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State Bar Court of California

**Hearing Department
Los Angeles
ACTUAL SUSPENSION**

PUBLIC MATTER

<p>Counsel For The State Bar</p> <p>Lara Bairamian Deputy Trial Counsel 1149 South Hill Street Los Angeles, CA 90015 (213) 765-1338</p> <p>Bar # 253056</p>	<p>Case Number(s): 12-O-17880</p>	<p>For Court use only</p> <p>FILED</p> <p>JAN 14 2014 <i>P.B.</i></p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>Counsel For Respondent</p> <p>Paul J. Virgo Century Law Group 5200 West Century Blvd., Suite 345 Los Angeles, CA 90045 (310) 642-6900</p> <p>Bar # 67900</p>	<p>Submitted to: Settlement Judge</p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p>ACTUAL SUSPENSION</p> <p><input checked="" type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: CHARLES THOMAS MARSHALL</p> <p>Bar # 176091</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 April 20, 1995.
- (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 12 pages, not including the order.



(Effective January 1, 2011)

Actual Suspension

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- (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.
- (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 5.130, Rules of Procedure.
 - Costs are to be paid in equal amounts prior to February 1 for the following membership years: three (3) billing cycles following the effective date of the Supreme Court order. (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are 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 10-O-07313, 10-O-10279, 10-O-10779, 10-O-10781, and 11-O-16059. See attachment at pages 8-9 for additional details regarding the prior discipline.
 - (b) Date prior discipline effective June 16, 2012
 - (c) Rules of Professional Conduct/ State Bar Act violations: Rules of Professional Conduct, rule 3-700(D)(2) and Business and Professions Code, sections 6068(i) and 6106.3.
 - (d) Degree of prior discipline One (1) year stayed suspension and two (2) years probation.
 - (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.

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- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice. See Attachment at page 9.
- (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. See Attachment at page 9.
- (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.
- (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.

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- (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. See Attachment at page 9.
- (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 Attachment at page 9.

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of two (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 two (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 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 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 the 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: Respondent attended Ethics School on August 9, 2012, and passed the test given at the end of the session. (Rule 5.135(A), Rules Proc. of State Bar.)

a.

- (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
 - Medical Conditions
 - Law Office Management 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 5.162(A) & (E), Rules of Procedure.**

No MPRE recommended. Reason: Respondent took and passed the MPRE on November 3, 2012.

- (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: CHARLES THOMAS MARSHALL

CASE NUMBER: 12-O-17880

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.

Case No. 12-O-17880 (Complainants: Frank and Suzette Solorio)

FACTS:

1. In November 2010, Frank Solorio ("Frank") and Suzette Solorio (the "Solorios") were facing the loss of their home through foreclosure. Prior to November 2010, the Solorios had been unsuccessful in obtaining a home mortgage loan modification.

2. On November 22, 2010, the Solorios met with Respondent to discuss the options to save their home from foreclosure. The Solorios told Respondent that they had made two (2) failed attempts to obtain a home mortgage loan modification. Respondent advised the Solorios that they were not good candidates for a home mortgage loan modification, but that the Solorios could pursue litigation against the Solorios' lender, Wells Fargo.

3. On November 24, 2010, the Solorios hired Respondent for legal services related to their home mortgage, including lender litigation. The Solorios agreed to pay \$4,875 in advanced attorney fees with a supplemented charge of \$1,625 per month, to commence three (3) business days prior to the filing of the lawsuit.

4. On November 24, 2010, Respondent collected \$1,000 in advanced attorney fees from the Solorios.

5. Instead of pursuing lender litigation, as Respondent had advised and as the Solorios expected, Respondent instead pursued a traditional home mortgage loan modification.

6. On December 17, 2010, Respondent's non-attorney staff advised the Solorios that Respondent was pursuing a home mortgage loan modification on the Solorios' behalf and that the balance of the retainer fees in the amount of \$3,800 must be paid within sixty (60) days.

7. On February 14, 2011, the Solorios paid the remainder of the attorney fees as required by the November 24, 2010 fee agreement. The Solorios paid a total of \$4,875 in advanced attorney's fees to Respondent.

8. On February 23, 2011, Respondent submitted a home mortgage loan modification package to Wells Fargo on the Solorios' behalf.

9. On May 17, 2011, the Solorios' home was sold at a trustee's sale.

10. At no time did Respondent pursue litigation against Wells Fargo. After May 17, 2011, Respondent ceased performing any legal services for the Solorios. By ceasing to perform legal services after May 17, 2011, Respondent effectively withdrew from representation of the Solorios.

11. At no time did Respondent perform any legal services of value on behalf of the Solorios. Respondent did not earn any portion of the \$4,875 in advanced fees paid by the Solorios. However, Respondent failed to refund the unearned fees when he ceased work for the Solorios and effectively withdrew from representing them.

12. On September 10, 2013, only after the initiation of fee arbitration by the Solorios and the initiation of the State Bar's disciplinary matter based on the Solorios' complaint, Respondent sent the Solorios a check refunding the \$4,875 in unearned advanced fees.

