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<b>State Bar Court of California Hearing Department Los Angeles DISBARMENT</b>		
Counsel For The State Bar  <b>Drew Massey</b> 845 S. Figueroa Street Los Angeles, CA 90017 Tel: (213) 765-1204  Bar # 244350	Case Number(s): <b>15-O-10548-DFM</b> <b>15-O-12276</b> <b>15-O-15745</b> <b>16-O-11000</b>	For Court use only  <div style="text-align: center; font-size: 2em; font-weight: bold;">PUBLIC MATTER</div>  <div style="text-align: center; font-size: 1.5em; font-weight: bold;">FILED</div> <div style="text-align: center; font-size: 1.5em; font-weight: bold;">JAN - 3 2017</div> <div style="text-align: center; font-weight: bold;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</div>
Counsel For Respondent  <b>Timothy Milner</b> 3055 Wilshire Blvd., Ste 805 Los Angeles, CA 90010 Tel: (213) 382-1195  Bar # 109648	Submitted to: <b>Assigned Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT  <b>DISBARMENT</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: <b>VICTOR JACBOVITZ</b>  Bar # 66297  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 **December 18, 1975**.
- (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 resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of (14) 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."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."

(Effective November 1, 2015)

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Disbarment

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- (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 to be awarded to the State Bar.
  - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
  - Costs are entirely waived.
- (9) ORDER OF INACTIVE ENROLLMENT:  
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 5.111(D)(1).

**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 **14-O-03330; 14-O-03830**
  - (b)  Date prior discipline effective **July 19, 2015**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Business and Professions Code, section 6106**
  - (d)  Degree of prior discipline **Two-year period of stayed suspension, three-year period of probation with conditions including an actual suspension for 90 days.**
  - (e)  If respondent has two or more incidents of prior discipline, use space provided below:  
**See pages 10-11.**
- (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. **See page 11.**
- (9)  **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (10)  **Lack of Candor/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 11.
- (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 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.

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- (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: Pretrial stipulation. See page 11.**

**D. Discipline: Disbarment.**

**E. Additional Requirements:**

- (1) **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.
- (2)  **Restitution:** Respondent must make restitution to \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ plus 10 percent interest per year from \_\_\_\_\_. If the Client Security Fund has reimbursed \_\_\_\_\_ for all or any portion of the principal amount, respondent must pay restitution to CSF of the amount paid plus applicable interest and costs in accordance with Business and Professions Code section 6140.5. Respondent must pay the above restitution and furnish satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles no later than \_\_\_\_\_ days from the effective date of the Supreme Court order in this case.
- (3)  **Other:**



8. On June 18, 2014, Diaz asked Respondent to deposit two of the Perez checks, totaling \$100,300.44 into Respondent's CTA. Diaz also asked that the majority of funds be transferred to him by checks from Respondent drawn on Respondent's CTA. A small sum, \$267.44, would be retained by Respondent to pay a debt owed to him by Diaz.

9. On June 19, 2014, Respondent deposited into his CTA the first check to Perez in the amount of \$80,000. On June 26, 2014, Respondent deposited into his CTA the second check to Perez in the amount of \$20,300.44.

10. Respondent wrote three checks to Diaz, drawn on his CTA, on June 23, 2014, July 2, 2014, and July 7, 2014 in the total amount of \$100,033.

11. Neither Diaz, Booth, nor Perez were clients of Respondent at any time.

#### CONCLUSIONS OF LAW:

12. By depositing funds into his CTA on June 19, 2014 and June 26, 2014, which belonged only to Respondent or non-clients, Respondent commingled funds in his CTA in willful violation of Rules of Professional Conduct, rule 4-100(A).

#### Case No. 15-O-12276 (Complainant: State Bar Investigation)

#### FACTS:

13. In November 2013, Respondent received settlement proceeds on behalf of his client, Karen Pinella. Specifically, Respondent received \$7,500 which was deposited in his client trust account at Bank of America, account number XXXXXXXXX0635 ("CTA2").

14. Of the \$7,500 total, Respondent was entitled to \$3,200 as fees and costs. Respondent also paid \$2,500 to Pinella. Respondent retained \$1,800 of the Pinella settlement to pay a medical provider, Dr. George Bernal, D.C.

15. Subsequently, however, Respondent's CTA2 dipped below the necessary \$1800 he needed to hold on behalf of Bernal. By April 14, 2014, the balance in CTA2 had fallen to \$1,211.

