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State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
Counsel For The State Bar Scott D. Karpf Deputy Trial Counsel 845 S. Figueroa Ave. Los Angeles, CA 90017 (213) 765-1161 Bar # 274682	Case Number(s): 17-O-03152	For Court use only PUBLIC MATTER FILED  JUN 22 2018 STATE BAR COURT CLERK'S OFFICE LOS ANGELES
In Pro Per Respondent Douglas Alan Bader 3414 Fillmore St Riverside, CA 92503-5138 (951) 339-3081 Bar # 182315	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
In the Matter of: DOUGLAS ALAN BADER Bar # 182315 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 June 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 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".

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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: **the three billing cycles following the effective date of the Supreme Court Order.** (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

B. Aggravating Circumstances [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 **13-C-16384; 14-C-00375; 14-C-04656 (cons.)** (See page 10 and Exhibit 1, 30 pages)
- (b) Date prior discipline effective **May 27, 2015**
- (c) Rules of Professional Conduct/ State Bar Act violations: **Business and Professions Code, sections 6101 and 6102.**
- (d) Degree of prior discipline **Two-year stayed suspension and two-year probation with conditions, including a 60-day actual suspension.**
- (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- See pages 10 and 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.

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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 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

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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:

Prefiling Stipulation, see page 11.

D. Discipline:

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

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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.

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- (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 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:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: DOUGLAS ALAN BADER
CASE NUMBER: 17-O-03152

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. 17-O-03152 (Complainant: Ricardo Lobera)

FACTS:

1. In a Supreme Court order that became effective on May 27, 2015 in State Bar Court case nos. 13-C-16384; 14-C-00375; 14-C-04656 (S223981), discipline was imposed against respondent consisting of a two-year stayed suspension and two-year probation with conditions, including an actual suspension for 60 days. One of respondent's probation conditions was that he "must comply with the provisions of the State Bar Act and Rules of Professional Conduct" during the term of probation.

2. On or about January 12, 2016, Ricardo Lobera hired respondent to represent him in a family law case in Pasadena that had a then-upcoming hearing set for January 14, 2016. Mr. Lobera and respondent agreed on \$2,000 as the fee to represent Mr. Lobera at two hearings, the January 14, 2016 hearing and another hearing on an unspecified date. Mr. Lobera paid respondent \$600 to begin the representation, agreed to pay respondent \$600 at the first hearing, and pay the remaining \$800 on or before February 2, 2016.

3. On January 14, 2016, Mr. Lobera and respondent signed a fee agreement prior to appearing together in court. The fee agreement made no mention of any restriction on respondent's services. Respondent subsequently entered a general appearance in Mr. Lobera's case.

4. A certified transcript of the hearing revealed that:

- a. Associate Attorney Charles M., appeared as opposing counsel of record, and was the only attorney that appeared on Petitioner's behalf that day;
- b. Respondent substituted in as Mr. Lobera's attorney of record with no mention of the appearance on a limited scope basis;
- c. At the outset of the hearing, the Court noted that though Petitioner had alleged child abuse allegations against Mr. Lobera, the Department of Children and Family Services had already investigated the allegations and determined they were unfounded. Accordingly, the Court refused to pursue any avenue of inquiry into said allegations;

d. At the end of the brief hearing, the parties entered into a simple, three-part stipulation that (1) Mr. Lobera would enroll in and attend 10 parenting classes; (2) the parties' child would be enrolled in daycare; and (3) the parties would meet-and-confer regarding the location and timing of daycare based on the parties' work schedules.

5. At the end of the January 14, 2016 hearing, respondent did not ask to be relieved by the Court, and no substitution of attorney form was filed relieving respondent from his role as Mr. Lobera's attorney of record.

6. Subsequent to the January 14, 2016 hearing, Mr. Lobera paid respondent the remaining fees owed to him.

7. On or about October 28, 2016, respondent changed his membership records address from "161 N. McKinley Street, Ste. 124, Corona, CA 92879" to "3414 Filmore Street, Riverside CA 92503." Respondent failed to notify Mr. Lobera, opposing counsel, or the Court of his change of address.

8. On March 8, 2017, the Court, on its own motion, issued a minute order scheduling an April 6, 2017 case status appearance. A Los Angeles Superior Court Clerk served the minute order on respondent by mail to the N. McKinley Street address. The letter was not returned to the Court as undeliverable or for any other reason. Respondent received the minute order.