CONCLUSIONS OF LAW:

13. By submitting a home mortgage loan modification on behalf of the Solorios knowing that the Solorios were previously denied a home mortgage loan modification on two (2) occasions and despite the fact that Respondent told the Solorios that they were not good candidates for a home loan modification and that he would pursue litigation against their lender, by failing to pursue lender litigation services on behalf of the Solorios against Wells Fargo, and failing to perform any other legal services of value on behalf of the Solorios, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

14. By negotiating, arranging, or offering to perform a home mortgage loan modification or other form of mortgage loan forbearance for a fee for the Solorios and collecting \$4,875 in advanced fees prior to fully performing each and every service Respondent contracted to perform or represented that he would perform, in violation of Civil Code section 2944.7(a)(1), Respondent willfully violated Business and Professions Code section 6106.3(a).

15. By failing to timely refund \$4,875 in unearned advanced fees paid by the Solorios, Respondent failed to refund promptly any part of a fee paid in advance that has not been earned, in willful violation of Rules of Professional Conduct, rule 3-700(D)(2).

ADDITIONAL FACTS RE AGGRAVATING CIRCUMSTANCES

Prior Record of Discipline (Std. 1.2(b)(i)): Respondent has one prior record of discipline. Effective June 16, 2012, in five client matters, Respondent stipulated to four violations of Rules of Professional Conduct, rule 3-700(D)(2) [failing to refund unearned fees], one violation of Business and Professions Code, section 6106.3 [negotiating, arranging, or offering to perform a home mortgage loan modification and collecting advanced fees], and one violation of Business and Professions Code, section 6068(i) [failing to cooperate with a State Bar investigation]. In four of the client matters, the clients retained Respondent to obtain short sales of their properties. The clients subsequently terminated Respondent's

services and requested refunds. In one client matter, the client retained Respondent for home mortgage loan modification services. The misconduct occurred between October 2009 and March 2010. Respondent was suspended from the practice of law for one year, stayed, with a two-year period of probation with conditions.

Harm (Std. 1.2(b)(iv)): Respondent's conduct caused harm to his clients who were financially distressed as they were seeking a modification of their home loan mortgage.

Multiple Acts of Misconduct (Std. 1.2(b)(ii)): Respondent's conduct involved multiple acts of wrongdoing as Respondent engaged in three acts of misconduct.

MITIGATING CIRCUMSTANCES.

Pre-filing Stipulation: Respondent is entitled to mitigation for entering into a full stipulation with the Office of Chief Trial Counsel prior to the filing of disciplinary charges, thereby avoiding the necessity of a trial and saving the State Bar Court time and resources. (*Silva-Vidor v. State Bar* (1989) 49 Cal. 3d 1071, 1079 [where mitigation credit was given for entering into a stipulation as to facts and culpability].)

Good Character (Std. 1.2(e)(vi)): Respondent provided six letters from members of the legal and general communities who were aware of Respondent's misconduct and attested to his extraordinary good character.

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct provide a "process of fixing discipline" pursuant to a set of written principles to "better discharge the purposes of attorney discipline as announced by the Supreme Court." (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, Introduction (all further references to standards are to this source).) The primary purposes of disciplinary proceedings and of the sanctions imposed are "the protection of the public, the courts and the legal profession; the maintenance of high professional standards by attorneys and the preservation of public confidence in the legal profession." (*In re Morse* (1995) 11 Cal.4th 184, 205; std. 1.3.)

Although not binding, the standards are entitled to "great weight" and should be followed "whenever possible" in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) Any discipline recommendation different from that set forth in the applicable standards should clearly explain the reasons for the deviation. (*Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

Respondent admits to committing three acts of professional misconduct. Standard 1.6(a) provides that where a respondent acknowledges two or more acts of misconduct, and different sanctions are prescribed by the standards that apply to those acts, the sanction shall be the more or most severe prescribed in the applicable standards.

The most severe sanction applicable to Respondent's misconduct is found in standards 2.4(b) and 2.10, which provide for discipline ranging from reproof to suspension. Standard 2.4(b) specifically applies to Respondent's violation of Rules of Professional Conduct, rule 3-110(A). Standard 2.10 applies to Respondent's violations of Rules of Professional Conduct, rule 3-700(D)(2) and Business and Professions Code, section 6106.3.

Standard 2.4(b) provides that culpability of a member of willfully failing to perform services in client matters not demonstrating a pattern of misconduct shall result in reproof or suspension depending on the extent of the misconduct and the degree of harm to the client. Standard 2.10 provides that culpability of a member of a wilful violation of any Rule of Professional Conduct not specified in the standards shall result in reproof or suspension according to the gravity of the offense or the harm, if any, to the victim, with due regard to the purposes of imposing discipline set forth in standard 1.3.

