


Counsel for the State Bar THE STATE BAR OF CALIFORNIA OFFICE OF THE CHIEF TRIAL COUNSEL CHARLES T. CALIX, No. 146853 1149 SOUTH HILL STREET LOS ANGELES, CA 90015-2299	Case number(s) 02-C-10102 PUBLIC MATTER kwiktag® 031 974 597 	(for Court's use) FILED JUL 30 2003 STATE BAR COURT CLERKS OFFICE LOS ANGELES
Counsel for Respondent JOHN M. HAUSHALTER 200 E. SANDPOINTE AVE., #750 SANTA ANA, CA 92707	Submitted to <input checked="" type="checkbox"/> assigned judge <input type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input checked="" type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of JAMES VICTOR KURKHILL Bar # 168539 A Member of the State Bar of California (Respondent)		

A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted December 13, 1993
(date)
- (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 and order consist of 13 pages.
- (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) 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.
- (7) 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 284, Rules of Procedure.
 - costs to be paid in equal amounts prior to February 1 for the following membership years:
2004
 (hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
 - costs waived in part as set forth under "Partial Waiver of Costs"
 - costs entirely waived

Note: All information required by this form and any additional information which cannot be provided in the space provided, shall be set forth in the text component of this stipulation under specific headings, i.e. "Facts," "Dismissals," "Conclusions of Law."

B. Aggravating Circumstances [for definition, see Standards for Attorney Sections 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 _____
- (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 or under "Prior Discipline".
- (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.
- (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 to 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.
- (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:

- (14) No prior discipline since December 13, 1993.

D. Discipline

1. Stayed Suspension.

- A. Respondent shall 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 to _____ [payee(s)] (or the Client Security Fund, if appropriate), in the amount of _____, plus 10% per annum accruing from _____ and provides proof thereof to the Probation Unit, Office of the Chief Trial Counsel
 - iii. and until Respondent does the following: _____
- B. The above-referenced suspension shall be stayed.

2. Probation.

Respondent shall be placed on probation for a period of Two (2) years which shall commence upon the effective date of the Supreme Court order herein. (See rule 953, California Rules of Court.)

3. Actual Suspension.

- A. Respondent shall be actually suspended from the practice of law in the State of California for a period of Thirty (30) days
- 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 to _____ [payee(s)] (or the Client Security Fund, if appropriate), in the amount of _____, plus 10% per annum accruing from _____ and provides proof thereof to the Probation Unit, Office of the Chief Trial Counsel
 - 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 shall remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent shall comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) Within ten (10) days of any change, Respondent shall report to the Membership Records Office of the State Bar and to the Probation Unit, 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) Respondent shall submit written quarterly reports to the Probation Unit on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, respondent shall state whether respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all

than 30 days, that report shall be submitted on the next quarterly 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.

- (5) Respondent shall be assigned a probation monitor. Respondent shall 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 shall furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Probation Unit. Respondent shall cooperate fully with the probation monitor.
- (6) Subject to assertion of applicable privileges, Respondent shall answer fully, promptly and truthfully any inquiries of the Probation Unit of the Office of the Chief Trial Counsel 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.
- (7) Within one (1) year of the effective date of the discipline herein, respondent shall provide to the Probation Unit 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. See Attachment as Page 6
- (8) Respondent shall comply with all conditions of probation imposed in the underlying criminal matter and shall so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Probation Unit.
- (9) 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 type="checkbox"/> Financial Conditions |
- (10) Other conditions negotiated by the parties:
- Multistate Professional Responsibility Examination: Respondent shall provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Probation Unit of the Office of the Chief Trial Counsel 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 951(b), California Rules of Court, and rule 321(a)(1) & (b), Rules of Procedure.
- No MPRE recommended.
- Rule 955, California Rules of Court: Respondent shall comply with the provisions of subdivisions (a) and (c) of rule 955, California Rules of Court, within 30 and 40 days, respectively, from the effective date of the Supreme Court order herein.
- Conditional Rule 955, California Rules of Court: If Respondent remains actually suspended for 90 days or more, he/she shall comply with the provisions of subdivisions (a) and (c) of rule 955, California Rules of Court, within 120 and 130 days, respectively, from the effective date of the Supreme Court order herein.
- Credit for Interim Suspension [conviction referral cases only]: Respondent shall be credited for the period of his/her interim suspension toward the stipulated period of actual suspension.

