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State Bar Court of California  
Hearing Department  
Los Angeles  
ACTUAL SUSPENSION

<p>Counsel For The State Bar</p> <p><b>Drew Massey</b> Deputy Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017 Tel: (213) 765-1204</p> <p>Bar # 244350</p>	<p>Case Number(s): 15-O-15566-LMA 16-O-11124 16-O-12366</p>	<p>For Court use only</p> <p><b>PUBLIC MATTER</b></p> <p><b>FILED</b> </p> <p><b>DEC 28 2016</b></p> <p>STATE BAR COURT CLERK'S OFFICE SAN FRANCISCO</p>
<p>In Pro Per Respondent</p> <p><b>Ronny Mor</b> P.O. Box 120364 San Diego, CA 92112 Tel: (619) 708-7237</p> <p>Bar # 248274</p>	<p>Submitted to: <b>Assigned Judge</b></p> <p>STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING</p> <p><b>ACTUAL SUSPENSION</b></p> <p><input type="checkbox"/> PREVIOUS STIPULATION REJECTED</p>	
<p>In the Matter of: <b>RONNY MOR</b></p> <p>Bar # 248274</p> <p>A Member of the State Bar of California (Respondent)</p>		

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

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted **January 30, 2007**.
- (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 **16** 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".



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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):
- Until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 5.130, Rules of Procedure.
  - Costs are to be paid in equal amounts prior to February 1 for the following membership years: **three 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.

**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-05766**
  - (b)  Date prior discipline effective **January 7, 2016**
  - (c)  Rules of Professional Conduct/ State Bar Act violations: **Rules of Professional Conduct, rule 1-300(B), 3-700(D)(1), and 4-200(A).**
  - (d)  Degree of prior discipline **A one-year period of stayed suspension and a two-year period of probation with conditions including restitution and an actual suspension of thirty days.**
  - (e)  If Respondent has two or more incidents of prior discipline, use space provided below.  
  
See attachment, page 12.
- (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, page 12.
- (12)  **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13)  **Restitution:** Respondent failed to make restitution. See attachment, page 12.
- (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

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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:**

**Pretrial stipulation. See attachment, page 12.**

**D. Discipline:**

- (1)  **Stayed Suspension:**
- (a)  Respondent must be suspended from the practice of law for a period of **three (3) 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 **three (3) 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 **eighteen (18) months**.
- 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:

**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: .
- (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:

- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input checked="" type="checkbox"/> 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:**

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In the Matter of: <b>RONNY MOR</b>	Case Number(s): <b>15-O-15566; 16-O-11124; 16-O-12366</b>
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### Financial Conditions

#### a. Restitution

- Respondent must pay restitution (including the principal amount, plus interest of 10% per annum) to the payee(s) listed below. If the Client Security Fund ("CSF") has reimbursed one or more of the payee(s) for all or any portion of the principal amount(s) listed below, Respondent must also pay restitution to CSF in the amount(s) paid, plus applicable interest and costs.

Payee	Principal Amount	Interest Accrues From
<b>Anthony Yarlott</b>	<b>\$4,000</b>	<b>March 7, 2014</b>
<b>Jose and Irene Lopez</b>	<b>\$1,495</b>	<b>March 15, 2010</b>

- Respondent must pay above-referenced restitution and provide satisfactory proof of payment to the Office of Probation not later than

#### b. Installment Restitution Payments

- Respondent must pay the above-referenced restitution on the payment schedule set forth below. Respondent must provide satisfactory proof of payment to the Office of Probation with each quarterly probation report, or as otherwise directed by the Office of Probation. No later than 30 days prior to the expiration of the period of probation (or period of reprobation), Respondent must make any necessary final payment(s) in order to complete the payment of restitution, including interest, in full.

Payee/CSF (as applicable)	Minimum Payment Amount	Payment Frequency

- 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.