9. At no time between January 14, 2016 and April 6, 2017 did respondent contact Mr. Lobera or the Court to request to be relieved as Mr. Lobera's attorney of record, and at no time between these dates did respondent notify opposing counsel that he was no longer representing Mr. Lobera.

10. Subsequent to the January 14, 2016 appearance but prior to the April 6, 2017 hearing date, Mr. Lobera left voicemail messages for respondent at his then-current membership records telephone number requesting respondent to confirm attendance at the then-upcoming hearing on April 6, 2017. Respondent received the voicemails but did not return Mr. Lobera's calls. Additionally, prior to the April 6, 2017 hearing date, Mr. Lobera visited respondent's office on N. McKinley Street, only to discover that the office had been closed.

11. Though he had been properly served with notice of the April 6, 2017 case status hearing, respondent failed to appear with Mr. Lobera in court.

12. On May 8, 2017, Mr. Lobera e-mailed respondent at his official membership records e-mail address regarding his failure to appear at the April 6, 2017 hearing. Respondent received the e-mail from Mr. Lobera, but failed to reply.

13. Respondent's failure to respond to Mr. Lobera's calls and e-mails, and his failure to attend the April 6, 2017 hearing resulted in respondent constructively terminating his employment with Mr. Lobera as of January 15, 2016 after failing to act on Mr. Lobera's behalf after appearing with him at the January 14, 2016 hearing. Respondent effectively abandoned his client, and in doing so, violated the Rules of Professional Conduct, which was a violation of the conditions of his probation from State Bar Court case nos. 13-C-16384; 14-C-00375; 14-C-04656 (S223981).

14. On May 15, 2017, Mr. Lobera filed a complaint against respondent with the State Bar of California.

15. On July 28, 2017, a State Bar Investigator sent an inquiry letter to respondent requesting his responses to Mr. Lobera's allegations.

16. On August 16, 2017, respondent sent a response to the Investigator's July 28, 2017 letter. In his response, respondent stated that he had only been hired on a limited scope representation for \$2,000 to represent Mr. Lobera at the January 14, 2016 appearance only.

17. On September 5, 2017, respondent sent a supplemental response to the Investigator's July 28, 2017 letter that included statements that contradicted statements made in his original response and were unsupported by other evidence in the investigation. In his supplemental response, respondent stated that he had been hired for \$1,200 to appear at the January 14, 2016 appearance only, but that after reviewing the filed documents and recognizing potential criminal liability against Mr. Lobera, he offered to charge an additional \$800 to handle any criminal case that might arise out of the family law matter. He also stated that based on the threat of harm to his client, he agreed to make a general appearance rather than appear for the January 14, 2016 hearing only. Respondent further stated that negotiations at the hearing took so long and were so complex that the negotiations took all day. Respondent took credit for strategically drawing out the negotiations so as to prevent any witnesses from testifying that day. Respondent also claimed to help defeat an alleged request by Petitioner for \$4,300 in attorney's fees. Respondent's September 5, 2017 response attempted to convey that he acted ethically and in the best interests of his client.

18. On April 24, 2018, respondent caused seven character letters allegedly written by associates, family friends, and former clients, to be sent to a Deputy Trial Counsel for mitigation.

19. The alleged authors of the letters were contacted regarding their character letters. One of the letters submitted claimed to be from Arturo R., an associate and friend of respondent's. The letter stated that respondent had discussed the disciplinary allegations facing respondent and professed that he knew of respondent's love for practicing law. However, in confirming the letter, Mr. R. stated that he had not written a character letter, he was essentially respondent's brother-in-law, and rarely interacted with respondent. Another letter purporting to have been written by a longtime family friend was actually written by a member of respondent's immediate family. Prior to sending the letters, which had been solicited and sent to the State Bar by one of respondent's family members, respondent failed to review the letters for accuracy.

CONCLUSIONS OF LAW:

20. By constructively terminating respondent's employment on or about January 15, 2016 by failing to take any action on the client's behalf after appearing with the client at a Request For Orders hearing on January 14, 2016 in *Estrada v. Lobera*, Los Angeles County Superior Court case no. GF00004777, and thereafter failing to inform the client that respondent was withdrawing from employment, respondent failed to take reasonable steps to avoid reasonably foreseeable prejudice to respondent's client in willful violation of the Rules of Professional Conduct, rule 3-700(A)(2).

