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State Bar Court of California Hearing Department Los Angeles REPROVAL		
Counsel For The State Bar Drew Massey Deputy Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017 Tel: (213) 765-1204 Bar # 244350	Case Number(s): 13-O-10109	For Court use only <div style="font-size: 24px; font-weight: bold; margin: 10px 0;">FILED</div> <div style="font-size: 18px; font-weight: bold; margin: 5px 0;">SEP 06 2016</div> <div style="font-size: 12px; font-weight: bold; margin: 5px 0;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</div>
In Pro Per Respondent Sherry Garrels 12600 Brookhurst St. Ste 103 Garden Grove, CA 92840 Tel: (714) 374-0101 Bar # 160244	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING PUBLIC REPROVAL <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: SHERRY ANN GARRELS Bar # 160244 A Member of the State Bar of California (Respondent)		

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 **November 24, 1992**.
- (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 11 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):
- Costs are added to membership fee for calendar year following effective date of discipline (public reproof).
 - Case ineligible for costs (private reproof).
 - 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 discipline.** (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.
- (9) The parties understand that:
- (a) A private reproof imposed on a respondent as a result of a stipulation approved by the Court prior to initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, but is not disclosed in response to public inquiries and is not reported on the State Bar's web page. The record of the proceeding in which such a private reproof was imposed is not available to the public except as part of the record of any subsequent proceeding in which it is introduced as evidence of a prior record of discipline under the Rules of Procedure of the State Bar.
 - (b) A private reproof imposed on a respondent after initiation of a State Bar Court proceeding is part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.
 - (c) A public reproof imposed on a respondent is publicly available as part of the respondent's official State Bar membership records, is disclosed in response to public inquiries and is reported as a record of public discipline on the State Bar's web page.

B. Aggravating Circumstances [Standards for Attorney Sanctions for Professional Misconduct, standards 1.2(h) & 1.5]. Facts supporting aggravating circumstances are required.

- (1) **Prior record of discipline**
- (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

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- (e) If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."
- (2) **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3) **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by misrepresentation.
- (4) **Concealment:** Respondent's misconduct was surrounded by, or followed by concealment.
- (5) **Overreaching:** Respondent's misconduct was surrounded by, or followed by overreaching.
- (6) **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code or the Rules of Professional Conduct.
- (7) **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.
- (8) **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (10) **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11) **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing. See page 8.
- (12) **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13) **Restitution:** Respondent failed to make restitution.
- (14) **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable. See page 8.
- (15) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standards 1.2(i) & 1.6]. 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 likely to recur.
- (2) **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct or to the State Bar during disciplinary investigation and proceedings.

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- (4) **Remorse:** Respondent promptly took objective steps demonstrating spontaneous 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 with a good faith belief that was honestly held and objectively reasonable.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical or mental 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 the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (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 extraordinarily 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 subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

Pre-filing stipulation, absence of prior discipline, good character, and community service. See pages 8-9.

D. Discipline:

- (1) **Private reproof (check applicable conditions, if any, below)**
- (a) Approved by the Court prior to initiation of the State Bar Court proceedings (no public disclosure).
- (b) Approved by the Court after initiation of the State Bar Court proceedings (public disclosure).

or

- (2) **Public reproof (Check applicable conditions, if any, below)**

E. Conditions Attached to Reproval:

- (1) Respondent must comply with the conditions attached to the reproval for a period of **one (1) year**.

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- (2) During the condition period attached to the reprobation, 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 reprobation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the reprobation conditions period, 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 condition period attached to the reprobation. 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 the reprobation during the preceding calendar quarter. Respondent must also state in each report 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 (thirty) days, that report must be submitted on the next following 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 condition period and no later than the last day of the condition period.

