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ORIGINAL

State Bar Court of California  
Hearing Department  
San Francisco  
ACTUAL SUSPENSION

Counsel For The State Bar  Robert A. Henderson Supervising Senior Trial Counsel 180 Howard St. San Francisco, CA 94105 (415) 538-2385  Bar # 173205	Case Number(s): 14-O-01397  <b>PUBLIC MATTER</b>	For Court use only
In Pro Per Respondent  Anthony Emmanuel Pagkas Pagkas & D'Anjou, LLP 777 N. First St., Suite 250 San Jose, CA 95112 (408) 291-5401  Bar # 186112		FILED <i>[Handwritten signature]</i> SEP 18 2015 STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO
In the Matter of: <b>ANTHONY EMMANUEL PAGKAS</b>  Bar # 186112  A Member of the State Bar of California (Respondent)	Submitted to: <b>Assigned Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted December 11, 1996.
- (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 10 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 5.130, Rules of Procedure.
  - Costs are to be paid in equal amounts prior to February 1 for the following membership years: (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 [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 07-O-13322 [S190341]
  - (b)  Date prior discipline effective **May 14, 2011**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Rules 3-110(A) - Failure to perform competently; and 3-300 - Improper pecuniary interest adverse to client; Business and Professions Code sections 6068(a) - Breach of fiduciary duty to former client; and 6068(o)(3) - Failure to report sanction.**
  - (d)  Degree of prior discipline **One year stayed suspension, two years of probation with 30 days actual suspension from the practice of law.**
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.
- (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.

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- (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 Attachment to Stipulation at p. 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.
- (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 investigations and proceedings.
- (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

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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 convincing proof of subsequent rehabilitation.
- (13)  **No mitigating circumstances** are involved.

**Additional mitigating circumstances:**

**Pre-filing Stipulation - See Attachment to Stipulation at p. 9.**

**D. Discipline:**

- (1)  **Stayed Suspension:**
- (a)  Respondent must be suspended from the practice of law for a period of **two years**.
- i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and fitness to practice and present learning and ability in the general law pursuant to standard 1.2(c)(1) 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 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 **90 days**.
- i.  and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and fitness to practice and present learning and ability in the general law pursuant to standard 1.2(c)(1), Standards for Attorney Sanctions for Professional Misconduct

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- 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 present learning and ability in the general law, pursuant to standard 1.2(c)(1), 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:

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- (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 5.162(A) & (E), Rules of Procedure.**  
 No MPRE recommended. Reason: \_\_\_\_\_
- (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:                   **ANTHONY EMMANUEL PAGKAS**  
CASE NUMBER:                       **14-O-01397**

**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. 14-O-01397 (Complainant: Jenny Wolfes and David Koehler)

**FACTS:**

1. Diamond SJ Enterprises, Inc. (“Diamond SJ”) owns and operates a nightclub in San Jose.
2. Beginning in 2005 and continuing into 2012, Diamond SJ, and its principals Jenny Wolfes (“Wolfes”) and Dave Koehler (“Koehler”) employed Anthony Pagkas (“Respondent”) for a variety of legal matters. Respondent did not have a written retainer agreement with Diamond SJ.
3. During the course of respondent’s employment, Diamond SJ paid at least \$201,375.78 in legal fees. The billing arrangement between respondent and Diamond SJ was informal in nature. Respondent would request payment, which Diamond SJ would pay without requiring an invoice for services rendered.
4. On May 5, 2011, one of the matters respondent worked on, *Diamond SJ Enterprise, Inc. v. City of San Jose*, case no. 1-07-CV081095, concluded by way of an adverse ruling on a Motion for Summary Judgment, filed by the City of San Jose. Respondent failed to promptly inform Diamond SJ or its principals Wolfes and Koehler of the adverse ruling. On June 12, 2011, Diamond SJ learned of the adverse ruling by consulting with a different attorney.
5. From May 14, 2011 through June 13, 2011, respondent was actually suspended from the practice of law as a result of discipline imposed in State Bar case no. 07-O-13322 [S190341]. It is during this timeframe that respondent’s attorney client relationship with Diamond SJ began to deteriorate.
6. From late 2010 through early 2012, Wolfes and Koehler on behalf of Diamond SJ made multiple requests of respondent asking for information related to ongoing legal issues Diamond SJ had with the City of San Jose, the San Jose Police Department and other entities. Respondent’s responses to the requests were non-specific generalizations, which did not provide any substantive information. Wolfes and Koehler eventually started to question respondent regarding the fees already paid. Specifically Wolfes and Koehler asked respondent for billing information and their files for prior work performed. Respondent was responsive to the e-mail communications, but never provided a substantive response to the inquiries. The multiple emails between Wolfes, Koehler and respondent, detail the deterioration of the attorney client relationship.

7. Between August 9, 2011 and February 16, 2012, Koehler, on behalf of Diamond SJ, on at least 12 occasions demanded billing information, copies of the file(s), an accounting for the fees paid and a detailed explanation of the work respondent performed. Respondent agreed to provide the material, but he did not follow through with the information.

8. Respondent never provided an accounting for the fees paid.

9. Respondent never provided a detailed explanation of the work performed.

10. Respondent never provided the billing information.

11. In July 2015, respondent provided the files to Diamond SJ. The delay in providing the files to Diamond SJ made them of little to no use.

#### CONCLUSIONS OF LAW:

12. By failing to release the client files to Diamond SJ until July 2015, respondent wilfully failed to promptly release to the client, the client papers and property, in willful violation of Rules of Professional Conduct, rule 3-700(D)(1).

13. By failing to provide an accounting to Diamond SJ for the services performed and the \$201,375.78 paid in legal fees, respondent wilfully failed to render an appropriate accounting to the client regarding those funds, in willful violation of the Rules of Professional Conduct, rule 4-100(B)(3).

