab  
18 ("Schwab") in a matter entitled *People v. Martin Clark Schwab*, Placer County Superior Court,  
19 Case No. 62-089560.

20           28. Respondent never filed or served on opposing counsel a notification of his suspension  
21 effective August 21, 2010 for the matter *People v. Martin Clark Schwab*.

22           29. Respondent never sent his client, Martin Schwab, notification of his suspension  
23 effective August 21, 2010.

24           30. Respondent failed to deliver to the client file to Martin Schwab.

25           31. Respondent failed to notify the court, opposing counsel, and his client Schwab of his  
26 suspension to practice law effective August 21, 2010 for the matter *People v. Martin Clark*  
27 *Schwab*.





1 respondent had agreed to provide legal services, as follows:

2 46. The allegations of Counts Three through Four are hereby incorporated by reference.

3 47. On or about January 25, 2011, an Early Status Conference in the matter, *People v.*  
4 *Martin Clark Schwab*, Placer County Superior Court, Case No. 62-089560, was held. Schwab  
5 appeared in court and was informed by respondent's associate, Robert Young, that Young was  
6 appearing for respondent in the *People v. Martin Clark Schwab* matter.

7 48. In fact, respondent did not inform Schwab that he was suspended from the practice of  
8 law effective August 21, 2010. In fact, respondent did not inform Schwab that Young was  
9 assigned to represent him.

10 49. By failing to inform Schwab that respondent was suspended from the practice of law  
11 effective August 21, 2010 and that Young was appearing for respondent at the Early Settlement  
12 Conference for the *People v. Martin Schwab* matter, respondent failed to keep a client reasonably  
13 informed of significant developments in a matter which respondent had agreed to provide legal  
14 services.

15 COUNT SIX

16 Case No. 11-O-11766  
17 Business and Professions Code, section 6068(a), 6125, 6126  
[Failure to Comply with Laws – Unauthorized Practice of Law]

18 50. Respondent wilfully violated Business and Professions Code, section 6068(a), by  
19 failing to support the Constitution and laws of the United States and of this state, by advertising  
20 or holding himself out as practicing or entitled to practice law or otherwise practicing law when  
21 he was not an active member of the State Bar in violation of Business and Professions Code,  
22 sections 6125 and 6126, as follows:

23 51. The allegations of Count One, paragraphs three through five, and Counts Three  
24 through Five are hereby incorporated by reference.

25 52. At all relevant times herein, respondent has remained ineligible to practice law since  
26 August 21, 2010 to the present.

27 53. On or about December 10, 2010, while respondent was suspended from the practice  
28

1 of law, respondent personally appeared in court on behalf of defendant Schwab, on Defendant's  
2 PC 1538.5 Motion to Suppress Hearing, in the matter, *People v. Martin Clark Schwab*, Placer  
3 County Superior Court, Case No. 62-89560.

4 54. By appearing in court on behalf of defendant Schwab on or about December 10,  
5 2010, by continuing to practice law from on or about December 10, 2010, and by holding  
6 himself out as entitled to practice law in California when he knew that he was not entitled to  
7 practice law in California, respondent held himself out as entitled to practice law when he was  
8 not an active member of the State Bar of California, respondent wilfully violated Business and  
9 Professions Code, sections 6125 and 6126 and thereby failed to abide by and support the laws  
10 of the State of California.

11  
12 COUNT SEVEN

13 Case No. 11-O-11766  
14 Business and Professions Code, section 6106  
[Moral Turpitude-Practicing Law While Suspended]

15 55. Respondent wilfully violated Business and Professions Code, section 6106, by  
16 committing an act involving moral turpitude, dishonesty or corruption, as follows:

17 56. The allegations of Count One, paragraphs three through five, and Counts Three  
18 through Six are hereby incorporated by reference.

19 57. By holding himself out as entitled to practice law in California and by practicing law  
20 in California when he knew that he was not entitled to practice law in California, respondent  
21 committed an act or acts involving moral turpitude, dishonesty or corruption, in willful violation  
22 of section 6106 of the Business and Professions Code.