16. On February 14, 2014, Respondent closed CTA2 and opened CTA. The opening balance of CTA was greater than \$1,800. However, the CTA thereafter fell below \$1,800. Specifically, Respondent's CTA fell as follows:

- a. On December 19, 2014 to \$1,676.76.
- b. On January 2, 2015 to \$1,351.97.
- c. On January 7, 2015 to \$358.28.
- d. On February 2, 2015 to \$658.28.
- e. On February 4, 2015 to -\$168.28.

17. By February 4, 2014, all \$1800 of the funds held on behalf of Bernal had been removed from Respondent's CTA.

18. Separately, in March 2015, Respondent received settlement funds that resolved a tenant liability action for approximately thirty of Respondent's clients.

19. Of the funds received by Respondent, Respondent's client, Polly Anderson, was entitled to receive \$1,245.

20. On April 24, 2015, Respondent wrote a check to Anderson in the amount of \$1,245 drawn on his CTA.

21. On April 28, 2015, the check to Anderson was paid on insufficient funds. After paying the check, the balance of the CTA had been reduced to -\$246.05.

#### CONCLUSIONS OF LAW:

22. By removing from CTA2 and CTA the funds held on behalf of Bernal, Respondent grossly negligently misappropriated \$1,800 and thereby committed an act involving moral turpitude, dishonesty, or corruption in willful violation of Business and Professions Code, section 6106.

23. By failing to maintain at least \$1,800 in his CTA2 on behalf of Bernal, Respondent willfully violated Rules of Professional Conduct, rule 4-100(A).

24. By failing to maintain at least \$1,245 in his CTA2 on behalf of Anderson, Respondent willfully violated Rules of Professional Conduct, rule 4-100(A).

#### Case No. 15-O-15745 (Complainant: Gabriella Jurenka)

#### FACTS:

25. In May 2014, Gabriela Jurenka filed a claim for damages with the Los Angeles Unified School District ("LAUSD"). LAUSD denied the claim.

26. On July 16, 2014, Jurenka hired Respondent to represent her in a wrongful termination matter against LAUSD.

27. On December 18, 2014, Respondent filed a complaint against LAUSD in Los Angeles County Superior Court, designated case number BC567112 and captioned *Jurenka v. LAUSD*. Respondent thereafter filed a first amended complaint.

28. On June 1, 2015, LAUSD filed a demurrer to the complaint.

29. On June 30, 2015, the Court granted LAUSD's demurrer and allowed fifteen days to amend the complaint as to the fourth cause of action.

30. From July 8, 2015 and several times thereafter, Jurenka made repeated contact to Respondent's office requesting a copy of the complaint and status updates about the case. On December 19, 2014, Respondent informed Jurenka that the complaint had been filed but never provided a copy of the complaint to Jurenka.



31. On May 21, 2015, Jurenka contacted Respondent by e-mail requesting a status update. Respondent replied the same day but stated only that a case manager would contact her. The case manager did not call. Respondent did not otherwise respond to his client's inquiry.

32. On July 8, 2015, Jurenka followed up by e-mail and again requested a status update. Her e-mail was returned by the "case manager" who indicated that a demurrer had been filed which partially dismissed the matter. Jurenka was previously unaware of the demurrer or the dismissal.

33. Respondent did not amend the complaint and the entire matter was dismissed.

34. Respondent did not communicate these developments (the demurrer, the lack of amendment, or the dismissal) to Jurenka.

35. On June 19, 2015, and effective July 19, 2015, the Supreme Court issued an order imposing professional discipline on Respondent. That discipline included, inter alia, an order that Respondent comply with California Rule of Court, rule 9.20(a) within thirty days and California Rule of Court, rule 9.20(c) within forty days.

36. On August 25, 2015, Respondent filed a compliance declaration under penalty of perjury in conformity with California Rule of Court, rule 9.20(c). As part of his compliance declaration, Respondent indicated that, "As of the date upon which the order to comply with Rule 9.20 was filed, I had no clients." He also indicated that, "As of the date upon which the order to comply with rule 9.20 was filed, I had no papers or other property to which clients were entitled."

37. In fact, as of the date of the Supreme Court order imposing discipline, Respondent was still representing Jurenka, still counsel of record in the Jurenka v. LAUSD matter, and still retained the Jurenka file.

#### CONCLUSIONS OF LAW:

38. By failing to inform Jurenka of the demurrer, the lack of amendment, and the dismissal of the matter, Respondent failed to keep his client reasonably informed of significant developments in her case in willful violation of Business and Professions Code, section 6068(m).

39. By declaring in his compliance declaration under penalty of perjury that he did not have any clients or client papers when he knew that he did, in fact, have a client and client papers, Respondent made an intentional misrepresentation and thereby committed an act involving moral turpitude, dishonesty, or corruption in willful violation of Business and Professions Code, section 6106.