21. By abandoning Mr. Lobera without taking reasonable steps to avoid reasonably foreseeable prejudice to him, and thereby violating the Rules of Professional Conduct while on probation in Supreme Court Order No. S223981 (State Bar Court Case Nos. 13-C-16384, 14-C-00375, 14-C-04656), respondent failed to comply with conditions attached to respondent's disciplinary probation in willful violation of Business and Profession Code section 6068(k).

22. By failing to inform Mr. Lobera that he had closed his law office and had a new address, and that he would not be appearing at the April 6, 2017 hearing, respondent failed to reasonably inform Mr. Lobera of significant developments in a matter in which respondent had agreed to provide legal services in willful violation of Business and Profession Code section 6068(m).

23. By fabricating a version of events in his September 5, 2017 supplemental response regarding his representation of Mr. Lobera and the events of the January 14, 2016 family law hearing, that misrepresented to the State Bar that respondent had acted in an appropriate and highly ethical matter, respondent intentionally committed an act involving moral turpitude, dishonesty, or corruption in willful violation of Business and Professions Code section 6106.

24. By failing to review two character letters, which were false, before submitting said letters to the State Bar, respondent was grossly negligent in committing an act involving moral turpitude, dishonesty, or corruption in willful violation of Business and Professions Code section 6106.

AGGRAVATING CIRCUMSTANCES.

Prior Record of Discipline (Std. 1.5(a)): Respondent has one prior record of discipline from three cases numbered 13-C-16384; 14-C-00375; 14-C-04656, which became effective on May 27, 2015, consisting of a two-year stayed suspension and two-year probation subject to conditions, including that respondent be actually suspended for the first 60 days. Combined, the cases involved criminal convictions for violations of Vehicle Code sections 12500(A) [driving without a valid license], 14601.1(A) [driving on a suspended or revoked license], and 23152(A) [driving under the influence], all misdemeanors. Respondent was also convicted of one count of Health and Safety Code section 11550(A) [being under the influence of methamphetamine]. The misconduct took place between March 2011 and May 2013. In mitigation, respondent had no prior record of discipline and he entered into a pretrial stipulation. In aggravation, respondent committed multiple acts of misconduct and demonstrated indifference toward rectification of or atonement for the consequences of his misconduct. A certified copy of respondent's prior discipline is attached hereto.

Multiple Acts of Wrongdoing (Std. 1.5(b)): Respondent's misconduct includes abandoning a client, failing to respond to reasonable client inquiries, violating probation conditions, and committing two acts of moral turpitude by making misrepresentations in responses to inquiry letters and proffering false mitigation evidence. Multiple acts of misconduct are considered serious aggravation

MITIGATING CIRCUMSTANCES.

Prefiling Stipulation: By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability]; *In the Matter of Spaiht* (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).)

In this matter, respondent admits to committing five 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 2.11, which applies to respondent’s violations of Business and Professions Code, section 6106. Standard 2.11 provides that disbarment or actual suspension is the presumed sanction for an act of moral turpitude, dishonesty, fraud, corruption, intentional or grossly negligent misrepresentation, or concealment of a material fact. The degree of sanction depends on the magnitude of the misconduct; the extent to which the misconduct harmed or misled the victim, which may include the adjudicator; the impact on the administration of justice, if any, and the extent to which the misconduct related to the member’s practice of law.

Though respondent committed active misconduct against his client by failing to respond to Mr. Lobera’s inquiries and abandoning him during the representation, the most egregious violations committed by respondent were his misrepresentations to the State Bar by fabricating a version of events regarding the January 14, 2016 family law hearing that attempts to deceive the State Bar into believing that respondent acted in an appropriate and highly ethical matter, and by proffering false mitigation evidence through character letters. Though this misconduct did not harm or mislead any victims, the magnitude of misconduct is great and the misconduct is directly related to the very basis of respondent’s ability to practice law, maintaining his licensure. “[D]eception of the State Bar may constitute an even more serious offense than the conduct being investigated.” (*In the Matter of Dahlz* (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 269, 282.) Given the seriousness of respondent’s misconduct, discipline in the upper range of Standard 2.11 is appropriate to protect the public, the courts, and the legal profession.