- (6) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of reprobation with the probation monitor to establish a manner and schedule of compliance. During the reprobation conditions period, Respondent must furnish 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 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 conditions attached to the reprobation.
- (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) 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 within one year of the effective date of the reprobation.
- No MPRE recommended. Reason:
- (11) The following conditions are attached hereto and incorporated:

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Substance Abuse Conditions

Law Office Management Conditions

Medical Conditions

Financial Conditions

F. Other Conditions Negotiated by the Parties:

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: SHERRY ANN GARRELS

CASE NUMBER: 13-O-10109

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that she is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 13-O-10109 (Complainant: Lisa Fisher)

FACTS:

1. On or before February 4, 2010, Barbara Trowbridge hired Respondent. On that date, Trowbridge and Respondent executed an Advance Health Care Directive. As part of the "Lawyer's Certificate" attached to that directive, Respondent acknowledged that Trowbridge was a then-current client.
2. On June 3, 2010, Respondent and Trowbridge entered into a new retainer agreement. The retainer described the work to be performed simply as "probate." No further description was given. In return, Trowbridge agrees to minimum fees of \$15,000 (which the retainer described as nonrefundable) which will be paid by giving Trowbridge's vehicle, a 2005 Lexus, to Respondent's son.
3. The June 3, 2010 retainer agreement did not advise Trowbridge that she may seek the advice of an independent attorney, nor did it acknowledge that Trowbridge had been given time to do so.
4. Over time, Trowbridge began suffering the effects of Alzheimer's disease.
5. On or about May 16, 2012, Respondent filed a Petition for the Appointment of a Conservator over Trowbridge. In the filing documents, she identified herself as counsel for the proposed conservators, James Klutnick and Cynthia Taylor.
6. When undertaking the representation of Klutnick and Taylor in this matter, Respondent did not disclose the foreseeable adverse consequences to Klutnick, Taylor, or Trowbridge and did not obtain the informed written consent of any client.
7. At the time Respondent filed her May 16, 2012 Petition for Appointment of a Conservator, Respondent still represented Trowbridge and had not terminated her attorney/client relationship. Trowbridge opposed the conservatorship and the appointment of any conservator.
8. As part of the initial public filing, Respondent explained that a temporary conservator was needed while awaiting orders for a permanent conservator because, "due to the proposed conservatee's permanent and irreversible medical diagnosis of Alzheimer's disease, the proposed conservatee is at risk from wandering off from her current residence which reasonably and foreseeably may result in serious

bodily harm or injury to the proposed conservatee.” Respondent gained this information, including Trowbridge’s diagnosis of Alzheimer’s disease, through her representation of Trowbridge.

9. Trowbridge did not consent to the disclosure of her medical information.

CONCLUSIONS OF LAW:

10. By revealing the confidential information relating to Trowbridge’s medical diagnosis in a public document, Respondent wilfully violated Business and Professions Code, section 6068(e).

11. By accepting the representation of Klutnick and Taylor without informing them or Trowbridge of the reasonably foreseeable adverse consequences to the clients, and without obtaining informed written consent, Respondent wilfully violated Rules of Professional Conduct, rule 3-310(C)(2).

12. By failing to fully disclose in writing to Trowbridge the terms of the business transaction in a manner which should reasonably have been understood by Trowbridge; failing to advise Trowbridge in writing that she may seek the advice of an independent lawyer; and failing to give the client a reasonable opportunity to seek that advice, Respondent willfully violated Rules of Professional Conduct, rule 3-300.

AGGRAVATING CIRCUMSTANCES.

Multiple Acts of Wrongdoing (Std. 1.5(b)): Respondent has revealed confidential information and simultaneously represented parties with an actual conflict of interest. These represent distinct and separate acts of misconduct. Multiple acts of wrongdoing are an aggravating factor. (*In the Matter of Elkins* (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 160, 168.)

Highly Vulnerable Victim (Std. 1.5(n)): Respondent revealed confidential information of her client, Barbara Trowbridge. Further, Respondent attempted to conserve her client against her wishes and even represented the adverse parties in the probate matter. Taking advantage of a vulnerable client is a factor in aggravation. (*In the Matter of Johnson* (Review Dept. 1995) 3 Cal. State Bar Ct. Rptr. 233.)

MITIGATING CIRCUMSTANCES.

Prefiling Stipulation: By entering into this stipulation, Respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability]; *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the attorney’s stipulation to facts and culpability was held to be a mitigating circumstance].)

Absence of Prior Misconduct. Respondent has been admitted to practice law since November 1992 and has been active at all times since. Respondent has been discipline free for seventeen years of practice from admission to the earliest misconduct herein (2010) and is therefore entitled to significant mitigation. (*Hawes v. State Bar* (1990) 51 Cal.3d 587, 596.)

