



**ORIGINAL**

(Do not write above this line.)

**State Bar Court of California**  
**Hearing Department**  
**Los Angeles PUBLIC MATTER**

<p>Counsel For The State Bar</p> <p>Hugh Radigan Mia Ellis Deputy Trial Counsel 1149 S. Hill Street Los Angeles, CA 90015 (213) 765-1206</p> <p>Bar # 94251</p>	<p>Case Number (s)</p> <p>04-O-15235; 06-O-10599; 06-O-10606; 06-O-11221; 06-O-11928; 06-O-12394; 06-O-14512; 06-O-15053; 08-O-12003</p>	<p>(for Court's use)</p> <p><b>FILED</b></p> <p><b>SEP 15 2009</b></p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Edward O. Lear Century Law Group, LLP 5200 West Century Blvd., Suite 345 Los Angeles, CA 90045 (310) 642-6900</p> <p>Bar # 132699</p>	<p>Submitted to: <b>Settlement Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter Of:</p> <p>Fari Bari Nejadpour</p> <p>Bar # 216925</p> <p>A Member of the State Bar of California (Respondent)</p>		

**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, 2001.
- (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 consists of 13 pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

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- (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.
- (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: 2010, 2011, 2012  
(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
  - (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.
- (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:**

See stipulation attachment

**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.
- (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**

See Stipulation Attachment

**D. Discipline:**

(1)  **Stayed Suspension:**

(a)  Respondent must be suspended from the practice of law for a period of 2 years.

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 9.18, California Rules of Court)

(3)  **Actual Suspension:**

(a)  Respondent must be actually suspended from the practice of law in the State of California for a period of 6 months.

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.
- (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: .
- (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:
  - Substance Abuse Conditions
  - Law Office Management Conditions
  - Medical Conditions
  - 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 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
  - No MPRE recommended. Reason:

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- (2)  **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, 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 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, 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:

Fari Bari Nejadpour

CASE NUMBER(S):

04-O-15235, 06-O-10599; 06-O-10606; 06-O-11221; 06-O-11928; 06-O-12394; 06-O-14512; 06-O-15053; 08-O-12003

**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/or Rules of Professional Conduct:

**06-O-10606 (Mascal)**

1. Respondent represented Eric Mascal with respect to his marital dissolution matter titled *Eric Mascal v. Elona F. Mascal*, Case No. BD398338 ("*Mascal v. Mascal*"), filed in the Superior Court of California, County of Los Angeles ("Superior Court").
2. On February 25, 2005, the court ordered the party's community family residence, which was occupied by Elona Mascal, either refinanced or listed for sale.
3. On July 7, 2005, in *Mascal v. Mascal*, Respondent filed an *ex parte* application seeking an order for the listing and sale of the community family residence with Lawyer's Title & Mortgage Group ("Lawyer's Title").
4. On July 7, 2005, the Superior Court granted the *ex parte* application to list the residence with Lawyer's Title.
5. Respondent did not advise the Court or the Elona Mascal, opposing counsel, or the Court that Lawyer's Title was his dba and it was operating out of his office at his official membership address.
6. Respondent did not advise the Court or Elona Mascal that he was the broker for Lawyer's Title.
7. Respondent did not advise the Court or Elona Mascal that his wife, Elhum (Elle) Karimi, was the realtor for Lawyer's Title.
8. On July 19, 2005, Respondent filed a second *ex parte* application to remove Elona Mascal from the community property residence and to list the family residence for sale through Lawyer's Title.
9. On September 8, 2005, the Superior Court granted the second *ex parte* application.
10. On August 24, 2005, Respondent caused Lawyer's Title to file a "Plaintiff's Claim and Order to Go to Small Claims Court" ("Plaintiff's Claim") against Elona Mascal in the Superior Court titled *Lawyer's Title & Mortgage Group v. Elona Mascal*, Case No. LAM 05M 14133 ("*Lawyer's Title v. Mascal*") for \$550 for the alleged destruction or removal of a for sale sign placed in front of the community family residence.
11. On November 8, 2005, the Superior Court granted judgment for Lawyer's Title for \$550 plus costs of \$52.
12. On December 2, 2005, Elona Mascal filed an appeal in *Lawyer's Title v. Mascal*.
13. On December 23, 2005, Respondent caused Lawyer's Title to file a "Declaration of Elle Karimi in support of her request for continuance of trial date" ("Request for Continuance") and submitted two letters in *Lawyer's Title v. Mascal*. The declaration – prepared by Respondent and bearing his official membership address in the header – sought a continuance of the January 5, 2006 hearing, because Respondent was unavailable. The first letter from Karimi to the Superior Court requested a

continuance because the attorney for Lawyer's Title could not appear and lists a Beverly Hills address in the letterhead. The second letter from Respondent to Karimi stated that Respondent would be unable to appear, recommended that Karimi request a continuance, and is on Respondent's letterhead bearing his official membership address.