23  
24 COUNT EIGHT

25 Case No. 11-O-12691  
26 Rules of Professional Conduct, rule 3-700(D)(2)  
[Failure to Refund Unearned Fees]

27 58. Respondent wilfully violated Rules of Professional Conduct, rule 3-700(D)(2), by  
28

1 failing to refund promptly any part of a fee paid in advance that has not been earned, as follows:

2 59. On or about January 26, 2010, Patricia Kaiser ("Kaiser") retained respondent to  
3 represent her in a pending marriage of dissolution action entitled *Patricia Kaiser v. Joseph*  
4 *Kaiser*, Placer County Superior Court, Case No. SDR 1250.

5 60. On or about January 26, 2010, Kaiser paid respondent \$7,000 as advanced fees for his  
6 services.

7 61. On or about March 16, 2010, respondent appeared in court and requested to file an  
8 amended petition for dissolution.

9 62. On or about March 31, 2010, Kaiser paid respondent \$3,000 as advanced fees for his  
10 services, for a total of \$10,000 as advanced fees.

11 63. On or about April 14, 2010, respondent filed an amended petition for dissolution of  
12 marriage and an income expense declaration.

13 64. On or about April 29, 2010, respondent appeared at a hearing for the *Kaiser v. Kaiser*  
14 matter. The matter was continued for a further hearing on June 21, 2010.

15 65. On or about May 25, 2010, Kaiser paid respondent \$2,000 as advanced fees for his  
16 services, for a total of \$12,000 as advanced fees.

17 66. On or about June 21, 2010, respondent failed to appear at the further hearing for the  
18 *Kaiser v. Kaiser* matter. A further hearing was set for September 17, 2010.

19 67. On or about August 25, 2010, respondent sent an e-mail to Kaiser and informed her  
20 of his suspension from the practice of law for 90 days.

21 68. On or about September 10, 2010, Kaiser and respondent executed a substitution of  
22 attorney for the *Kaiser v. Kaiser* matter. The substitution of attorney was not filed with the  
23 court.

24 69. On or about September 14, 2010, respondent faxed a letter to opposing counsel, Gerri  
25 Bray ("Bray") for the *Kaiser v. Kaiser* matter, informing Bray of his suspension from the  
26 practice of law for 90 days. Respondent's letterhead included the signature block "Wendell D.  
27 Peters, Attorney At Law."  
28



1 80. By failing to respond to Kaiser's letter dated December 22, 2010 to provide an  
2 accounting of her fees, respondent failed to render appropriate accounts to a client regarding all  
3 funds coming into respondent's possession.

4 COUNT TEN

5 Case No. 11-O-12691  
6 Business and Professions Code, section 6103  
7 [Failure to Obey a Court Order]

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

12 82. The allegations of Count Three, paragraphs 13 through 26, and Counts Four, Eight  
13 and Nine are hereby incorporated by reference.

14 83. Prior to on or about January 26, 2010, respondent represented Patricia Kaiser in a  
15 matter entitled *Patricia Kaiser v. Joseph Kaiser*, Placer County Superior Court, Case No. SDR  
16 1250.

17 84. On or about August 25, 2010, respondent sent an e-mail to Kaiser and informed her  
18 of his suspension from the practice of law for 90 days. Respondent failed to notify Kaiser of his  
19 suspension from the practice of law by certified mail or registered mail, return receipt requested.

20 85. Respondent failed to deliver the client file to Kaiser.

21 86. Respondent failed to refund any part of fees that were unearned to Kaiser.

22 87. On or about September 14, 2010, respondent faxed a letter to opposing counsel, Gerri  
23 Bray ("Bray") for the *Kaiser v. Kaiser* matter, informing Bray of his suspension from the  
24 practice of law for 90 days. Respondent did not notify opposing counsel by certified or  
25 registered mail, return receipt requested of his suspension from the practice of law effective  
26 August 21, 2010. Respondent did not notify the court of his suspension from the practice of law.

27 88. By failing to notify the court, his client and opposing counsel of his suspension and  
28 subsequent disqualification to practice law for the matter *Kaiser v. Kaiser*, by certified mail or

1 registered mail, return receipt requested, respondent wilfully disobeyed or violated an order of  
2 the court requiring him to do or forbear an act connected with or in the course of respondent's  
3 profession which he ought in good faith to do or forbear.

4 89. By failing to deliver the client file for the matter *Kaiser v. Kaiser*, respondent wilfully  
5 disobeyed or violated an order of the court requiring him to do or forbear an act connected with  
6 or in the course of respondent's profession which he ought in good faith to do or forbear.