Good Character. Respondent has produced evidence of good character by providing the State Bar with letters from over 50 individuals. Those letters come from the general and legal community. This entitles Respondent to significant mitigation. (*In the Matter of Field* (Review Dept. 2010) 5 Cal. State Bar Ct. Rptr. 17 [calling 36 character witnesses “extraordinary” evidence].)

Community Service. Respondent has engaged in substantial community service. Since October 2009, she has acted as a United States Coast Guard Auxiliary including in leadership roles. She has receive several citations for her service and the Coast Guard Auxiliary Achievement Medal for “demonstrating inspirational leadership” while overseeing seven flotillas which resulted in, among other things, saving three lives. Respondent also served as a pro tem judge from 2000 to 2014. Community service is a mitigating circumstance. (*In the Matter of Yee* (Review Dept. 2014) 5 Cal. State Bar Ct. Rptr. 330, 336.)

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct “set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances.” (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to standards are to this source.) The standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silverton* (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.) If a recommendation is at the high end or low end of a standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) “Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure.” (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given standard, in addition to the factors set forth in the specific standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member’s willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

Standard 2.4 presumes disbarment or actual suspension for obtaining a pecuniary interest adverse to the client where the terms were unfair or unreasonable. Because the terms described Respondent’s work only as “probate” with no further clarification or information to the client, the terms were unreasonable.

Standards 2.6 and 2.12 apply to Respondent’s actions in revealing client secrets. Standard 2.6(a) presumes suspension, while Standard 2.12(a) presumes disbarment or actual suspension for a violation of Business and Professions Code section 6068(e).

Respondent's representation of adverse interests is governed by Standard 2.19 which presumes a suspension up to three years or reproof.

Standard 1.7(a) states that where two or more Standards apply to Respondent's conduct, the most severe must be applied. Here, that is Standard 2.4 and Standard 2.12(a) which both presume actual suspension or disbarment.

Respondent is entitled to significant mitigation for a long period of prior discipline-free practice. Additionally, she has produced an extraordinary number of witnesses willing to testify to her good character. She has further significant mitigation in the form of community service and pro bono work. That work includes service as a Judge Pro Tem for the Superior Court of California, County of Orange from May 2000 through 2014. (*In the Matter of Aguiluz* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 32, 44 (finding service as a judge pro tem mitigating).) Nevertheless, this must be balanced against the multiple acts that occurred in this matter and Respondent's actions which were taken against a highly vulnerable individual. On balance, though, mitigation substantially outweighs aggravation. Therefore, deviation from the Standard is appropriate. In fact, the mitigation so far predominates that Respondent should receive a public reproof with reproof conditions. Doing so is sufficient to protect the public, the courts, and the legal profession; maintain high standards; and ensure public confidence in the profession.

Case law is in accord. In *Connor v. State Bar* (1990) 50 Cal.3d 1047, the attorney and the client entered into an agreement in order to avoid foreclosure on the client's property. Among other terms, the property would be transferred to the attorney, the attorney would apply for and obtain new financing to avoid foreclosure, and then the interest would be quitclaimed back to the client. Prior to obtaining this interest in his client's property, the attorney did not refer the client to another attorney or obtain informed written consent. The Supreme Court noted a 16 year prior discipline-free history and imposed a public reproof.

This instant matter includes a similar violation of rule 3-300. However, it also includes violations of 6068(e) and 3-310(C)(2). Therefore, the misconduct in this matter is more serious. Nevertheless, Respondent has much greater mitigation and that mitigation predominates over the aggravation. Therefore, on balance, discipline in line with that imposed in *Connor* is appropriate and Respondent should receive a public reproof with conditions.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of August 8, 2016, the prosecution costs in this matter are \$3,184. 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.