Respondent has a prior record of discipline. Pursuant to standard 1.7 (a), if a member is found culpable of professional misconduct in any proceeding in which discipline may be imposed and the member has a record of one prior imposition of discipline, the degree of discipline imposed in the current proceeding shall be greater than that imposed in the prior proceeding. However, here, the current misconduct occurred close in time to the misconduct underlying Respondent's prior discipline. Respondent's misconduct in his prior discipline occurred between October 2009 and March 2010. The stipulation to settle the prior disciplinary matters was signed in October 2011. The misconduct in this case began in November 2010. Thus, it is appropriate to analyze the level of discipline based on the totality of the misconduct in all six cases (the prior and instant matters). (*In the Matter of Sklar* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 602, 619 [where the impact of the prior disciplinary matter was diminished because the misconduct in the case at issue occurred during the same time as the prior misconduct].)

In *Howard v. State Bar*, (1990) 51 Cal.3d 215, 221-222, the Court opined that "As the final and independent arbiter of attorney discipline, we are permitted to temper the letter of the law with considerations peculiar to the offense and the offender." Upon consideration of the "offense and offender" in the instant case, the parties stipulate that if the misconduct in all six cases had been considered together, the discipline would have increased to actual suspension. The gravamen of Respondent's misconduct is the acceptance of advanced fees in violation of Business and Professions Code, section 6106.3 and the failure to refund unearned fees in violation of Rules of Professional Conduct, rule 3-700(D)(2). In aggravation, Respondent's conduct involved multiple acts of misconduct. The misconduct involved six client matters and nine acts of misconduct. These clients were harmed as they were in financial distress involving their home mortgages; however, Respondent has refunded the advanced fees to the complaining witnesses, albeit after the initiation of the State Bar investigation, thereby lessening the harm to the clients. In mitigation, Respondent has offered evidence of his good character and has cooperated with the State Bar by stipulating to facts, conclusions of law, and disposition in order to resolve his disciplinary proceedings as efficiently as possible.

The level of discipline that Respondent stipulated to in his prior discipline is not an appropriate level of discipline when including the current matter. The additional client matter warrants a higher level of discipline. Considering the totality of the misconduct particularly in light of the extent of the misconduct and considering the aggravating and mitigating circumstances, the imposition of a two (2) year stayed suspension accompanied by a two (2) year probationary period with conditions including a 30-day actual suspension serves the purpose of State Bar discipline to protect the public, the courts and the legal profession, to maintain high professional standards by attorneys, and to preserve public confidence in the legal profession.

The stipulated discipline is also consistent with case law. In *In the Matter of Taylor* (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 221, the Review Department found Taylor culpable of nine counts of violating Business and Professions Code section 6106.3 in eight client matters. Factors in aggravation included harm, multiple acts of misconduct, and lack of insight and remorse. The Review Department recommended that Respondent be actually suspended for six months, receive two years probation, and remain suspended until he makes restitution for all the fees he illegally collected. Here, Respondent is culpable of violating Business and Professions Code section 6106.3 in two client matters. Respondent's misconduct is less serious than the misconduct committed by Taylor and involves both more mitigation and less aggravation. Unlike *Taylor*, Respondent has provided a refund to the Solorios and has not exhibited a lack of insight and remorse. Thus, although actual suspension is warranted, six-months actual suspension is not.

COSTS OF DISCIPLINARY PROCEEDINGS.

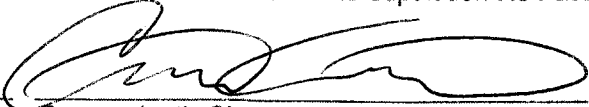
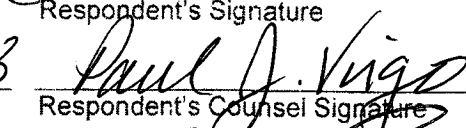
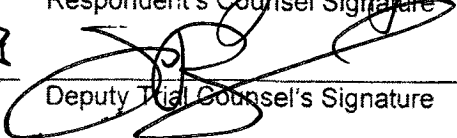
Respondent acknowledges that the Office of the Chief Trial Counsel has informed respondent that as of October 11, 2013, the prosecution costs in this matter are \$2,925. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

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In the Matter of: CHARLES THOMAS MARSHALL	Case number(s): 12-O-17880
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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.

12/11/13		Charles Thomas Marshall
Date	Respondent's Signature	Print Name
12/15/2013		Paul J. Virgo
Date	Respondent's Counsel Signature	Print Name
12/20/13		Lara Bairamian
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter of: CHARLES THOMAS MARSHALL	Case Number(s): 12-O-17880
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ACTUAL SUSPENSION 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 5.58(E) & (F), 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.)**

1-13-14
Date


GEORGE E. SCOTT, JUDGE PRO TEM
Judge of the State Bar Court

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); 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 January 14, 2014, 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:

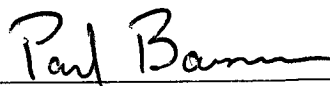
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**PAUL JEAN VIRGO
9909 TOPANGA BLVD # 282
CHATSWORTH, CA 91311**

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

Lara Bairamian, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 14, 2014.



Paul Barona
Case Administrator
State Bar Court