14. Prior to February 2, 2006, Elona Mascal and/or her attorney David Romley (Romley) discovered Respondent's relationship with Lawyer's Title and Karimi.
15. On February 2, 2006, Respondent filed a "Declaration of costs and attorney fees. In accordance with L.A.C. [sic] Local Rule No. 14.10" ("Declaration of Costs") in *Lawyer's Title v. Mascal*,
16. On February 2, 2006, Respondent, Karimi, Romley and Elona Mascal appeared for the trial in *Lawyer's Title v. Elona Mascal*.
17. Romley and Elona Mascal presented evidence regarding Respondent's relationship with Lawyer's Title and Karimi to the Superior Court.
18. The Superior Court ordered judgment for Elona Mascal.

#### **Conclusions of Law (Count 2, 5, and 6)**

By concealing material facts concerning the nature of his relationship with Lawyer's Title and Karimi from Elona Mascal, her attorney David Romley, and the Superior Court, and seeking attorney fees to represent the business he owned and operated, Respondent committed acts involving moral turpitude, misrepresentations, or corruption in violation of Business and Professions Code section 6106.

#### **Conclusions of Law (Count 3)**

By failing to comply with the requirements that: (a) the transaction and its terms were fully disclosed and transmitted in writing to Eric (to whom terms were only disclosed orally) and Elona Mascal in a manner which should reasonably have been understood by them; (b) advising Eric and Elona Mascal in writing that they may seek the advice of an independent lawyer of their choice; (c) giving Eric and Elona Mascal a reasonable opportunity to seek that advice; and (d) thereafter, obtaining Eric and Elona Mascal's consent in writing to the terms of the transaction, Respondent willfully violated rule 3-300.

#### **06-O-11928 (Gayton)**

1. On May 20, 2005, Patricia hired Respondent to represent her in dissolution of her marriage from Manuel Oliva Gayton.
2. On May 27, 2005, Respondent filed a Petition for Dissolution of Marriage in the Superior Court of California, County of Los Angeles ("Superior Court"), in the matter titled *Patricia Garces Gaytan v. Manuel Oliva Gayton* ("*Gaytan v. Oliva*").
3. On June 28, 2005, Patricia and Manuel – who was in *pro per* – met with Respondent in Respondent's office to discuss the division of assets. During the meeting, Respondent presented Patricia and Manuel with a proposed Stipulated Judgment that, *inter alia*, stated that the parties agree that Lawyer's Title & Mortgage Group ["Lawyer's Title"] should list the community property of Pinion Hills property for sale.
4. In July of 2005, the real estate agent for Lawyer's Title, Elle Karimi ("Karimi"), met Patricia at to sign the papers to have Lawyer's Title sell the Pinion Hills property.
5. On July 19, 2005, Respondent filed a "Stipulation and Order to Show Cause" ("Stipulation & Order") in *Gaytan v. Oliva*, which was signed by Patricia and in *pro per* Manuel, and stated in pertinent part that the Pinion Hills property shall be listed with Lawyer's title & Mortgage Group.
6. On or about July 19, 2005, the Superior Court signed the Stipulation & Order.



7. On September 23, 2005, Respondent sent a letter to the escrow company involved in the sale of the Pinion Hills property. In the letter, Respondent stated that  
Based upon the current order issued from the Los Angeles Superior Court since the parties are in litigation all funds must be deposited in this firm's [sic] Trust Account till further orders of the court at the time of final dissolution of the parties."
8. Respondent's September 23, 2005 letter was a misrepresentation of the court's order.
9. Respondent did not advise the Court or litigants that he was the broker for Lawyer's Title.
10. Respondent did not advise the Court or litigants that his wife, Elhum (Elle) Karimi, was the realtor for Lawyer's Title.
11. Respondent did not advise the Court or litigants that Lawyer's Title operated from the same address as Respondent's official membership address, *i.e.*, 3540 Wilshire Boulevard, Suite 715, Los Angeles, California 90010.
12. Respondent did not inform Patricia in writing that: Respondent was acquiring a pecuniary interest adverse to Patricia and/or Manuel in the sale of the Pinion Hills property; or she may seek the advice of an independent attorney and then gave her reasonable opportunity to seek that advice. During the meetings that Patricia had with Respondent or Karimi, neither of them obtained written consent from Patricia to the terms of the transaction with Respondent.