#### c. Client Funds Certificate

1. If Respondent possesses client funds at any time during the period covered by a required quarterly report, Respondent must file with each required report a certificate from Respondent and/or a certified public accountant or other financial professional approved by the Office of Probation, certifying that:
- Respondent has maintained a bank account in a bank authorized to do business in the State of California, at a branch located within the State of California, and that such account is designated as a "Trust Account" or "Clients' Funds Account";

- b. Respondent has kept and maintained the following:
- i. A written ledger for each client on whose behalf funds are held that sets forth:
    - 1. the name of such client;
    - 2. the date, amount and source of all funds received on behalf of such client;
    - 3. the date, amount, payee and purpose of each disbursement made on behalf of such client; and,
    - 4. the current balance for such client.
  - ii. a written journal for each client trust fund account that sets forth:
    - 1. the name of such account;
    - 2. the date, amount and client affected by each debit and credit; and,
    - 3. the current balance in such account.
  - iii. all bank statements and cancelled checks for each client trust account; and,
  - iv. each monthly reconciliation (balancing) of (i), (ii), and (iii), above, and if there are any differences between the monthly total balances reflected in (i), (ii), and (iii), above, the reasons for the differences.
- c. Respondent has maintained a written journal of securities or other properties held for clients that specifies:
- i. each item of security and property held;
  - ii. the person on whose behalf the security or property is held;
  - iii. the date of receipt of the security or property;
  - iv. the date of distribution of the security or property; and,
  - v. the person to whom the security or property was distributed.
2. If Respondent does not possess any client funds, property or securities during the entire period covered by a report, Respondent must so state under penalty of perjury in the report filed with the Office of Probation for that reporting period. In this circumstance, Respondent need not file the accountant's certificate described above.
3. The requirements of this condition are in addition to those set forth in rule 4-100, Rules of Professional Conduct.

**d. Client Trust Accounting School**

- Within one (1) year of the effective date of the discipline herein, Respondent must supply to the Office of Probation satisfactory proof of attendance at a session of the Ethics School Client Trust Accounting School, within the same period of time, and passage of the test given at the end of that session.



**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:                      RONNY MOR

CASE NUMBERS:                        15-O-15566; 16-O-11124; 16-O-12366

**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. 15-O-15566 (Complainant: Anthony Yarlott)

FACTS:

1. During the relevant time period, Respondent was the President of Salvation Law Group, an entity which performed mortgage modification services.
2. Anthony Yarlott purchased a home in 2006 in Washington state. In 2009, he attempted to complete a loan modification with his loan servicer, but was unsuccessful. In 2013, he applied for the Home Affordable Refinance Program ("HARP"). In October 2013, he received a phone call from Salvation Law Group ("SLG") which offered their loan modification services.
3. SLG offered to complete the work with an up front payment. Yarlott paid a total of \$4,000. Yarlott made several payments with the final payment occurring on March 7, 2014. As of March 7, 2014, the loan modification had not been completed.
4. Communication with SLG continued for a period of time. But the final communication came from SLG on July 25, 2014. It did not indicate that it was the final communication or that SLG would no longer be representing Yarlott.
5. Respondent is not licensed to practice law in Washington. From October 2013 through July 2014, Respondent practiced law in Washington by providing loan modification services when to do so was in violation of the Revised Code of Washington, section 2.48.180(2)(a).
6. Yarlott followed up by e-mail on July 31, 2014, August 8, 2014, September 10, 2014, October 16, 2014, and October 24, 2014. No return contact was received. Yarlott attempted to contact SLG by telephone without success. Yarlott hired a new attorney, Chelsea Hicks, who sent a letter to Respondent dated December 22, 2014 requesting a full refund. No response was received.

CONCLUSIONS OF LAW:

7. By failing to respond to reasonable client inquiries made July 31, 2014, August 8, 2014, September 10, 2014, October 16, 2014, and October 24, 2014, Respondent willfully violated Business and Professions Code, section 6068(m).

8. By entering into an agreement and charging \$2,500 for legal fees when he was not authorized to do so, Respondent willfully collected an illegal fee in violation of Rules of Professional Conduct, rule 4-200(A).

9. By providing loan mortgage modification services in Washington when he was not admitted to practice law in Washington, Respondent willfully practiced law in a jurisdiction when to do so was in violation of the regulations of the profession in that jurisdiction, in willful violation of Rules of Professional Conduct, rule 1-300(B).

