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State Bar Court of California		
Hearing Department <input checked="" type="checkbox"/> Los Angeles		<input type="checkbox"/> San Francisco
Counsel for the State Bar Gordon L. Grenier Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1237 Bar # 225430	Case number(s) 04-0-12616	(for Court's use) <div style="text-align: center; font-size: 2em; font-weight: bold;">FILED</div> <div style="text-align: center; font-size: 1.2em;">JUN 16 2005</div> <div style="text-align: center; font-size: 0.8em;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</div>
<input type="checkbox"/> Counsel for Respondent <input checked="" type="checkbox"/> In Pro Per Respondent Michael E. Manning 970 Village Oakes Dr., #103 Covina, CA 91724-0609 (626) 732-3750 Bar # 149757	PUBLIC MATTER	
In the Matter of MICHAEL E. MANNING Bar # 149757 A Member of the State Bar of California (Respondent)	Submitted to <input type="checkbox"/> assigned judge <input checked="" type="checkbox"/> settlement judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

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 December 4, 1990
(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) 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.

ORIGINAL

(Do not write above this line.)

(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 284, Rules of Procedure.
- costs to be paid in equal amounts prior to February 1 for the following membership years:
2006 and 2007
~~(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)~~
- costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
- costs 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 97-0-18651

(b) Date prior discipline effective October 11, 2003

(c) Rules of Professional Conduct/ State Bar Act violations: Rules 3-110(A) and 4-100(B) (3)

of the Rules of Professional Conduct and section 6068 (m)

of the Business and Professions Code

(d) Degree of prior discipline one year suspension, stayed, two years probation.

(e) If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "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.

(Do not write above this line.)

- (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.

(Do not write above this line.)

- (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:

D. Discipline:

(1) **Stayed Suspension:**

- (a) Respondent must be suspended from the practice of law for a period of 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 2 years
which will commence upon the effective date of the Supreme Court order in this matter.
(See rule 953, Calif. Rules of Ct.)

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(3) **Actual Suspension:**

(a) Respondent must be actually suspended from the practice of law in the State of California for a period of 45 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 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 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.

(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.

(Do not write above this line.)

- (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: See page 11
- (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 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 951(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- No MPRE recommended. Reason: See page 11
- (2) **Rule 955, California Rules of Court:** Respondent must comply with the requirements of rule 955, 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 955, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 955, 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:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: MICHAEL E. MANNING

CASE NUMBER(S): 04-O-12616

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and Rules of Professional conduct.

Statement of Facts:

In or about 1994, Respondent purchased a law firm from attorney Charles Crismier III ("Crismier"). Crismier had been representing Arnold Duecker ("Duecker") as Duecker's trustee and was named as executor in Duecker's last will and testament. Respondent was assisting Duecker with his affairs at the time of Duecker's death on February 19, 1995. Duecker left an estate worth approximately \$15,000.00, consisting solely of a checking account and stocks (the "Duecker estate").

Duecker named four beneficiaries in his will, including Roger Schuyler ("Schuyler"). Each beneficiary was to receive 25% of Duecker's estate. Because the estate was relatively small, Respondent concluded that the Duecker estate would not need a probate administrator. Thereafter, Respondent undertook to close the Duecker estate himself thereby assuming a fiduciary relationship to the beneficiaries, including Schuyler.

As of July 1997, the Duecker estate had not been closed. As a result, on or about July 18, 1997, Schuyler filed a complaint with the State Bar regarding Respondent's failure to finalize the Duecker estate in a timely manner, Respondent's failure to provide an accounting and Respondent's failure to respond to Schuyler's numerous letters.

On or about July 21, 1997, the State Bar opened an investigation, case number 97-O-18651, pursuant to Schuyler's complaint. In or about 2001, Schuyler retained attorney John D. Taylor ("Taylor") to assist Schuyler with his efforts to have Respondent finalize the Duecker estate. On or about November 6, 2001, Taylor sent Respondent a letter of representation.

On or about April 11, 2003, Respondent signed a Stipulation as to Facts and Disposition in case number 97-O-18651 stipulating that he had committed acts of professional misconduct

with regard to handling the Duecker estate. On or about April 17, 2003, the State Bar Court issued its order regarding the stipulation in case number 97-O-18651.

On or about July 17, 2003, the State Bar contacted Respondent regarding his failure to file a Petition for Probate relative to the Duecker estate. On or about July 31, 2003, Respondent filed a Petition for Probate of Will and for Letters of Administration/Authorization to Administer Under the Independent Administration of Estate Act (the "petition") in the matter entitled Estate of Arnold Duecker, Los Angeles County Superior Court, case no. GP009788 (the "probate matter"). The court scheduled a hearing on the petition for September 19, 2003. The court properly served Respondent with notice of the September 19, 2003 hearing.