**Conclusions of Law** (Count 10, 11, and 12)

By concealing material facts concerning the nature of his relationship with Lawyer's Title and Karimi, making misrepresentations in his letter dated September 23, 2005, and obtaining a pecuniary interest that was adverse to the interest of individuals to whom he owed a fiduciary duty without informing them in writing of his interest, Respondent committed acts involving moral turpitude, misrepresentation or corruption in violation of Business and Professions Code section 6106.

**Conclusions of Law** (Count 13)

By obtaining a pecuniary interest that was adverse to the interest of Patricia without disclosing his interest, advising her in writing that she may seek the advice of an independent lawyer of her choice (although she was given a Lawyers Title listing agreement that advised of her right to counsel) given her a reasonable opportunity to seek that advice, and obtaining her consent in writing to the term of the acquisition, Respondent willfully violated rule 3-300.

**06-O-12394 (Covington)**

1. On December 8, 2004, Gloria A. Covington ("Gloria") hired Respondent to represent her dissolution of marriage from her spouse, Larry P. Covington ("Larry").
2. On December 14, 2004, Respondent filed a "Petition for Dissolution of Marriage" in the Superior Court of California, County of Los Angeles ("Superior Court"), titled *Gloria A. Covington v. Larry P. Covington*, Case NO. BD418162 ("*Covington v. Covington*").
3. On January 6, 2005, Respondent filed a "Stipulation" signed by Gloria, Respondent, Larry and Ron Saxman (Saxman) his attorney agreeing to sell the community real property for sale.
4. After the hearing, Respondent, Gloria, Saxman and Larry met to discuss the dissolution and agreed to use the real estate broker recommended by Respondent to sell the Corona property – Lawyer's Title.
5. On January 11, 2005, Respondent caused the real estate agent for Lawyer's Title, Elle Karimi ("Karimi"), to meet with Gloria to sign the documents to list the Corona property with Lawyer's Title, including but not limited to the "Residential Listing Agreement - Exclusive."

6. Respondent did not notify Gloria, Saxman or Larry, in writing, that: (a) he was “doing business as” Lawyer’s Title; (b) he was the Broker for Lawyer’s Title;(c) Lawyer’s Title operated from the same address as his official membership address, *i.e.*, 3450 Wilshire Boulevard, Suite 715, Los Angeles, California 90010; (d) Karimi was the only salesperson/Realtor for Lawyer’s Title; or (e) Karimi was identified on his law office letterhead as an administrator at the time he obtained the agreement from Gloria, Saxman and Larry to use Lawyer’s Title.

**Conclusions of Law (Count 18)**

By concealing his relationship with Lawyer’s Title and Karimi from Gloria, Saxman, Larry, and Superior Court, in part, to be able to obtain a commission from the sale of the Corona property and attempting to obtain a pecuniary interest that was adverse to the interest of individuals to whom he owed a fiduciary duty without informing them in writing of his interest, Respondent committed acts involving moral turpitude, or corruption in violation of Business and Professions Code section 6106.

**Conclusions of Law (Count 19)**

By obtaining a pecuniary interest that was adverse to the interest of Gloria without disclosing his interest, advising her in writing that she may seek the advice of an independent lawyer of her choice (although she was given a Lawyers Title listing agreement that advised of her right to counsel), giving her a reasonable opportunity to seek that advice, and obtaining her consent in writing to the terms of the acquisition, Respondent willfully violated rule 3-300.

**PENDING PROCEEDINGS.**

The disclosure date referred to, on page 2, paragraph A(7), was August 21, 2009.

**DISMISSALS.**

The parties respectfully request the Court to dismiss the following alleged violations in the interest of justice:

<u>Case No.</u>	<u>Count</u>	<u>Alleged Violation</u>
04-O-15235	27	Rules of Professional Conduct, rule 3-110(A)
04-O-15235	28	Rule of Professional Conduct, rule 3-700(D)(1)
04-O-15235	29	Business and Professions Code section 6106
06-O-10599	1	Rules of Professional Conduct, rule 4-100(A)
06-O-10606	4	Business and Professions Code section 6068(c)
06-O-11221	7	Rules of Professional Conduct, rule 3-110(A)
06-O-11221	8	Rules of Professional Conduct, rule 1-400(D)
06-O-11928	9	Rules of Professional Conduct, rule 3-110(A)
06-O-11928	14	Rules of Professional Conduct, rule 4-100 (B)(3)
06-O-11928	15	Business and Professions Code section 6090.5(a)(2)
06-O-11928	16	Rules of Professional Conduct, rule 3-400(B)
06-O-11928	17	Business and Professions Code section 6106
06-O-12394	20	Business and Professional Code section 6068(c)
06-O-12394	21	Rules of Professional Conduct, rule 3-110(A)
06-O-14512	22	Rules of Professional Conduct, rule 2-100(A)