EXCLUSION FROM MINIMUM CONTINUING LEGAL EDUCATION ("MCLE") CREDIT

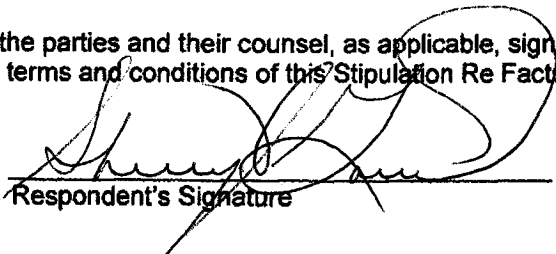
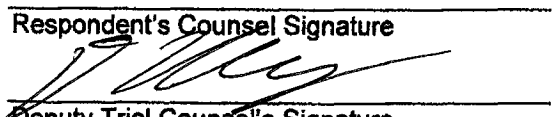
Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

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In the Matter of: SHERRY ANN GARRELS	Case number(s): 13-O-10109
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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.

<u>8/23/16</u> Date	 Respondent's Signature	<u>SHERRY ANN GARRELS</u> Print Name
<u>8-26-16</u> Date	 Respondent's Counsel Signature	<u>Drew Massey</u> Print Name
<u> </u> Date	<u> </u> Deputy Trial Counsel's Signature	<u> </u> Print Name

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In the Matter of: SHERRY ANN GARRELS	Case Number(s): 13-O-10109
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REPROVAL ORDER

Finding that the stipulation protects the public and that the interests of Respondent will be served by any conditions attached to the reproof, 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 REPROVAL IMPOSED.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the REPROVAL IMPOSED.
- All court dates in the Hearing Department are vacated.

The stipulated facts do not support the stipulated violations of State Bar Rules of Professional Conduct, rule 3-300 (business transactions with clients). The stipulated facts establish that respondent and Trowbridge agreed that Trowbridge would pay and paid respondent's \$15,000 fee with a used car instead of with money. The official discussion to rule 3-300 provides that the rule does not apply to any "agreement by which the member is retained by the client, unless the agreement confers on the member an ownership, possessory, security, or other pecuniary interest adverse to the client." An attorney obtains an "interest adverse to a client" when "it is reasonably foreseeable that [the] acquisition may become detrimental to the client." (*Connor v. State Bar* (1990) 50 Cal.3d 1047, 1057, citing *Ames v. State Bar* (1973) 8 Cal.3d 910, 920.) The stipulated facts do not suggest, much less establish, that it was reasonably foreseeable that respondent's acceptance of a used car (instead of money) from Trowbridge could become detrimental to Trowbridge. Nor do the stipulated facts suggest that the agreed upon fee was unconscionable (e.g., that the used car was worth significantly more than \$15,000). Accordingly, the parties' stipulation is modified as follows:

1. On page 8 of the stipulation, paragraph number 12, which begins "12. By failing to fully disclose," is DELETED.
2. On page 9 of the stipulation, the sixth paragraph, which begins "Standard 2.4 presumes," is DELETED.
3. On page 10 of the stipulation, in the second paragraph, which begins "Standard 1.7(a) states," the second sentence, which begins "Here, that is Standard," is MODIFIED to read as follows: "Here, that is standard 2.12(a), which presumes actual suspension or disbarment."
4. On page 10 of the stipulation, the fourth and the fifth paragraphs, which begin, "Case law is in accord" and "This instant matter," respectively, are DELETED.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and the costs are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. Sherry Ann Garrels must pay one-third of the costs with her membership fees for each of the years 2018, 2019, and 2020. If she 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.

(Do not write above this line.)

In the Matter of: SHERRY ANN GARRELS	Case Number(s): 13-O-10109
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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.) **Otherwise the stipulation shall be effective 15 days after service of this order.**

Failure to comply with any conditions attached to this reproof may constitute cause for a separate proceeding for willful breach of rule 1-110, Rules of Professional Conduct.

September 2, 2016
Date

W. Kearse McGill
W. KEARSE MCGILL

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 September 6, 2016, 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:

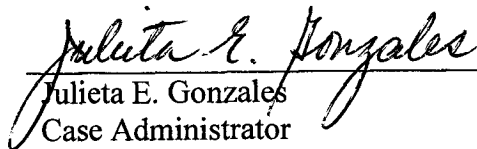
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

SHERRY A. GARRELS
LAW OFFICES OF SHERRY GARRELS
12600 BROOKHURST ST STE 103
GARDEN GROVE, CA 92840

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

Drew D. Massey, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in <select city>, California, on September 6, 2016.



Julieta E. Gonzales
Case Administrator
State Bar Court