Standard 1.8(a) provides that, "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 discipline was not serious enough that imposing greater discipline would be manifestly unjust." Accordingly, progressive discipline is warranted "unless the prior discipline was so remote in time" and "the previous discipline was not serious enough that imposing greater discipline would be manifestly unjust." Respondent's prior discipline from 2015, which included a 60-day actual suspension, is not remote in time. Additionally, the prior discipline involved three separate criminal matters of increasingly serious criminal from driving without a valid license to driving on a suspended license to driving while under the influence of methamphetamine. The misconduct in the three criminal conviction matters took place in just over a two-year period and demonstrates a lack of respect for and/or ability to abide by, the laws of the state. Accordingly, respondent's prior discipline is significant aggravation, and given both prongs of the Standard are satisfied, progressive discipline is warranted. Respondent has additionally committed multiple acts of misconduct, some of which occurred while respondent was still on probation for his prior discipline. Taking into account the facts of this case, the seriousness of the offenses, the significant aggravation and lack of any significant mitigation, the warranted discipline is a two-year stayed suspension and three-year probation with conditions, including an 18-month actual suspension and for respondent to remain suspended until he proves rehabilitation, fitness to practice, and present learning and ability in the general law pursuant to Standard 1.4(c)(ii).

Case law supports this recommendation. In *In re Dahlz* (Review Dept. 2001) 4 Cal. State Bar Ct. Rptr. 269, the attorney represented a client in a workers' compensation case in front of the Workers' Compensation Appeals Board. After substituting into the case, the attorney failed to do much of any work on the client's case for several years failed to reasonably return any of his client's calls or other communications during that time. Approximately five years after taking the case, the attorney falsely told opposing counsel that his client did not intend to pursue her claim. Respondent thereafter effectively withdrew from employment without returning his client's file and without attempting to help his client avoid reasonably foreseeable prejudice. The attorney was found culpable of committing misconduct including one count of failing to perform with competence, one count of failing to respond to status inquiries, one count of improperly withdrawing from the representation, one count failing to promptly return the client file, and one count for an act of moral turpitude by making a misrepresentation to the opposing party. In aggravation, the Court found that the attorney had a prior record of discipline, committed multiple acts of misconduct, caused harm to the client, and displayed a lack of candor by making misrepresentations to a State Bar Investigator and by proffering false testimony during his State Bar Court trial. In mitigation, the attorney received slight credit for performing pro bono work. Based on the findings of culpability, and incorporating aggravation and mitigation, the Court imposed discipline of a one-year actual suspension.

Because of his repeated misrepresentations to the State Bar, one that occurred during and one that occurred after the investigation of this matter, respondent's misconduct is more egregious than the attorney in *Dahlz*, and demonstrates a seeming inability to conform to the high ethical standards required of attorneys. Accordingly, discipline of an 18-month actual suspension, and pursuant to Standard 1.2(c)(1), remaining suspended until he demonstrates to the State Bar Court proof of rehabilitation, fitness to practice, and present learning and ability in the general law, is appropriate to protect the public, the courts, and the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of May 8, 2018, the discipline costs in this matter are \$3,507. 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 the State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

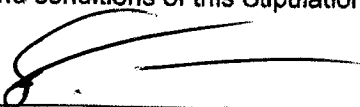
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In the Matter of: DOUGLAS ALAN BADER	Case number(s): 17-O-03152
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SIGNATURE OF THE PARTIES

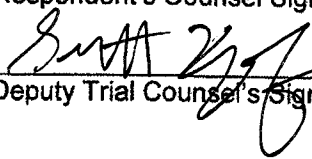
By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

5.27.18
Date


Respondent's Signature

Douglas Alan Bader
Print Name

5/31/18
Date


Deputy Trial Counsel's Signature

Print Name
Scott D. Karpf
Print Name

(Do not write above this line.)

In the Matter of: DOUGLAS ALAN BADER	Case Number(s): 17-O-03152
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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.

After this stipulation was lodged with this court, the State Bar notified this court that Paragraph D(1)(a) mistakenly states that the period of stayed suspension should be "three" years when it should have provided for a stayed suspension of only "two" years. This mistake is reflected in the subsequent discussion of the appropriateness of a two-year stayed suspension in the case (see Stip., p. 12). Accordingly:

Paragraph D(1)(a) [Stayed Suspension] on page 4 of the Stipulation is amended to provide for a two-year period of stayed suspension by replacing the word "three" with the word "two."