7 90. By failing to refund any part of fees that were unearned to Kaiser, respondent wilfully  
8 disobeyed or violated an order of the court requiring him to do or forbear an act connected with  
9 or in the course of respondent's profession which he ought in good faith to do or forbear.

10  
11 COUNT ELEVEN

12 Case No. 11-O-12691  
13 Business and Professions Code, section 6106  
14 [Moral Turpitude – Misrepresentation]

15 91. Respondent wilfully violated Business and Professions Code, section 6106, by  
16 committing an act involving moral turpitude, dishonesty or corruption as follows:

17 92. The allegations of Counts Eight through Ten are incorporated by this reference.

18 93. On or about September 27, 2010, respondent filed a Rule 9.20 declaration under  
19 penalty of perjury.

20 94. In his declaration, respondent stated in paragraph 1 that he notified all clients and co-  
21 counsel of his suspension from the practice of law and sent the notifications by certified mail or  
22 registered mail, return receipt requested. In truth and in fact, respondent notified his client  
23 Patricia Kaiser by e-mail of his suspension from the practice of law.

24 95. In his declaration, respondent stated in paragraph 2 that as of the date upon which the  
25 order to comply with rule 9.20 was filed, he had no papers or property to which clients were  
26 entitled. In truth and in fact, respondent maintained in his possession, Kaiser's client file. In  
27 truth and in fact, respondent failed to deliver the client file to Kaiser.

28 96. In his declaration, respondent stated in paragraph 4 that he notified all opposing  
counsel and tribunals of his suspension from the practice of law and sent notifications by

1 certified or registered mail, return receipt requested and filed a copy of said notice with the court,  
2 agency or tribunals before which litigation was pending for inclusion in its files. In truth and in  
3 fact, respondent notified opposing counsel, Gerri Bray by faxed letter dated September 14, 2010  
4 of his suspension from the practice of law for 90 days. In truth and in fact, respondent failed to  
5 notify the court of his suspension from the practice of law effective August 21, 2010.

6 97. Respondent's declaration was false and misleading because respondent stated that he  
7 notified the court, his clients and opposing counsel of his suspension from the practice of law by  
8 certified mail or registered mail, return receipt requested, when in fact respondent had failed to  
9 notify the court of his suspension from the practice of law and failed to notify his client and  
10 opposing counsel by certified mail or registered mail, return receipt requested of his suspension.

11 98. Respondent's declaration was false and misleading because respondent stated the he  
12 had no papers or property to which clients were entitled when in fact respondent had in his  
13 possession, Patricia Kaiser's client file which he failed to deliver to Kaiser.

14 99. At the time that respondent made the statements in his declaration, respondent knew  
15 that he had failed to notify the court, failed to notify opposing counsel and his client Patricia  
16 Kaiser of his ineligibility to practice law effective August 21, 2010 by certified mail or registered  
17 mail, return receipt requested.

18 100. By making false and misleading statements under penalty of perjury, respondent  
19 committed acts involving moral turpitude, dishonesty or corruption.

20  
21 COUNT TWELVE

22 Case No. 11-O-14512  
23 Business and Professions Code, section 6068(a), 6125, 6126  
[Failure to Comply with Laws – Unauthorized Practice of Law]

24 101. Respondent wilfully violated Business and Professions Code, section 6068(a), by  
25 failing to support the Constitution and laws of the United States and of this state, by advertising  
26 or holding himself out as practicing or entitled to practice law or otherwise practicing law when  
27  
28

1 he was not an active member of the State Bar in violation of Business and Professions Code,  
2 sections 6125 and 6126, as follows:

3 102. The allegations of Count One, paragraphs three through five are hereby  
4 incorporated by reference.

5 103. At all relevant times herein, respondent has remained ineligible to practice law  
6 since August 21, 2010 to the present.

7 104. Prior to on or about March 2, 2011, respondent represented Lizabeth Emily  
8 Peterson ("Peterson") in the matter, *People v. Lizabeth Emily Peterson*, Sonoma County Superior  
9 Court, Case No. SCR-595468.