E. Additional Conditions of Probation

Supplement to paragraph (7)

No ethics school recommended as the misconduct warranting discipline does not arise out of conduct or acts done in the court of Respondent's relations as an attorney, and are not acts involving dishonesty, moral turpitude, corruption or offenses related thereto, and because there are no aggravating circumstances and there has been no prior discipline since being admitted to the State Bar in December 13, 1993.

In the Matter of

JAMES VICTOR KIRHILL

Case Number(s):

02-C-10102

A Member of the State Bar

Financial Conditions

- a. Respondent shall pay restitution to Christopher Northcutt [payee(s)] (or the Client Security Fund, if appropriate), in the amount(s) of \$50.00, plus 10% interest per annum accruing from September 2, 2001, and provide proof thereof to the Probation Unit, Office of the Chief Trial Counsel,
- ~~thirty (30) days~~ Thirty (30) days after the effective date of the Supreme Court or Order, receipt of which is acknowledged hereby.
- on the payment schedule set forth on the attachment under "Financial Conditions, Restitution."
- b. 1. If respondent possesses client funds at any time during the period covered by a required quarterly report, respondent shall file with each required report a certificate from respondent and/or a certified public accountant or other financial professional approved by the Probation Unit, 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 Probation Unit 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.
- c. Within one (1) year of the effective date of the discipline herein, respondent shall supply to the Probation Unit 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.

(Financial Conditions form approved by SBC Executive Committee 10/16/00)

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: James Victor Kurkhill

CASE NUMBER(S): 02-C-10102

BACKGROUND INFORMATION, FACTS AND CONCLUSIONS OF LAW.

James Victor Kurkhill ("Respondent") admits the following facts are true and that he is culpable of violations of the following specified statutes and/or Rules of Professional Conduct.

A. Background Information and Facts

Respondent was admitted to the State Bar of California on December 13, 1993.

The incident which resulted in Respondent's criminal conviction occurred on Sunday, September 2, 2001, at approximately 4:48 p.m. Respondent was driving with his five-year old daughter to a friend's home in Laguna Beach, California, when he became involved in an altercation with the occupants of another vehicle, Christopher Northcutt ("Northcutt") and William Moldenhauer ("Moldenhauer").

The altercation occurred when Northcutt, who was driving, was forced to quickly change lanes to avoid a collision with Respondent's vehicle as it ran a red light. Respondent was unaware that he had ran a red light or of any reason for the victims to be angry with him. Northcutt and Moldenhauer yelled at Respondent and made obscene gestures towards him. The altercation continued as the vehicles driven by Respondent and Northcutt proceeded down Laguna Canyon Road into the City of Laguna Beach.

At some point while the vehicles driven by Respondent and Northcutt were driving along Laguna Canyon Road, Respondent placed his vehicle behind the vehicle driven by Northcutt and began to tailgate. Northcutt began a pattern of changing lanes to avoid Respondent's vehicle.

Northcutt and Moldenhauer became concerned about Respondent's actions and pulled into the parking lot of a market. Northcutt and Moldenhauer exited Northcutt's vehicle and stood next to it yelling at Respondent. Respondent parked his vehicle on the street and drew a knife with a 4 inch blade and proceeded towards Northcutt and Moldenhauer with the knife held in

front of him. Northcutt and Moldenhauer stood and yelled at Respondent while Respondent approached them. Respondent claims that he had no intention to approach either Northcutt and Moldenhauer or use his knife as a weapon against either Northcutt or Moldenhauer and that his singular intent was to puncture a tire of Northcutt's vehicle.

