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State Bar Court of California SELECT DEPARTMENT SELECT VENUE DISBARMENT		
Counsel for the State Bar Click or tap here to enter text. State Bar # <input type="text" value="State Bar Number"/>	Case Number(s): <input type="text" value="Case Number(s)"/>	For Court use only
SELECT ONE Click or tap here to enter text. State Bar # <input type="text" value="State Bar Number"/>		
In the Matter of: Click or tap here to enter text. State Bar # <input type="text" value="State Bar Number"/> (Respondent)	Submitted to: <input type="text" value="SELECT ONE"/> STIPULATION RE FACTS, CONCLUSIONS OF LAW, AND DISPOSITION ORDER APPROVING STIPULATION AND ORDER OF INVOLUNTARY INACTIVE ENROLLMENT (to be attached by court clerk upon State Bar Court approval of stipulation) DISBARMENT <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

Note: All information required by this form shall be included in the spaces provided below, unless an attachment is specifically required by the form. A full list of stipulation forms can be found [here](#).

A. Parties' Acknowledgments:

- (1) Respondent is an attorney licensed by the State Bar of California, admitted .
- (2) Proposed stipulations for disposition are not binding on the Supreme Court. The parties agree to be bound by the factual stipulations set forth in **section C**, below, even if the conclusions of law or stipulated disposition are rejected by the State Bar Court or 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.
- (4) The stipulation, including all attachments, consists of pages, not including the proof of service.
- (5) The stipulation contains a statement, included in **section B**, below, that the Respondent either:
 - (a) admits the truth of the facts comprising the stipulation and admits culpability for misconduct; or
 - (b) pleads nolo contendere to those facts and misconduct.

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- (6) The stipulation contains a statement of facts in **section C**, below, supporting the acts or omissions acknowledged by Respondent as cause for discipline.
- (7) Conclusions of law, drawn from and specifically referring to the facts set forth in **section C** are included in **section D**, below.
- (8) Dismissed charge(s)/count(s) are also included in **section D**, below.
- (9) Aggravating and mitigating circumstances are included in **sections E and F**, below. An authenticated copy of any prior record of discipline, as specified in Hearing Department [General Order 17-07](#) filed October 19, 2017, must be attached.
- (10) Supporting authority for the recommended level of discipline is included in **section G**, below.
- (11) No more than 30 days prior to the submission of this stipulation to the State Bar Court, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for any law enforcement agencies' criminal investigations.
- (12) Any stipulation submitted in a proceeding pursuant to Business and Professions Code section 6049.1 must also attach supporting documents, as specified in Hearing Department [General Order 17-07](#) filed October 19, 2017.
- (13) The parties waive any variance/discrepancy between any Notice of Disciplinary Charges filed in this matter and the factual statements and conclusions of law set forth in this stipulation.
- (14) Any monetary requirements imposed in this matter shall be considered satisfied or waived when authorized by applicable law or orders of any court.
- (15) **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 5.111(D)(1).
- (16) Upon State Bar Court approval of this stipulation, the court clerk will file the stipulation with the Order Approving Stipulation and Order of Involuntary Inactive Enrollment attached.
- (17) **Additional Acknowledgements by the Parties:**

Click or tap here to enter text.

B. Plea Statement:

- (1) **Respondent Admits Culpability**
Respondent admits the truth of the facts comprising the stipulation and admits culpability for misconduct; or
- (2) **Respondent Pleads Nolo Contendere**
Respondent pleads nolo contendere to the facts comprising the stipulation and culpability for misconduct.
 - As set forth in the **separate attachment entitled [Nolo Contendere Plea](#)**, the stipulation shows “that the attorney understands that the plea is treated as an admission of the stipulated facts and an admission of culpability.” (Rules Proc. of State Bar, rule 5.56(B).)

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C. Factual Stipulations:

[Enter Facts Here. If Stipulation Resolves Multiple Cases, Include a Heading for Each Case.]

D. Conclusions of Law:

[1] If Any Dismissals – List Case Number, Count, and Alleged Violation Here.

[2] Enter Conclusions of Law Referring to Facts Set Forth in Section C.

E. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]:

[List Aggravating Circumstances Referring to the Facts Set Forth in Section C and Any Additional Supporting Facts.]