10. By failing to refund the illegal fee, Respondent willfully violated Rules of Professional Conduct, rule 3-700(D)(2).

Case No. 16-O-11124 (Complainant: Jose and Irene Lopez)

FACTS:

11. On March 15, 2010, Jose and Irene Lopez hired Respondent to handle a loan modification for their property and paid him an advance fee of \$1,495.

12. Respondent recommended that the Lopezes file for bankruptcy. On March 23, 2010, the Lopezes signed an additional retainer to file for Chapter 13 bankruptcy.

13. On August 6, 2010, Respondent filed a Chapter 13 bankruptcy case titled *In re Jose Manuel Lopez and Irene G. Lopez* in the United States Bankruptcy Court for the Southern District of California and given case number 10-14049-MM13.

14. Respondent prepared schedules and a payment plan which was ready for confirmation by the end of 2010, but which was not confirmed until October 2011 due to Respondent's delay in uploading the confirmation order to the trustee and the Court.

15. The reorganization strategy intended to strip a second lien from the home. However, the confirmed plan that Respondent provided to the Court did not do so. Instead, it called for additional payments of \$476.29 per month.

16. These additional payments were not feasible because the Lopezes only had net income to make the plan payment of \$77.35. The Trustee noted the deficiency, but Respondent insisted that the Lopezes would make up the difference from tax refunds.

17. Respondent erred in completing the Debtors' schedules accurately. He failed to include a lien strip under the Plan. He proposed an infeasible plan that was not in Debtors' interest by providing payments to unsecured creditors that bankruptcy law did not require. He also abandoned Debtors by failing to return their phone calls and answer their questions.

18. On October 14, 2013, attorney Eric Johnson substituted into the Lopez's bankruptcy matter for Respondent.

19. On March 23, 2016, State Bar investigator Susan Kim sent a letter to Respondent requesting that he respond to the allegations. When no response was received, additional e-mails were sent on

April 12, 2016, April 19, 2016, May 25, 2016, and July 1, 2016. No response was received from Respondent at any time during the disciplinary investigation.

**CONCLUSIONS OF LAW:**

20. By failing to accurately complete bankruptcy schedules, delaying the filing of a confirmed bankruptcy plan, and thereafter filing one which was infeasible and which did not conform to his clients' strategy, Respondent intentionally, recklessly, or repeatedly failed to perform legal services with competence in willful violation of Rules of Professional Conduct, rule 3-110(A).

21. By charging and collecting an advance fee for loan modification services in violation of Civil Code section 2944.7, Respondent collected an illegal advance fee in willful violation of Business and Professions Code, section 6106.3.

22. By failing to respond to the State Bar investigator's letters and e-mails, sent on five separate occasions over a more than three-month period, Respondent failed to participate in a State Bar disciplinary investigation in willful violation of Business and Professions Code, section 6068(i).

Case No. 16-O-12366 (State Bar Investigation)

**FACTS:**

23. Respondent maintains a Client Trust Account at Bank of America, account number XXXXXXXXX4440 ("CTA"). There has been no activity in the account since October 2014 and, at all times thereafter, the account balance was \$145.16.

24. On March 4, 2016, Respondent wrote a check drawn on his CTA and made payable to David Hernandez Torres in the amount of \$1,300. That check was presented for payment on March 8 and March 11, 2016 and was dishonored on both occasions.

25. At the time the check was written, there were insufficient funds to cover the check.

26. State Bar investigator Susan Kim sent letters requesting Respondent's response on April 20, 2016, May 10, 2016, and July 7, 2016 as well as an e-mail on June 16, 2016. Respondent never provided a substantive response.

27. Respondent was contacted by phone on August 12, 2016, but did not thereafter provide the requested written response.

28. Respondent did not respond to a further e-mail on August 18, 2016 or a phone call on August 23, 2016.

**CONCLUSIONS OF LAW:**

29. By writing a check when Respondent knew or was grossly negligent in not knowing that the account had insufficient funds to cover the check, Respondent willfully committed an act of moral turpitude, dishonesty, or corruption in violation of Business and Professions Code, section 6106.