10 105. Respondent made a total of four personal appearances on behalf of defendant  
11 Peterson, on March 2, 2011, April 1, 2011, May 2, 2011 and May 26, 2011 in the matter *People*  
12 *v. Lizabeth Emily Peterson*, Sonoma County Superior Court, Case No. SCR-595468:

- 13 • On March 2, 2011, respondent appeared with defendant Peterson at the arraignment  
14 and entered a not guilty plea, and waived his client's speedy trial rights. A further  
15 hearing was set for April 1, 2011 at 8:30 a.m. in Courtroom 2.
- 16 • On April 1, 2011, respondent personally appeared on behalf of his client and again  
17 entered a time waiver. A settlement conference was set for May 2, 2011 at 10:30  
18 a.m., in Courtroom 2 in *People v. Lizabeth Emily Peterson*, Sonoma County Superior  
19 Court, Case No. SCR-595468.
- 20 • On May 2, 2011, respondent personally appeared at a settlement conference on behalf  
21 of his client. Respondent did not object to the jury trial setting for July 1, 2011 at  
22 10:30 a.m., in Courtroom 2. Respondent was ordered to refile Defendant's Motion to  
23 Suppress Evidence in the Clerk's office by May 6, 2011. The Court set the hearing  
24 date on the Motion to Suppress for May 26, 2011 at 10:30 a.m. in Courtroom 2.
- 25 • On May 26, 2011, respondent personally appeared on behalf of his client. The court  
26 informed respondent that he was not eligible to practice law. The Court vacated  
27 Defendant's PC 1538.5 Motion to Suppress Hearing. Jury trial set for July 1, 2011.





1 123. By practicing law while suspended and by holding himself out as entitled to  
2 practice law in California when he knew that he was not entitled to practice law in California,  
3 respondent committed an act or acts involving moral turpitude, dishonesty or corruption.

4 124. At the time that respondent collected \$500 in advanced fees from Hudson,  
5 respondent knew that he was billing Hudson for legal services while he was suspended from the  
6 practice of law. By collecting \$500 in advanced fees at a time when respondent knew he was  
7 not entitled to practice law, respondent committed an act or acts involving moral turpitude,  
8 dishonesty or corruption in willful violation of section 6106 of the Business and Professions  
9 Code.

10 **NOTICE - INACTIVE ENROLLMENT!**

11 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR  
12 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE  
13 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL  
14 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO  
15 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN  
16 INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE  
17 ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE  
18 RECOMMENDED BY THE COURT.**

19 **NOTICE - COST ASSESSMENT!**

20 **IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC  
21 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS  
22 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING  
23 AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND  
24 PROFESSIONS CODE SECTION 6086.10.**

25 Respectfully submitted,

26 THE STATE BAR OF CALIFORNIA  
27 OFFICE OF THE CHIEF TRIAL COUNSEL

28 DATED: September 15, 2011

By: 

SUSAN CHAN  
Deputy Trial Counsel

Assigned Deputy Trial Counsel  
Wonder J. Liang



(State Bar Court Nos. 06-O-15339 (07-O-10805; 07-O-11639; 07-O-12708; 07-O-13843; 08-O-10119))

**S183013**

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

JUL 22 2010

In re WENDELL DEAN PETERS on Discipline

The court orders that Wendell Dean Peters, State Bar Number 150132, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for five years subject to the following conditions:

1. Wendell Dean Peters is suspended from the practice of law for the first 90 days of probation;
2. Wendell Dean Peters must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 1, 2009; and
3. At the expiration of the period of probation, if Wendell Dean Peters has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Wendell Dean Peters must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Wendell Dean Peters must also comply with rule 9.20 of the 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 this order. Failure to do so may result in disbarment or suspension.



Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**GEORGE**

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Chief Justice

I, Frederick K. Ohlrich, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court as shown by the records of my office.

Witness my hand and the seal of the Court this

22 day of July 2010

By: J. Casados  
Deputy

Counsel for Respondent:	Case Number(s): <u>5183013(06-0.15339)</u> <i>etal.</i>	For Court's Use Only: <b>SEP 29 2010</b> STATE BAR COURT CLERK'S OFFICE LOS ANGELES
In the Matter of <u>Wendell D. Peters</u> A Member of the State Bar of California	RULE 9.20 COMPLIANCE DECLARATION	

I, Wendell D. Peters, State Bar member number 15032, have been ordered to comply with the provisions of subdivisions (a) and (c) of rule 9.20, California Rules of Court, as part of a suspension ordered by the State Bar Court or Supreme Court, or an order of disbarment or an order accepting my resignation by the Supreme Court.