Northcutt claims that Respondent approached Northcutt until the knife was as close as approximately 12 inches from his chest, Northcutt then backed up, turned around and ran. Moldenhauer claims that Respondent then quickly approached him in the same manner and that Moldenhauer turned and ran away when the knife was 24 to 36 inches from his person.

Respondent plunged his knife into the right rear tire of Northcutt's vehicle, walked back to his car and drove away.

On or about October 22, 2001, the Orange County District Attorney's Office charged Respondent as follows: (a) Penal Code section 417(a)(1), Brandishing a Deadly Weapon; (b) Penal Code section 594(a), Vandalism in an amount under \$400; and (c) Vehicle Code section 10852, Unlawful Tampering with Vehicle.

On or about November 19, 2001, Respondent filed a civil complaint against "Doe defendants" asserting causes of action for: (a) assault, (b) intentional infliction of emotional distress and (c) vicarious liability of minor's parents ("Complaint"). On or about January 11, 2002, Respondent served special interrogatories and requests for production seeking to determine if either Northcutt or Moldenhauer had a criminal background.

In or about February 2002, Moldenhauer's attorney filed a Motion to Strike the Complaint arising from Free/Speech/Petition Rights, *i.e.*, an anti-SLAPP motion under Code of Civil Procedure section 425.16. Respondent opposed the motion and the tentative ruling was to deny the motion. Respondent dismissed the complaint before the motion was heard on March 8, 2002.

On July 23, 2002, Respondent pled guilty to the following counts: (a) Vehicle Code section 10852, Unlawful Tampering with Vehicle; and (b) Penal Code section 415(1), Fighting or Challenging another to Fight. The District Attorney dismissed the following counts: (a) Penal Code section 417(a)(1), Brandishing a Deadly Weapon; and (b) Penal Code section 594(a), Vandalism in an amount under \$400. Respondent was sentenced to three years probation, 30 days of Caltrans, restitution, etc.

B. Conclusions of Law

By pleading guilty to Vehicle Code section 10852, Unlawful Tampering with Vehicle; and Penal Code section 415(1), Fighting or Challenging another to Fight, Respondent has been convicted of misdemeanors constituting misconduct warranting discipline.

PENDING PROCEEDINGS.

The disclosure date referred to, on page one, paragraph A.(6), was April 17, 2003.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of April 17, 2003, the estimated prosecution costs in this matter are approximately \$951.00. Respondent acknowledges that this figure is an estimate only and that it does not include State Bar Court costs which will be included in any final cost assessment. 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.

The parties agree that disciplinary costs shall be added to and become a part of the State Bar membership fees for the year 2004.

AUTHORITIES SUPPORTING DISCIPLINE.

There are no cases on point which involve any of the violations that Respondent was charged with or to which Respondent pled guilty. However, cases which involve similar offenses indicate that the appropriate range of discipline for respondent's misconduct runs from 30 to 90 days of actual suspension.

In *In re Hickey* (1990) 50 Cal.3d 571, Respondent violated Cal. Penal Code §12025(b) (carrying a concealed weapon) and Business and Professional Code 2-111 (failure to properly withdraw from employment). Respondent was arrested after the police were called to his residence due to a domestic disturbance. As the police arrived at the house respondent emerged from his property carrying a handgun which protruded from the top of his waistband. Also stipulated as a circumstance surrounding his conviction was an altercation which had occurred one month earlier between respondent and his wife. At that time respondent had beaten and slapped his wife after she had danced with another man at a bar. When a bystander tried to intervene respondent swung a metal sign at bystanders causing an injury to his arm.

The Supreme Court found that respondent acts of violence arose from his abuse of alcohol. The Supreme Court also found that respondent's conduct did not involve moral turpitude but was misconduct warranting discipline. The Supreme Court ordered that respondent be suspended for three years (stayed), and be actually suspended for thirty (30) days.