30. By failing to provide a written response to the State Bar investigator's letters dated April 20, 2016, May 10, 2016, and July 7, 2016, or e-mails dated June 16, 2016 and August 18, 2016, Respondent willfully failed to participate in a State Bar investigation in violation of Business and Professions Code section 6068(i).

### AGGRAVATING CIRCUMSTANCES.

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

#### Prior One

Effective January 7, 2016, Respondent stipulated to discipline including a one-year period of stayed suspension, and a two-year period of probation with conditions including an actual suspension of 30 days as well as the payment of restitution. In mitigation, there was a pretrial stipulation and no record of prior discipline. In aggravation, Respondent displayed indifference, committed multiple acts, and failed to pay restitution.

Respondent represented a client in Minnesota from March through October 2014. During that time he attempted to secure a loan modification for his client. Respondent was not licensed to practice law in Minnesota.

#### Prior Two

Although not yet effective, the Hearing Department recommended discipline on August 4, 2016 including two-year period of probation with conditions including an actual suspension for one-year and until restitution was paid.

Respondent failed to comply with any of the probation conditions ordered in the first prior record of discipline. As a result, the stayed suspension was imposed and a new period of probation recommended.

**Multiple Acts of Wrongdoing (Std. 1.5(b)):** Respondent has engaged in multiple acts by representing individuals in states where he was not licensed to do so, taking illegal fees for that representation, and failing to communicate with them. Multiple Acts are an aggravating factor. (*In the Matter of Elkins* (Review Dept. 2009) 5 Cal. State Bar Ct. Rptr. 160, 168.)

**Failure to Make Restitution (Std. 1.5(m)):** Respondent has taken \$7,295 in fees from his clients that were either illegal or ordered disgorged. Respondent has failed to return any portion of the illegal fees to his client.

### 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 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].)

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## 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 2.3(b) applies to charging an illegal fee and presumes suspension or reproof. Standard 2.7 presumes actual suspension for performance failures in multiple client matters. Standard 2.19 applies to the violation of Rule 1-300(B) and presumes suspension not to exceed three years or reproof.

Standard 2.11 presumes disbarment or actual suspension for an act of moral turpitude which the degree of sanction depending on the magnitude of the misconduct, the extent to which the misconduct harmed the victim, the impact on the administration of justice, and the extent to which the misconduct related to the member’s practice of law.

Standard 1.7(a) states that where multiple Standards apply to the misconduct, the most severe should be imposed. Here, that is Standard 2.11 which presumes disbarment or actual suspension.

Standard 1.8(b) states that where the member has two or more prior records of discipline and actual suspension was previously ordered, then disbarment is the presumed standard. Nevertheless, such may not be applicable in this instance. The *Yarlott and Lopez* matters overlap with Respondent’s first prior record of discipline. The NSF check matter overlaps with Respondent’s second prior record of discipline. Therefore, Standard 1.8(b) may have limited applicability.

In addition, the misconduct at issue in 15-O-15566 and 16-O-11124 largely occurred during the same period as the misconduct in Respondent’s first prior disciplinary matter. As such, the weight given in aggravation is generally diminished. (*In the Matter of Sklar* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 602, 619.) In the *Sklar* matter, when viewing the appropriate discipline in a subsequent case, the

Review Department held that to arrive at the proper discipline they would, “consider the totality of the findings in the two cases to determine what the discipline would have been had all the charged misconduct in this period been brought as one case.” (*Id.*)

The prior disciplinary matter also involved a loan modification and violations of Rules of Professional Conduct, rule 4-200(A), 1-300(B), and 3-700(D)(1). Respondent received a one-year period of stayed suspension and a two-year period of probation with conditions including an actual suspension of thirty days.

Placing the two matters together, Respondent should have received discipline including an actual suspension of six months and until restitution is paid.

Case law is in accord. In *In the Matter of Wells* (Review Dept. 2006) 4 Cal. State Bar Ct. Rptr. 896, the attorney represented a client in South Carolina even though she wasn’t admitted to practice in that jurisdiction. The attorney was found culpable of violating Rules of Professional Conduct, rules 1-300, 4-200, and 3-700(D)(2) which mirror the charges here. The attorney was also found culpable of two instances of moral turpitude for misleading investigators about her unlawful practice – misconduct which is absent here.