On or about September 19, 2003, Respondent did not appear at the hearing in the probate matter. At no time did Respondent inform the beneficiaries or the court that he would not be appearing at the September 19, 2003 hearing. On September 19, 2003, the court found several deficiencies in the petition filed by Respondent, including the fact that the petition was filed on an outdated judicial council form, the petition was incomplete and no publication had been filed. The court also required a declination to act as executor from Crismier. In addition, Respondent needed to explain why he was requesting at least \$900 of Duecker's funds be placed in a blocked account. The court continued the hearing to October 31, 2003 and properly served Respondent with the September 19, 2003 minute order.

On or about September 24, 2003, Respondent served Schuyler and the other beneficiaries with notice that the hearing on the Petition for Probate had been continued to October 31, 2003. On or about October 31, 2003, Respondent appeared at the probate hearing. As of the October 31, 2003 hearing, Respondent still had not filed the petition using a current version of the judicial council form. Respondent also had not addressed any of the other deficiencies raised by the court on September 19, 2003. The hearing in the probate hearing was continued to December 12, 2003.

On or about November 13, 2003, Taylor, Schuyler's attorney, wrote to Respondent. In his November 13, 2003 letter, Taylor requested a status update on the probate matter and asked Respondent when the estate would be closed. Respondent received Taylor's letter but failed to respond.

On or about December 12, 2003, Respondent appeared for the probate hearing. As of December 12, 2003, Respondent had not filed the petition using a current version of the judicial council form nor had Respondent addressed the other deficiencies with the petition raised by the court on September 13, 2003. The court continued the hearing in the probate matter to January 23, 2004.

On or about December 18, 2003, Taylor wrote Respondent regarding Respondent's failure to respond to his November 13, 2003 letter. In his December 18, 2003 letter, Taylor once again requested the status of the probate matter. Respondent received Taylor's December 18, 2003 letter but failed to respond.

On or about January 20, 2004, Taylor wrote Respondent regarding Respondent's failure to reply to Taylor's previous letters. Once again, Taylor requested the status of the probate matter. Respondent received the January 20, 2004 letter but failed to respond.

On or about January 23, 2004, Respondent failed to appear at the hearing in the probate matter. At no time did Respondent notify Schuyler and the other beneficiaries or the court that he would not be appearing at the January 23, 2004 hearing. At the January 23, 2004 hearing, the court noted approximately eleven deficiencies with the petition that had not been cleared by Respondent and took the matter off calendar. The January 23, 2004 minute order in the probate matter was properly served on Respondent.

Respondent did not inform Taylor, Schuyler or the other beneficiaries that the probate matter had been taken off calendar. On or about June 18, 2004, Respondent finally re-filed the Petition for Probate in the probate matter. On or about June 18, 2004, Respondent also filed a Declination to Act and Waiver of Right to Appointment as Executor that had been signed by Crismier on October 6, 2003.

On or about July 7, 2004, Respondent filed a Notice of Petition to Administer Estate in the probate matter. The court set a hearing in the probate matter for July 30, 2004. On or about July 30, 2004, Respondent appeared at the hearing in the probate matter. At the July 30, 2004 hearing, the court reset the proceeding regarding the petition after it had been taken off calendar on January 23, 2004. During the July 30, 2004 hearing, the court found numerous deficiencies with the second petition filed by Respondent on June 18, 2004, including Respondent's failure to attach a copy of Duecker's will.

As of January 19, 2005, Respondent had not addressed the deficiencies in the petition filed on June 18, 2004. As a result, to date the Duecker estate has not been closed.

On or about June 21, 2004, the State Bar opened an investigation, case number 04-O-12616, pursuant to a complaint filed by Roger Schuyler (the "Schuyler matter"). On July 16, 2004, State Bar Investigator Craig von Freymann ("von Freymann") wrote to Respondent regarding the Schuyler matter. The investigator's letter was placed in a sealed envelope correctly addressed to Respondent at his State Bar of California membership records address. The letter was properly mailed by first class mail, postage prepaid, by depositing for collection by the United States Postal Service in the ordinary course of business. The United States Postal Service did not return the investigator's letter as undeliverable or for any other reason.

The investigator's letter requested that Respondent respond in writing to specific allegations of misconduct being investigated by the State Bar in the Schuyler matter. Respondent did not respond to the investigator's July 16, 2004 letter or otherwise communicate with the investigator.

On August 3, 2004, von Freymann wrote to Respondent again regarding the Schuyler matter. The investigator's letter was placed in a sealed envelope correctly addressed to Respondent at his State Bar of California membership records address. The letter was properly mailed by first class mail, postage prepaid, by depositing for collection by the United States Postal Service in the ordinary course of business. The United States Postal Service did not return the investigator's letter as undeliverable or for any other reason.