#### Case No. 16-O-11000 (State Bar Investigation)

#### FACTS:

40. Mario Diaz was also retained by Maria Gonzalez who acted as guardian ad litem in a personal injury matter for her daughter Yadanara Espino.

41. The parties reached a settlement and on November 13, 2002, Diaz filed an order to deposit money on behalf of Espino from State Farm Life Insurance Company for the purchase of an annuity

pursuant to an Order Approving Compromise and Release. The annuity would pay four annual payments to Espino in the amount of \$52,167.30 beginning on Espino's 18th birthday in July 2013.

42. The payments were provided to Diaz on Espino's behalf. However, Diaz did not turn them over to Espino.

43. In or about July 2014, Diaz forged Espino's endorsement on at least one of the checks. Diaz then gave the check to Respondent and asked Respondent to place the funds in Respondent's CTA and thereafter write a check directly to Diaz.

44. On July 7, 2014, Respondent deposited the check into his CTA.

45. On July 10, 2014, Respondent issued a check from his CTA to Diaz in the amount of \$10,000. On July 11, 2014, Respondent issued a check to Diaz in the amount of \$10,000. On July 14, 2014, Respondent issued a check to Diaz in the amount of \$32,167.30.

46. Neither Diaz, Espino, nor Gonzalez were clients of Respondent at any time.

#### CONCLUSIONS OF LAW:

47. By depositing funds into his CTA on July 7, 2014, which belonged only to Respondent or non-clients, Respondent commingled funds in his CTA in willful violation of Rules of Professional Conduct, rule 4-100(A).

#### AGGRAVATING CIRCUMSTANCES.

**Prior Record of Discipline (Std. 1.5(a)).** Respondent has two prior records of discipline as follows:

##### Prior Record One

Effective October 4, 2014 in case numbers 12-O-12569, 12-O-14968, 12-O-18210, 13-O-11774, 13-O-13181, Respondent received a one year suspension with the execution stayed and two years of probation with conditions including an actual suspension for 30 days. In mitigation, Respondent had 36 years of prior discipline-free practice and entered into a pretrial stipulation. In aggravation, there were multiple acts of misconduct and significant harm to the client.

Respondent issued sixteen checks from his CTA on insufficient funds in four of the cases resulting in three counts of violating section 6106. In one case, Respondent represented a client with regard to a claim against Baltimore Hotel. Respondent refused to communicate with the client, settled the matter without the client's authority, and dismissed her matter with prejudice without permission. He stipulated to violating rules 3-110(A), 3-700(A)(2), and two counts of section 6068(m).

##### Prior Record Two

Effective July 19, 2015 in case numbers 14-O-03330 and 14-O-03830, Respondent received a two-year period of suspension with the imposition stayed. He further received a three-year period of probation with conditions including actual suspension for 90 days. In mitigation, Respondent entered into a pre-filing stipulation. In aggravation, Respondent had a prior record of discipline and displayed indifference.

Respondent issued four checks from his CTA on insufficient funds. This misconduct occurred after his prior discipline, but before he attended Client Trust Accounting School as part of his prior discipline. He completed CTA school in February 2015.

**Significant Harm (Std. 1.5(f)).** Respondent's conduct directly resulted in the loss of \$100,300.44 to Ms. Perez and \$52,167.30 to Ms. Espino. These are significant sums and, although not neither were a client, Respondents actions caused direct harm to them. Even where a client is not involved, significant harm to the public is an aggravating circumstance. (*In the Matter of Varakin* (Review Dept. 1994) 3 Cal. State Bar Ct. Rptr. 179, 189.)

**Multiple Acts of Wrongdoing (Std. 1.5(b)).** Here, the misconduct includes not only misuse of the Client Trust Account by allowing Diaz to cash checks, but also the issuance of checks on insufficient funds to a client and medical provider. Multiple acts of wrongdoing are an aggravating factor. (*In the Matter of Elkins* (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 160, 168.)

#### MITIGATING CIRCUMSTANCES.

**Pretrial Stipulation:** By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar 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].)

#### 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 2.2 states that an actual suspension of three months is the presumed sanction for comingling. Standard 2.11 states that disbarment or actual suspension is the presumed sanction for an act of moral turpitude. The degree of the sanction depends on, among other factors, the extent to which it relates to Respondent's practice of law. Misrepresentation on a rule 9.20 compliance declaration goes to the heart of the practice of law and respect for the administration of justice. Therefore a sanction on the upper end of that range is necessary.