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

6/22/18



Judge of the State Bar Court

EXHIBIT 1

SUPREME COURT
FILED

(State Bar Court Nos. 13-C-16384; 14-C-00375; 14-C-04656)

APR 27 2015

S223981

Frank A. McGuire Clerk

IN THE SUPREME COURT OF CALIFORNIA

Deputy

En Banc

In re DOUGLAS ALAN BADER on Discipline

The court orders that Douglas Alan Bader, State Bar Number 182315, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. Douglas Alan Bader is suspended from the practice of law for the first 60 days of probation;
2. Douglas Alan Bader must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 25, 2014; and
3. At the expiration of the period of probation, if Douglas Alan Bader has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Douglas Alan Bader must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2016 and 2017. If Douglas Alan Bader 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.


I, Frank A. McGuire, Clerk of the Supreme Court of the State of California, do hereby certify that the preceding is a true copy of an order of this Court as shown by the records of my office.
Witness my hand and the seal of the Court this

CANTIL-SAKAUYE
Chief Justice

day of APR 27 2015
Clerk

By: 

(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
Counsel For The State Bar Ross Viselman Deputy Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017 (213) 765-129 Bar # 204979	Case Number(s): 13-C-16384 14-C-00375 14-C-04656	For Court use only FILED NOV 25 2014  STATE BAR COURT CLERK'S OFFICE LOS ANGELES
In Pro Per Respondent Douglas Bader 161 N. McKinley Street #124 Corona, CA 92879 (951) 372-8300 Bar # 182315	PUBLIC MATTER	
In the Matter of: DOUGLAS ALAN BADER Bar # 182315 A Member of the State Bar of California (Respondent)	Submitted to: Assigned Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <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 June 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 15 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".

(Do not write above this line.)

- (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: **two billing cycles following the effective date of the Supreme Court order.** (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

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

- (1) **Prior record of discipline**
- (a) State Bar Court case # of prior case
 - (b) Date prior discipline effective
 - (c) Rules of Professional Conduct/ State Bar Act violations:
 - (d) Degree of prior discipline
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) **Dishonesty:** Respondent's misconduct was intentional, surrounded by, or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct. **See attachment, page 12.**
- (6) **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.

(Do not write above this line.)

- (7) **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct. See attachment, page 12.
- (8) **Restitution:** Respondent failed to make restitution.
- (9) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [see standards 1.2(g) & 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 deemed serious.
- (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 and to the State Bar during disciplinary investigation and proceedings.
- (4) **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) **Good Faith:** Respondent acted with a good faith belief that was honestly held and reasonable.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.
- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

(Do not write above this line.)

Additional mitigating circumstances:

No prior discipline: See attachment, page 12.

Pre-trial stipulation: See attachment, page 12.

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 present fitness to practice and present learning and ability in the 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 **sixty (60) days**.

i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.2(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 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

(Do not write above this line.)

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

(Do not write above this line.)

- (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:**

(Do not write above this line.)

In the Matter of: Douglas Alan Bader	Case Number(s): 13-C-16384 14-C-00375 14-C-04656
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Substance Abuse Conditions

- a. Respondent must abstain from use of any alcoholic beverages, and shall not use or possess any narcotics, dangerous or restricted drugs, controlled substances, marijuana, or associated paraphernalia, except with a valid prescription.
- b. Respondent must attend at least two (2) meetings per month of:
- Alcoholics Anonymous
 - Narcotics Anonymous
 - The Other Bar
- Other program

Any abstinence-based self-help group of respondent's choosing, including without limitation Narcotics Anonymous, LifeRing, S.M.A.R.T., S.O.S., etc. Other self-help maintenance programs are acceptable if they include a subculture to support recovery, including abstinence-based group meetings. (See O'Conner v. Calif. (C.D. Calif. 1994) 855 F. Supp. 303 [no First Amendment violation where probationer given choice between AA and secular program.]) Respondent is encouraged, but not required, to obtain a "sponsor" during the term of participation in these meetings.

Respondent must contact the Office of Probation and obtain written approval for the program respondent has selected prior to attending the first self-help group meeting. If respondent wants to change groups, respondent must first obtain the Office of Probation's written approval prior to attending a meeting with the new self-help group.