In *In the Matter of Stewart* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr 52, Respondent was convicted of the misdemeanor of battery on a police officer (Cal. Penal Code §243(c)). The Review Department found that though no moral turpitude was involved, respondent's conviction did warrant discipline. The Review Department recommended that respondent be suspended for two years (stayed), and be actually suspended for sixty (60) days. Respondent had also been convicted of subsequent discipline two years after the police incident which included an actual suspension of ninety days. The Review Department considered the prior discipline as an aggravating factor, but also noted that both incidents occurred less than a year apart from one another and were fundamentally different in nature. For this reason, the Review Department stated that greater discipline than that called for in the previous proceeding (in accordance with Standard 1.7(a)) was not necessary.

In *In the Matter of Burns* (Review Dept. 1995) 3 Cal. State Bar Ct. Rptr. 406, Respondent was convicted for assault with a firearm (Cal. Penal Code 245(a)(2)), with the enhancement that he discharged the weapon at an occupied motor vehicle which caused great bodily injury to one of the passengers (Penal Code 12022.5(b)). The conviction resulted from an altercation between respondent and another car who attempted to pass him on a crowded freeway. After a confrontation between the two, the other car pulled up to Respondent's car and broke his window with a baseball bat. At the time, Respondent believed he was being shot at. Respondent removed a handgun from his glove compartment and fired a single round at the other car, hitting the back seat passenger.

In determining the appropriate level of discipline the Review Department took into account, "the harm to the victim, Respondent's status as a police officer, and Respondent's honest belief that he was in danger." *Id.* at 414. The Review Department noted that respondent found himself in a very difficult and emotional situation where he honestly believed he was in danger. However the Review Department also stated that respondent was not blameless, since he did in fact participate in the confrontation on a crowded freeway, and unlawfully fired his weapon at an occupied car resulting in serious injury. The Review Department held that, "as stated by the Supreme Court, where an attorney's criminal act involves actual physical harm to a particular individual, the necessary showing of mitigating circumstances increases accordingly." *Id.* at 415.

The Review Department determined that due to the facts and circumstances surrounding the conviction, plus significant mitigating circumstances, the appropriate discipline was to place respondent on probation for two years, and to suspend respondent for two years (stayed). Further, the Review Department determined that the ten and a half months of interim suspension actually served by the respondent was enough, and that no additional actual suspension time was warranted.

6/27/03
Date


Respondent's signature

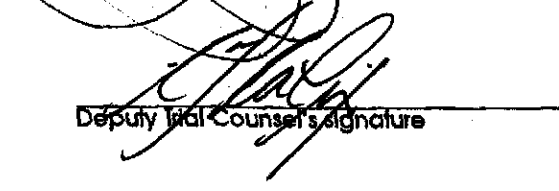
MES V. ~~KIRKILL~~ KURKILL
print name

JUNE 26, 2003
Date


Respondent's Counsel's signature

JOHN M. HAUSHALTER
print name

JULY 10, 2003
Date


Deputy Trial Counsel's signature

CHARLES T. CALIX
print name

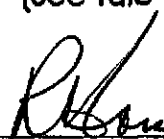
ORDER

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.

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 953(a), California Rules of Court.)

7/29/03
Date


Judge of the State Bar Court

RICHARD A. HONN

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

I am a Case Administrator of the State Bar Court. 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 July 30, 2003, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION
AND ORDER APPROVING, filed July 30, 2003**

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

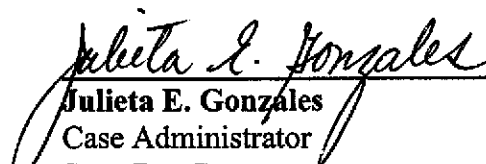
- [X] by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**JOHN M HAUSHALTER ESQ
NEAL HAUSHALTER & RAY LLP
200 E SANDPOINTE AVE #750
SANTA ANA, CA 92707**

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

Charles T. Calix, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **July 30, 2003**.



Julieta E. Gonzales
Case Administrator
State Bar Court