

COPY

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6 Respondent In Pro Per

FILED
APR 11 2014
STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

7
8 STATE BAR COURT
9 HEARING DEPARTMENT - LOS ANGELES

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11 In the matter of:) Case No.: 13-N-17388-RAH
12 MICHAEL B. STONE,)
13 No. 160177,) RESPONSE TO AMENDED NOTICE OF
14 A Member of the State Bar.) DISCIPLINARY CHARGES
15) Assigned to Honorable
16) Richard A. Honn, Judge
17)
18) Trial date: July 18, 2014

19 TO THE STATE BAR OF CALIFORNIA, OFFICE OF CHIEF TRIAL
20 COUNSEL, AND TO ITS ATTORNEYS OF RECORD:

21 RESPONDENT, MICHAEL B. STONE, responds to the Amended
22 Notice of Disciplinary Charges ("ANDC") filed in this action as
23 follows:

24 1. Respondent admits the allegations set forth in
25 Paragraph 1 of the ANDC.

26 2. Respondent denies the allegations set forth in
27 Paragraph 2 of the ANDC.

3. If Respondent violated Rule 9.20, the violation was
not willful. Specifically, to the extent that Rule 9.20 required



1 Respondent to make monetary payments to any other persons or
2 entities by October 31, 2013, Respondent lacked the ability to
3 do so.

4 **AFFIRMATIVE DEFENSES AND/OR MITIGATING FACTS**

5 5. Respondent's conduct does not merit the imposition of
6 discipline as requested by the State Bar, or at all.

7 6. Respondent complied with Rule 9.20 to the best of his
8 ability by timely filing full, accurate, complete, and truthful
9 declaration(s) with the Office of Probation.

10 7. Respondent has fully and with interest paid all
11 persons referenced in the Order, all persons to whom Respondent
12 owed unearned fees, and the State Bar Client Security Fund, all
13 prior to the filing of the Notice of Disciplinary Charges.

14 8. All payments were made within the time limits
15 prescribed by the Supreme Court.

16 9. The Supreme Court Order (Exhibit 1 to ANDC)(the
17 "Order") was vague, ambiguous, and/or internally inconsistent.

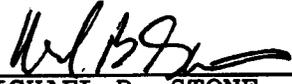
18 10. At all times relevant hereto, Respondent has been
19 candid with the State Bar and has cooperated with all State Bar
20 investigations.

21 11. By its conduct, the State Bar is estopped from, or has
22 waived, the present right to discipline Respondent for
23 nonpayment of financial obligations, or to seek a particular
24 level of discipline. In particular, in consideration of
25 Respondent's agreement to a stipulated disciplinary order on or
26 about March 22, 2013, the State Bar promised Respondent it would
27 not further discipline him, nor would it seek his disbarment,

1 for nonpayment of financial obligations during the period of
2 Respondent's probation.

3 12. Respondent reserves the right to introduce oral and/or
4 documentary evidence tending to further explain and/or mitigate
5 the allegations contained in the NDC.

6 Dated: April 8, 2014

7
8 
9 MICHAEL B. STONE
Respondent In Pro Per

10 **VERIFICATION**

11 My name is Michael B. Stone and I am the Respondent herein.
12 I declare under penalty of perjury under the laws of the State
13 of California that the foregoing is true and correct. Executed
14 at Las Vegas, Nevada this 8th day of April, 2014.

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17 MICHAEL B. STONE
18 Respondent In Pro Per

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PROOF OF SERVICE BY MAIL

I am over 18 years old and not a party to this action. My business address is 848 North Rainbow Boulevard, #1799, Las Vegas, Nevada 89107. On April 8, 2014, I served the document

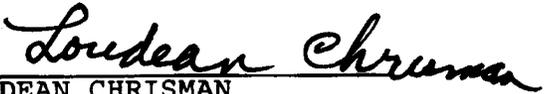
RESPONSE TO AMENDED NOTICE OF DISCIPLINARY CHARGES

on the interested parties: I placed a true copy thereof in a sealed envelope, first class CERTIFIED MAIL postage prepaid, addressed and mailed as follows:

Sherell N. McFarlane, Esq.
Office of Chief Trial Counsel
845 South Figueroa Street
Los Angeles, CA 90017-2515

Mr. Paul Barona, Case Administrator
State Bar Court of California
845 South Figueroa Street
Los Angeles, CA 90017-2515

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in Las Vegas, Nevada this 8th day of April, 2014.


LOUDEAN CHRISMAN