In mitigation, the attorney had emotional trouble and provided character letters. In aggravation, she had a prior record of discipline (private reproof), multiple acts, harm to the public, and demonstrated indifference. The Review Department held that the aggravating and mitigating factors were “equally strong.” (*In the Matter of Wells, supra*, 4 Cal. State Bar Ct. Rptr. 896, 913.) The Review Department recommended discipline including a two-year period of stayed suspension; and a two-year period of probation with conditions including an actual suspension of six months.

Similarly, the misconduct in 16-O-12366 occurred during the same time period as the misconduct in Respondent’s second prior record of discipline. In that matter, Respondent received a one-year period of actual suspension. However, it did not include the issue of moral turpitude for the knowing issuance of a check on insufficient funds. Highly concerning is the fact that the insufficient check was written on a client trust account, which connects the misconduct to Respondent’s practice of law.

In *In the Matter of Reiss* (Review Dept. 2012) 5 Cal. State Bar Ct. Rptr. 206, 211, the Review Department reiterated that issuing checks on insufficient funds, even from a private account, constituted moral turpitude. Respondent’s knowing issuance of the NSF check is an act of moral turpitude and merits significant discipline.

In *Segal v. State Bar* (1988) 44 Cal.3d 1077, the attorney failed to perform in two client matters and issued three checks on insufficient funds in other matters when he knew or should have known there were insufficient funds to cover the checks. The checks were not issued to clients or otherwise in his capacity as an attorney. In aggravation, the attorney had one prior record of discipline for similar misconduct which slightly overlapped in time. The Supreme Court imposed a three-year suspension and probation with conditions including an actual suspension for one year.

Here, Respondent’s prior record of discipline, including the failure to comply with probation, is extremely concerning. Not only are the prior records aggravating factors, but it tends to indicate that probation with a brief period of actual suspension is not corrective and a lengthier period of actual suspension is necessary.

Combining the Yarlott and Lopez matters with the first prior record of discipline, and the NSF check matter with the second prior record of discipline, Respondent should receive discipline including a three-year period of stayed suspension and a three-year period of probation with conditions including an actual suspension of 18 months and until restitution is paid. Doing so is necessary to protect the public, the courts, and the legal profession; maintain the highest professional standards; and ensure public confidence in the profession.

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

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of October 18, 2016, the prosecution costs in this matter are \$6,367.53. 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.)

(Do not write above this line.)

In the Matter of: <b>RONNY MOR</b>	Case number(s): <b>15-O-15566; 16-O-11124; 16-O-12366</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.

12/16/16                                            Ronny Mor  
Date                                      Respondent's Signature                      Print Name

~~12-19-16~~                      \_\_\_\_\_                      \_\_\_\_\_  
Date                                      Respondent's Counsel Signature                      Print Name

12-19-16                                            Drew Massey  
Date                                      Deputy Trial Counsel's Signature                      Print Name



(Do not write above this line.)

In the Matter of: RONNY MOR	Case Number(s): 15-O-15566; 16-O-11124; 16-O-12366
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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.

Respondent is in default in case Nos. 16-O-11124 and 16-O-12366. Absent an order vacating or setting aside default, Respondent may not enter into a stipulation or otherwise participate in these proceedings. (Rules Proc. of State Bar, rule 5.82(3).) Though not expressly stated by the parties, the present Stipulation innately includes a stipulation to vacate Respondent's default in case Nos. 16-O-11124 and 16-O-12366, which is hereby GRANTED. Respondent's inactive enrollment pursuant to Business and Professions Code section 6007, subdivision (e), in case Nos. 16-O-11124 and 16-O-12366 is TERMINATED upon the filing of this order.

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.)**

Dec 28, 2016  
Date

  
LUCY ARMENDARIZ  
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 December 28, 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 San Francisco, California, addressed as follows:

RONNY MOR  
PO BOX 120364  
SAN DIEGO, CA 92112 - 0364

- 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 San Francisco, California, on December 28, 2016.



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Bernadette Molina  
Case Administrator  
State Bar Court