06-O-14512	23	Rules of Professional Conduct, rule 1-300(A)
06-O-14512	24	Business and Professions Code section 6068(c)
06-O-14512	25	Business and Professions Code section 6106
06-O-14512	26	Business and Professions Code section 6106
06-O-15053	30	Rules of Professional Conduct, rule 5-100(A)
06-O-15053	31	Business and Professions Code section 6068(i)
08-O-12005	32	Rules of Professional Conduct, rule 1-311(B)
08-O-12005	33	Rules of Professional Conduct, rule 3-700(A)(1)
08-O-12005	34	Business and Professions Code section 6068(m)
08-O-12005	35	Rules of Professional Conduct, section 3-700(D)(1)

## **COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of August 21, 2009, the prosecution costs in this matter are \$8796.60. 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.

## **AUTHORITIES SUPPORTING DISCIPLINE.**

Standard 1.6(a) provides that where two or more acts of misconduct occur within a single proceeding, the more severe sanction is to be imposed.

Standard 2.3 provides for actual time depending upon the extent of the harm and the magnitude of the acts of misconduct.

Standard 2.8 provides for suspension for violation of rule 3-300 in light of the multiple and recurring failure of Respondent to appreciate the misconduct associated with interjecting Lawyer's Title within litigated matters whenever possible.

Standard 2.10 additionally provides for reproof or suspension depending upon the gravity of the offense or harm.

## **AGGRAVATING CIRCUMSTANCES.**

### **FACTS SUPPORTING AGGRAVATING CIRCUMSTANCES**

Respondent's misconduct was surrounded by or followed by concealment or other violations of the State Bar Act or Rules of Professional Conduct.

## **MITIGATING CIRCUMSTANCES.**

### **FACTS SUPPORTING MITIGATING CIRCUMSTANCES.**

Although the misconduct herein is serious, Respondent has had no prior records of discipline since being admitted to the practice of law on December 4, 2001.

Respondent contends that he donated half of his commission from the sale of property on the Gayton matter to the United Way charity.

**STATE BAR ETHICS SCHOOL.**

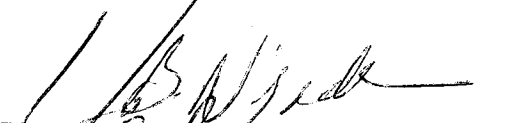
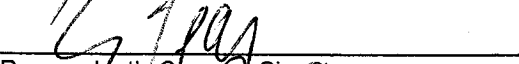

Because respondent has agreed to attend State Bar Ethics School as part of this stipulation, respondent may receive Minimum Continuing Legal Education credit upon the satisfactory completion of State Bar Ethics School.

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In the Matter of Fari Bari Nejadpour	Case number(s): 04-O-15235; 06-O-10599; 06-O-10606; 06-O-11221; 06-O-11928; 06-O-12394; 06-O-14512; 06-O-15053; 08-O-12003
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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 Fact, Conclusions of Law and Disposition.

4-3-09		Fari Bari NEJADPOUR
Date	Respondent's Signature	Print Name
9/3/09		Edward Lear
Date	Respondent's Counsel Signature	Print Name
9/3/09		Ma Ellis
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter Of <b>Fari Bari Nejadpour</b>	Case Number(s): <b>04-O-15235; 06-O-10606; 06-O-11928; 06-O-12394; 06-O14512</b>
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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.

Payment of disciplinary costs will be paid in three equal amounts prior to February 1 for the years-2011, 2012, and 2013, because the Supreme Court's order in this matter will not be effective until after January 1, 2010. Accordingly, on page 2, paragraph A.(8):

Delete: the "x" from the box preceding the words "until costs are paid in full. Respondent will remain actually suspended. . . .";

Delete: the year "2010" in the sub-paragraph that begins with the words, "costs to be paid in equal amounts. . . ." and

Add: the year "2013" following the year "2012."

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 9.18(a), California Rules of Court.)**

September 15, 2009  
Date

  
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 September 15, 2009, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

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

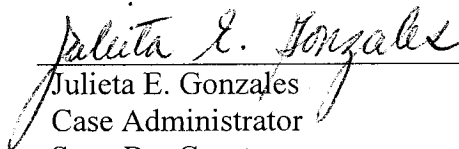
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

EDWARD O LEAR ESQ  
CENTURY LAW GROUP LLP  
5200 W CENTURY BLVD SUITE 345  
LOS ANGELES, CA 90045

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

Mia R. Ellis, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 15, 2009.

  
\_\_\_\_\_  
Julieta E. Gonzales  
Case Administrator  
State Bar Court