[Answer each question by checking one box per question. If neither option is correct, attach a declaration under penalty of perjury explaining your situation.]

Within 30 days of the effective date of the order of suspension/disbarment/acceptance of resignation ("effective date"): (See rule 9.18(a), California Rules of Court):

- I notified all clients and co-counsel, in matters that were pending on the date upon which the order to comply with rule 9.20 was filed by certified or registered mail, return receipt requested, of my consequent disqualification to act as an attorney after the effective date of the order of suspension/disbarment, and in those cases where I had no co-counsel, I urged the clients to seek legal advice elsewhere, calling attention to any urgency in seeking another attorney.  
 As of the date upon which the order to comply with rule 9.20 was filed, I had no clients.
- I delivered to all clients any papers or other property to which the clients were entitled, or notified clients and co-counsel, if any, of a suitable time and place where the papers or other property could be obtained, and called attention to any urgency for obtaining the papers or other property.  
 As of the date upon which the order to comply with rule 9.20 was filed, I had no papers or other property to which clients were entitled.
- I refunded fees paid, any part of which had not been earned.  
 As of the date upon which the order to comply with rule 9.20 was filed, I had earned all fees paid to me.
- I notified all opposing counsel or adverse parties not represented by counsel in matters that were pending on the date upon which the order to comply with rule 9.20 was filed by certified or registered mail, return receipt requested, of my disqualification to act as an attorney after the effective date of my suspension, disbarment, or the Supreme Court's acceptance of my resignation, and filed a copy of my notice to opposing counsel/adverse parties with the court, agency or tribunal before which litigation was pending for inclusion in its files.  
 As of the date upon which the order to comply with rule 9.20 was filed, I did not represent any clients in pending matters.
- In the future, communications may be directed to me at the following address:  
Same as Current State Bar Membership  
Wendell Peters 130 Maple St, Suite 102 Auburn, CA 95602

[If this is not your current State Bar membership address, this declaration will change your membership address. See Bus. & Prof. Code §6002.1(b)]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Auburn, California, on September 27, 2010

Wilful failure to comply with the provisions of rule 9.20 may result in revocation of probation; suspension; disbarment; denial of reinstatement; or, contempt or conviction.

[Signature]  
Wendell Peters  
(Print Name)

**CERTIFICATE OF SERVICE**

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Deputy Court Clerk 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 October 1, 2010, I deposited a true copy of the following document(s):

**RULE 9.20 COMPLIANCE DECLARATION**

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

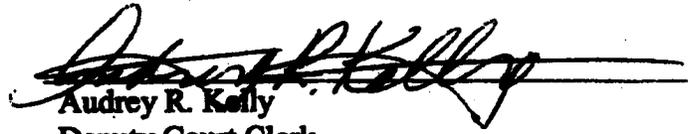
by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

N/A

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

**TERRIE GOLDADE, OFFICE OF PROBATION, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 1, 2010.

  
Audrey R. Kelly  
Deputy Court Clerk  
State Bar Court

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**DECLARATION OF SERVICE BY CERTIFIED AND REGULAR MAIL**

**CASE NUMBERS: 11-O-10839; [11-O-11766; 11-O-12691; 11-O-14512]**

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco, on the date shown below, a true copy of the within

**NOTICE OF DISCIPLINARY CHARGES**

in a sealed envelope placed for collection and mailing as *certified mail, return receipt requested*, and in an additional sealed envelope as *regular mail*, at San Francisco, on the date shown below, addressed to:

**Article No.: 7160 3901 9849 1845 9260**  
**Wendell D. Peters**  
**Law Ofc Wendell D Peters**  
**130 Maple Street, Ste. 102**  
**Auburn, California 95603**

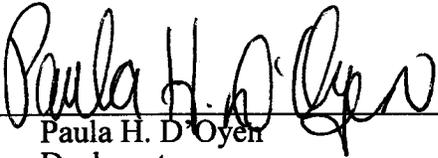
in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: September 15, 2011

Signed: \_\_\_\_\_

  
Paula H. D'Oyen  
Declarant