As a separate reporting requirement, Respondent must provide to the Office of Probation satisfactory proof of attendance during each month, on or before the tenth (10th) day of the following month, during the condition or probation period.

- c. Respondent must select a license medical laboratory approved by the Office of Probation. Respondent must furnish to the laboratory blood and/or urine samples as may be required to show that Respondent has abstained from alcohol and/or drugs. The samples must be furnished to the laboratory in such a manner as may be specified by the laboratory to ensure specimen integrity. Respondent must cause the laboratory to provide to the Office of Probation, at the Respondent's expense, a screening report on or before the tenth day of each month of the condition or probation period, containing an analysis of Respondent's blood and/or urine obtained not more than ten (10) days previously.
- d. Respondent must maintain with the Office of Probation a current address and a current telephone number at which Respondent can be reached. Respondent must return any call from the Office of Probation concerning testing of Respondent's blood or urine within twelve (12) hours. For good cause, the Office of Probation may require Respondent to deliver Respondent's urine and/or blood sample(s) for additional reports to the

(Do not write above this line.)

laboratory described above no later than six hours after actual notice to Respondent that the Office of Probation requires an additional screening report.

- e. Upon the request of the Office of Probation, Respondent must provide the Office of Probation with medical waivers and access to all of Respondent's medical records. Revocation of any medical waiver is a violation of this condition. Any medical records obtained by the Office of Probation are confidential and no information concerning them or their contents will be given to anyone except members of the Office of Probation, Office of the Chief Trial Counsel, and the State Bar Court who are directly involved with maintaining, enforcing or adjudicating this condition.

Other:

Respondent may not sign as the verifier of his own attendance at the self-help program, described in section (b), above, for purposes of the reporting requirement to the Office of Probation.

Respondent is encouraged, but is not required, to participate in the Lawyers' Assistance Program, to abstain from illegal drugs, and to undergo random urinalysis testing to complement abstinence.

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: DOUGLAS ALAN BADER
CASE NUMBERS: 13-C-16384, 14-C-0375, 14-C-4656

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that the facts and circumstances surrounding the offense for which he was convicted involved other misconduct warranting discipline. The below cases are listed in chronological order by the date of the filing of the criminal complaint.

Case No. 14-C-4656 (Conviction Proceedings)

PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING:

1. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.
2. On April 18, 2011, the Los Angeles County District Attorney filed a criminal complaint in the Los Angeles County Superior Court, case no. 1AV02853, charging respondent with one count of violation of Vehicle Code section 14601.3(A) [Habitual Traffic Offender], a misdemeanor, six counts of violation of Vehicle Code section 14601.1(A) [Driving with a Suspended License], a misdemeanor, and one count of violation of Vehicle Code section 4000(A)(1) [Driving an Unregistered Vehicle], an infraction.
3. On July 25, 2014, the Los Angeles County District Attorney amended the criminal complaint (case no. 1AV02853) to add one count of violation of Vehicle Code section 12500(A) [Driving without a Valid License], a misdemeanor.
4. On July 25, 2014, the court entered respondent's plea of guilty to the count of violation of Vehicle Code section 12500(A) [Driving without a Valid License], a misdemeanor, and based thereon, the court found respondent guilty of that count. Pursuant to a plea agreement, the court dismissed the remaining counts in the furtherance of justice.
5. On July 25, 2014, the court ordered respondent to serve 3 days in county jail and no probation.
6. On October 9, 2014, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed in the event that the Hearing Department finds that the facts and circumstances surrounding the offense(s) for which respondent was convicted involved moral turpitude or other misconduct warranting discipline.

FACTS:

7. On March 9, 2011, respondent drove his pick-up truck without a valid license and with expired registration, in violation of Vehicle Code section 12500(A) and Vehicle Code section 4000(A)(1), respectively. Both violations are infractions.

8. At the time he was driving, respondent was driving with a suspended license, in violation of Vehicle Code section 14601.1(A), a misdemeanor.

CONCLUSIONS OF LAW:

9. The facts and circumstances surrounding the above-described violation(s) did not involve moral turpitude but did involve other misconduct warranting discipline.

Case No. 14-C-00375 (Conviction Proceedings)

PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING:

10. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.