F. Mitigating Circumstances [Standards 1.2(i) & 1.6]:

[List Mitigating Circumstances Referring to the Facts Set Forth in Section C and Any Additional Supporting Facts.]

G. Discussion of Recommended Level of Discipline and Authorities Supporting Discipline:

[Discuss Recommended Level of Discipline and Authorities in This Section.]

H. Recommended Discipline:

Disbarment:

Respondent is disbarred from the practice of law in California, and Respondent's name is stricken from the roll of attorneys.

I. Additional Requirements:

- (1) **California Rules of Court, Rule 9.20.** It is recommended that Respondent be ordered to comply with California Rules of Court, rule 9.20, and to perform the acts specified in (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date the Supreme Court order imposing discipline in this matter is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of the Supreme Court order imposing discipline]).

Respondent is required to file a rule 9.20(c) affidavit even if Respondent has no clients to notify on the date the Supreme Court filed its order in this proceeding. (*Powers v. State Bar* (1988) 44 Cal.3d 337, 341.) In addition to being punished as a crime or contempt, an attorney's failure to comply with rule 9.20 is, inter alia, cause for disbarment, suspension, revocation of any pending disciplinary probation, and denial of an application for reinstatement after disbarment. (Cal. Rules of Court, rule 9.20(d).) The court-approved Rule 9.20 Compliance Declaration form is available on the State Bar Court website under "[Forms](#)."

- (2) **Restitution.** Respondent must make restitution, including the principal amount plus 10 percent interest per year to each of the following payee(s) or such other recipient(s) as may be designated by the State Bar's Office of Case Management & Supervision (OCMS) or the State Bar Court (or reimburse(s) the Client Security Fund, to the extent of any payment from the Fund to such payee(s), in accordance with

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Business and Professions Code section 6140.5). Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law:

Payee	Principal Amount	Interest Accrues From
NAME	\$AMOUNT	DATE
NAME	\$AMOUNT	DATE
NAME	\$AMOUNT	DATE
NAME	\$AMOUNT	DATE
<input type="checkbox"/> Additional payees listed in an attachment to this form. See page number(s) PAGE #		

(3) **Payment of Monetary Sanctions.** Respondent acknowledges Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are payable through Respondent's "My State Bar Profile" account. Further inquiries related to payment of monetary sanctions should be directed to the State Bar's Division of Regulation. It is further recommended that (check one option only):

Respondent be ordered to pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$ENTER AMOUNT in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. Monetary sanctions must be paid in full as a condition of reinstatement or return to active status, unless time for payment is extended pursuant to rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions in the above amount are recommended because [INSERT REASON].

Respondent be ordered to pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$ENTER AMOUNT in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions must be paid in installments of Enter Installment Ratio per year, on or before February 1 of each of the years INSERT YEARS. If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance is due and payable immediately. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. Monetary sanctions in the above amount are recommended because [INSERT REASON]. Respondent may pay the monetary sanctions in installments because [INSERT REASON].

Respondent be ordered to pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$ENTER AMOUNT in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. The time to pay such monetary sanctions is extended, and Respondent must pay the sanctions by INSERT DATE. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. Monetary sanctions in the above amount are recommended because [INSERT REASON]. The time to pay such monetary sanctions is extended because [INSERT REASON].

Monetary sanctions are entirely waived because [INSERT REASON].

(4) **Payment of Disciplinary Costs.** Respondent acknowledges the provisions of Business and Professions Code sections 6086.10 and 6140.7. Costs are payable through Respondent's "My State Bar Profile" account. Further inquiries related to payment of costs should be directed to the State Bar's Division of Regulation. It is further recommended that (check one option only):

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Costs be 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, and may be collected by the State Bar through any means permitted by law. Unless the time for payment of discipline costs is extended pursuant to subdivision (c) of section 6086.10, costs assessed against an attorney who is actually suspended or disbarred must be paid as a condition of applying for reinstatement or return to active status.

Costs are waived in part as follows: [Click or tap here to enter text.](#)

Costs are entirely waived.

(5) **Other Requirements:** It is further recommended that Respondent be ordered to comply with the following additional requirements: [SPECIFY](#).