14. By failing to substantively respond to the multiple requests for a status update made by Diamond SJ, respondent failed to promptly respond to reasonable status inquiries of a client in a matter in which respondent had agreed to provide legal services, in willful violation of Business and Professions Code section 6068(m).

15. By failing to promptly inform Diamond SJ of the adverse ruling on the Motion for Summary Judgment in *Diamond SJ Enterprise, Inc. v. City of San Jose*, case no. 1-07-CV081095, respondent failed to inform a client of a significant development in a matter in which respondent had agreed to provide legal services in willful violation of Business and Professions Code section 6068(m).

#### AGGRAVATING CIRCUMSTANCES.

**Prior Record of Discipline (Std. 1.5(a)):** Respondent has a prior record of discipline in case no. 07-O-13322 [S190341]. The discipline became effective on May 14, 2011, for violations of Rules of Professional Conduct, rule 3-110(A) [failure to perform competently]; 3-300 [improper pecuniary interest adverse to a client]; and Business and Professions Code section 6068(o)(3) [failure to report sanctions in excess of \$1,000]. The Supreme Court suspended respondent for one year, stayed the suspension and placed him on three years of probation, conditioned on a 30 day actual suspension from the practice of law.

**Multiple Acts of Misconduct (Std. 1.5(b)):** Respondent's failure to communicate, account and promptly provide the file demonstrate multiple acts of misconduct.

## **MITIGATING CIRCUMSTANCES.**

**Prefiling Stipulation:** Respondent is entitled to mitigation for entering into a full stipulation with the Office of Chief Trial Counsel prior to the filing of a Notice of Disciplinary Charges, thereby saving State Bar Court time and resources. (*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].)

## **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).)

In this matter, respondent committed multiple acts of professional misconduct. Standard 1.7(a) requires that where a respondent “commits two or more acts of misconduct and the Standards specify different sanctions for each act, the most severe sanction must be imposed.”

The most severe sanction applicable to respondent’s misconduct is found in Standard 2.2 which provides that an actual suspension of three months is appropriate for commingling or failing to promptly pay out entrusted funds, while suspension or reproof is appropriate for any other violation of rule 4-100. In this matter, Standard 2.2(b) provides sanctions ranging from reproof to actual suspension.

The gravamen of respondent’s misconduct is not limited to his failure to render an accounting, but rather the persistent nature of his refusal to provide his client with information regarding the client’s matters. Therefore discipline at the higher end of the range identified by Standard 2.2(b) would be appropriate.

In the current matter respondent has a significant aggravating factor, a prior record of discipline, coupled with multiple acts of misconduct, which is minimally tempered by respondent's entering into this pre-filing stipulation. On balance the aggravating factors significantly outweigh the mitigation. Standard 1.8(a) states: "If a member has a single prior record of discipline, the sanction must be greater than the previously imposed sanction unless the prior discipline was so remote in time and the previous misconduct was not serious enough that imposing greater discipline would be manifestly unjust." Here, respondent's prior misconduct is neither remote, nor minor. Therefore the discipline imposed should be greater than the 30 day actual suspension imposed on May 14, 2011. As respondent's conduct does not appear to have harmed his client, a 90-day actual suspension would follow the Standards and adequately protect the public and the profession.

#### **COSTS OF DISCIPLINARY PROCEEDINGS.**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of August 21, 2015, the prosecution costs in this matter are \$3,066. 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 MCLE CREDIT**

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

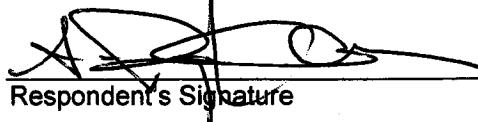
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In the Matter of: <b>ANTHONY EMMANUEL PAGKAS</b>	Case number(s): <b>14-O-01397</b>
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### SIGNATURE OF THE PARTIES

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.

Sept. 2, 2015  
Date

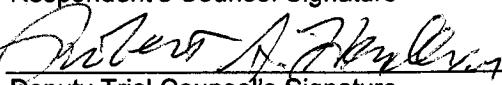


Respondent's Signature

Anthony E. Pagkas

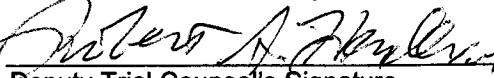
Print Name

Date

  
Respondent's Counsel Signature

Print Name

9/3/15  
Date

  
Deputy Trial Counsel's Signature

Robert A. Henderson

Print Name

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In the Matter of: ANTHONY EMMANUEL PAGKAS	Case Number(s): 14-O-01397
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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:

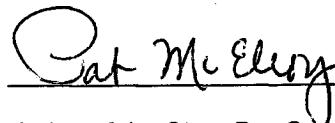
- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- All Hearing dates are vacated.

1. On page 1 of the Stipulation, at paragraph A.(3), line 3, "10 pages" is deleted, and in its place is inserted "11 pages".
2. On page 8 of the Stipulation, under the heading "Aggravating Circumstances," on line 6 of the paragraph concerning respondent's prior record of discipline, "three years of probation" is deleted, and in its place is inserted "two years of probation".
3. On page 9 of the Stipulation, under the heading "Mitigating Circumstances," line 3, "a" is deleted, and in its place is inserted "and".

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.)**

Date

September 18, 2015

  
Pat McElroy

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 San Francisco, On September 18, 2015, 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 San Francisco, California, addressed as follows:

ANTHONY E. PAGKAS  
PAGKAS & D'ANJOU, L.L.P.  
777 N 1ST ST STE 250  
SAN JOSE, CA 95112

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

Robert A. Henderson, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in San Francisco, California, on September 18, 2015.

  
Lauretta Cramer  
Case Administrator  
State Bar Court