11. On July 6, 2011, the Riverside County District Attorney filed a criminal complaint in the Riverside County Superior Court, case no. RIM1108796, charging respondent with violation of one count of Vehicle Code section 14601.1(A) [Driving with a Suspended License], a misdemeanor, one count of violation of Vehicle Code section 22349(A) [Driving at a Speed Greater than 65 miles per hour], an infraction, and one count of violation of Vehicle Code section 21658(A) [Unsafe Lane Change], an infraction.

12. On March 23, 2012, the court entered respondent's plea of guilty to the count of violation of Vehicle Code section 14601.1(A) [Driving with a Suspended License], a misdemeanor, and based thereon, the court found respondent guilty of that count. At the time of his guilty plea, respondent also admitted to two prior misdemeanor convictions for violating Vehicle Code section 14601.1(A) [Driving with a Suspended License]. Pursuant to a plea agreement, the court dismissed the remaining counts in the furtherance of justice.

13. On March 23, 2012, the court granted summary probation for a period of 36 months, including 20 days of electronic monitoring (in lieu of time in county jail), and ordered respondent to pay a fine in the amount of \$2,015. The court also ordered respondent not to drive unless properly licensed.

14. On May 8, 2014, the Review Department of the State Bar Court issued an order referring the matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed in the event that the Hearing Department finds that the facts and circumstances surrounding the offense(s) for which respondent was convicted involved moral turpitude or other misconduct warranting discipline.

FACTS:

15. On May 2, 2011, respondent drove his scooter over 65 miles per hour and made an unsafe lane change, in violation of Vehicle Code section 22349(A) and Vehicle Code section 21658(A), respectively. Both violations are infractions.

16. At the time he was driving, respondent was driving with a suspended license, in violation of Vehicle Code section 14601.1(A), a misdemeanor.

CONCLUSIONS OF LAW:

17. The facts and circumstances surrounding the above-described violation(s) did not involve moral turpitude but did involve other misconduct warranting discipline.

Case No. 13-C-16384 (Conviction Proceedings)

PROCEDURAL BACKGROUND IN CONVICTION PROCEEDING:

18. This is a proceeding pursuant to sections 6101 and 6102 of the Business and Professions Code and rule 9.10 of the California Rules of Court.

19. On September 6, 2013, the Riverside County District Attorney filed a criminal complaint in the Riverside County Superior Court, case no. RIM1313897, charging respondent with one count of violation of Vehicle Code section 23152(A) [Driving under the Influence], a misdemeanor, one count of section 14601.1(A) [Driving with a Suspended License], a misdemeanor, one count of violation of Health and Safety Code section 11377(A) [Possession of Methamphetamine], a misdemeanor, one count of violation of Health and Safety Code section 11364.1 [Possession of Drug Paraphernalia], a misdemeanor, and one count of Health and Safety Code section 11550(A) [Under the Influence of Methamphetamine], a misdemeanor.

20. On August 13, 2014, the court entered respondent's plea of guilty to the count of violation of Vehicle Code section 23152(A) [Driving under the Influence], a misdemeanor, and the count of violation of Health and Safety Code section 11550(A) [Under the Influence of Methamphetamine], a misdemeanor, and based thereon, the court found respondent guilty of those counts. Pursuant to a plea agreement, the court dismissed the remaining counts in the furtherance of justice.

21. On August 13, 2014, the court granted summary probation for a period of 36 months, including 90 days of electronic monitoring (in lieu of time in county jail), and ordered respondent to pay a fine in the amount of \$1,703. The court also ordered that respondent, among other things, complete a first offender driving under the influence program, submit to drug testing, and not knowingly use or possess non-prescription drugs.

22. On October 20, 2014, the conviction matter was transmitted to the Review Department for determination whether to issue an order referring the matter to the Hearing Department. As of November 3, 2014, the matter had not yet been referred to the Hearing Department, but the parties anticipate that it will be shortly.

FACTS:

23. On July 19, 2013, respondent drove his Mercedes sedan through a red light. At the time he was driving, respondent was under the influence of methamphetamine, and thus in violation of Vehicle Code section 23152(A) [Driving under the Influence], a misdemeanor, and Health and Safety Code section 11550(A) [Under the Influence of Methamphetamine], a misdemeanor.