Because this will be Respondent's third discipline, Standard 1.8(b) also applies. It states that where an attorney has two or more prior records of discipline, and actual suspension was ordered in a prior discipline or the prior disciplinary matters coupled with the current record demonstrate the member's unwillingness to conform to ethical responsibilities, then disbarment is appropriate unless the most compelling mitigating circumstances clearly predominate or the prior discipline occurred during the same time period as the current misconduct.

Standard 1.7(a) states that where two or more Standards are applicable to the misconduct, the most severe sanction should be used. Here, that is Standard 1.8(b) which calls for disbarment.

Actual suspension was previously imposed in both of Respondent's prior disciplines. Further, all of the prior misconduct relates to mismanagement of Respondent's CTA, issuance of checks on insufficient funds, failure to maintain funds in trust, and comingling. Respondent first attended State Bar Client Trust Accounting School in December 2010 and therefore should have been well aware of the requirements of maintaining a CTA. Thus, the misconduct also demonstrates an unwillingness or inability to conform to ethical responsibilities.

In these matters, Respondent has continued to mismanage his CTA. In fact, the present misconduct involves grosser mismanagement with more significant harm as a result. Further, the misconduct is highly aggravated by both the significant harm to Ms. Perez and Ms. Espino and the prior records of discipline. Because there are no countervailing factors in mitigation, no deviation from Standard 1.8(b) is warranted and Respondent should be disbarred. Doing so is necessary to protect the public, the courts, and the legal profession; maintain the highest professional standards; and preserve public confidence in the profession.

When applying Standard 1.8(b), "the critical issue is whether compelling mitigating circumstances clearly predominate to warrant an exception to the severe penalty of disbarment." (*In the Matter of Sullivan* (Review Dept. 2010) 5 Cal. State Bar Ct. Rptr. 189, 196.) The Review Department has held that, "when there is a repetition of offenses for which an attorney has previously been disciplined, that 'demonstrates a pattern of professional misconduct,' the Supreme Court and this court have found that disbarment is appropriate...." (*In the Matter of Thomson* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 966, 977.)

Here, Respondent lacks compelling mitigation. Respondent has also demonstrated a consistent abuse of his CTA which has already resulted in significant harm and numerous checks on insufficient funds. Moreover, Respondent first attended CTA school in December 2010 before any of the misconduct in any of his prior matters. Therefore, it is unlikely that further instruction is likely sufficiently protect the public.

**COSTS OF DISCIPLINARY PROCEEDINGS.**

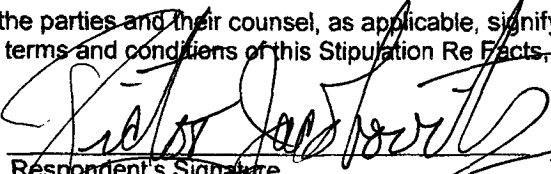
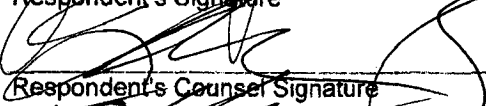

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of December 9, 2016, the discipline costs in this matter are \$8,883.02. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

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In the Matter of: VICTOR JACOBOVITZ	Case number(s): 15-O-10548; 15-O-12276; 15-O-15745; 16-O-11000
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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.

12-14-16		Victor Jacobovitz
Date	Respondent's Signature	Print Name
12/14/16		Timothy Milner
Date	Respondent's Counsel Signature	Print Name
12-16-16		Drew Massey
Date	Deputy Trial Counsel's Signature	Print Name

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In the Matter of: VICTOR JACOBVITZ	Case Number(s): 15-O-10548; 15-O-12276; 15-O-15745; 16-O-11000
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### DISBARMENT 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.)**

Respondent is ordered transferred to involuntary inactive status pursuant to Business and Professions Code section 6007, subdivision (c)(4). Respondent's inactive enrollment will be effective three (3) calendar days after this order is served by mail and will terminate upon the effective date of the Supreme Court's order imposing discipline herein, or as provided for by rule 5.111(D)(2) of the Rules of Procedure of the State Bar of California, or as otherwise ordered by the Supreme Court pursuant to its plenary jurisdiction.

1/3/17  
Date

  
DONALD F. MILES  
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 3, 2017, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION  
AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE  
ENROLLMENT

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:

TIMOTHY V. MILNER  
3055 WILSHIRE BLVD STE 805  
LOS ANGELES, CA 90010

- 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 Los Angeles, California, on January 3, 2017.



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Mazie Yip  
Case Administrator  
State Bar Court