The investigator's August 3, 2004 letter again requested that Respondent respond in writing to specified allegations of misconduct being investigated by the State Bar in the Schuyler matter. Respondent did not respond to the investigator's August 3, 2004 letter or otherwise communicate with the investigator.

Conclusions of Law:

By failing to exercise due diligence in finalizing the probate matter and by failing to make court appearances, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in wilful violation of Rules of Professional Conduct, rule 3-110(A).

By failing to respond to Taylor's letters, Respondent failed to respond to Taylor's reasonable inquiries on behalf of Schuyler, in wilful violation of Business and Professions Code section 6068(m).

By not providing a written response to the allegations in the Schuyler matter or otherwise participating or cooperating in the investigation of the Schuyler matter, Respondent failed to cooperate in a disciplinary investigation, in wilful violation of Business and Professions Code section 6068(i).

AUTHORITIES SUPPORTING DISCIPLINE.

Standard 1.7(a) provides that the degree of discipline should generally be greater than the prior discipline. The most recent prior discipline involved a stayed suspension. Respondent therefore should get receive more than a stayed suspension.

In *Samuelsen v. State Bar* (1979) 23 Cal.3d 558, the respondent failed to expeditiously process probate proceedings by delaying the matter for five years even though the issues were

not complex. Respondent failed to communicate with one of the heirs to the estate and failed to communicate with the State Bar even after promising to do so. In mitigation, the respondent had been practicing for thirty years without discipline. The respondent received a public reproof.

In *Wells v. State Bar* (1984) 36 Cal.3d 199, the respondent, in two client matters, failed to communicate and failed to use best efforts to accomplish with reasonable speed the purpose for which he was employed. In aggravation, the respondent had two priors for relatively minor misconduct. The court recommended a thirty day actual suspension with two years stayed suspension.

In *Spindell v. State Bar* (1975) 13 Cal.3d 253, over five years elapsed between the time the respondent was hired in a marital dissolution and the time he obtained a decree of dissolution for his client. The client remarried two years after she hired respondent on his secretary's assurance that it was permissible for her to remarry. At that time, respondent had not even filed for the dissolution. In aggravation, the court noted that respondent's acts evidenced a total disregard for the needs of his client, despite his client's frequent attempts to communicate with him and despite the State Bar's intervention on her behalf. The respondent received a thirty day actual suspension.

In *Twohy v. State Bar* (1989) 48 Cal.3d 502, the respondent abandoned the client, failed to return unearned fees, and failed to communicate court dates to his client which resulted in a bench warrant being issued for the client. In aggravation, the respondent had two prior impositions of discipline for similar misconduct and failed to comply with his probationary terms in those matters. The respondent was disbarred.

ETHICS SCHOOL WAIVER

Respondent attended Ethics School on September 16, 2004 and Client Trust Accounting School on September 17, 2004. Since Ethics School was completed less than nine months ago, the typical Ethics School attendance requirement is hereby waived.

MPRE WAIVER

Respondent took and passed the MPRE in November of 2004. Since the MPRE was satisfactorily completed approximately seven months ago, the typical MPRE passage requirement is hereby waived.

(Do not write above this line.)

In the Matter of MICHAEL E. MANNING	Case number(s): 04-0-12616
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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.

6/10/05 *Michael E. Manning* MICHAEL E. MANNING
Date Respondent's signature Print name

Date Respondent's Counsel's signature Print name

6-13-05 *Gordon L. Grenier* GORDON L. GRENIER
Date Deputy Trial Counsel's signature Print name

(Do not write above this line.)

In the Matter of MICHAEL E. MANNING	Case number(s): 04-0-12616
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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:

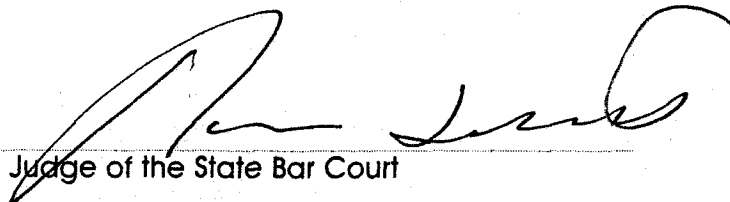
- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

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 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.)

Date

6-14-05

Judge of the State Bar Court



CERTIFICATE OF SERVICE
[Rule 62(b), Rules Proc.; 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 June 16, 2005, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION
AND ORDER APPROVING, filed June 16, 2005**

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:

**MICHAEL E. MANNING
970 VILLAGE OAKS DR #103
COVINA CA 91724 0609**

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

GORDON GRENIER , Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **June 16, 2005**.



Johnnie Lee Smith
Case Administrator
State Bar Court