24. At the time he was driving, respondent was driving with a suspended license, in violation of Vehicle Code section 14601.1(A), a misdemeanor.

CONCLUSIONS OF LAW:

25. The facts and circumstances surrounding the above-described violation(s) did not involve moral turpitude but did involve other misconduct warranting discipline.

AGGRAVATING CIRCUMSTANCES.

Indifference: Respondent has demonstrated indifference toward rectification of or atonement for the consequences of his misconduct, as evidenced by his repeated violations of the California Vehicle Code, including driving with a suspended license.

Multiple Acts of Misconduct: Respondent has repeatedly violated the California Vehicle Code, including driving without a license (Cal. Veh. Code 12500[a]), driving with a suspended license (Cal. Veh. Code § 14601.1[a]), and driving under the influence (Cal. Veh. Code 23152). All of these convictions were misdemeanors.

MITIGATING CIRCUMSTANCES.

No Prior Discipline: Although the misconduct is serious, respondent has no record of prior discipline in 17 years of practice. (*In the Matter of Riordan* (Review Dept. 2007) 5 Cal. State Bar Ct. Rptr 41, 49.) This mitigation should be accorded “significant weight.” (*Hawes v. State Bar* (1990) 51 Cal.3d 587, 596.)

Pretrial Stipulation: Respondent was candid and cooperative with the State Bar of California and agreed to enter into this stipulation of facts without trial (*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).)

Here, respondent has a history of violating the California Vehicle Code. In the 14-C-00375 matter, he drove with a suspended license on May 2, 2011, less than a month after a criminal complaint was filed, in the 14-C-4656 matter, for the same misconduct. Most recently, on July 19, 2013, respondent drove under the influence of methamphetamine (and again, with a suspended license).

Because respondent repeatedly violated the same law (driving with a suspended license, Vehicle Code 14601.1[A]), respondent’s misconduct does warrant discipline. Respondent has “demonstrated a complete disregard for ... the law, and the safety of the public... [Such misconduct] demonstrates a lapse of character and a disrespect for the legal system that directly relate to an attorney’s fitness to practice law and serve as an officer of the court.” (*In re Kelley* (1990) 52 Cal. 3d 487, 495 [citing *In re Alkow* (1966) 64 Cal.2d 838].)

Although the misconduct warrants discipline, none of the crimes at issue rise to the level of moral turpitude. The violations at issue were all charged as misdemeanors or infractions. No person was harmed and no property was damaged at the time he was driving.

Standard 2.12 states that suspension or reproof “is appropriate for final conviction of a misdemeanor not involving moral turpitude but involving misconduct warranting discipline.” In *Kelley*, the California Supreme Court imposed a public reproof on an attorney after two drunk driving convictions. Although the aggravating circumstances in this matter are similar to those found in *Kelley*, respondent has not presented the mitigation that was found in *Kelley*, in which “the review department found several significant mitigating factors (e.g., lack of a prior disciplinary record, extensive involvement in community service, and cooperation during disciplinary proceedings).” (*Id.*, at 498.)

Under these circumstances, greater discipline than that imposed in *Kelley* is appropriate, particularly because the misconduct has persisted for over two years. For these reasons, 60 days of actual suspension is consistent with the Standards, and appropriate to protect the public and serve the purposes of discipline. Moreover, substance abuse conditions are appropriate in light of respondent’s admission of drug use.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of October 31, 2014, the prosecution costs in this matter are \$6,779. 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

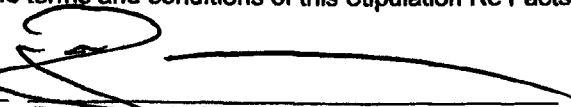
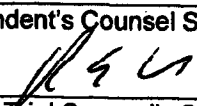
Pursuant to rule 3201, Respondent may not receive MCLE credit for completion of State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: Douglas Bader	Case number(s): 13-C-16384 14-C-00375 14-C-04656
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SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Facts, Conclusions of Law, and Disposition.

<u>Nov 3, 14</u>		Douglas Alan Bader
Date	Respondent's Signature	Print Name
<u>Nov 3, 2014</u>		Ross E. Viselman
Date	Deputy Trial Counsel's Signature	Print Name

(Do not write above this line.)

In the Matter of: Douglas Bader	Case Number(s): 13-C-16384 14-C-00375 14-C-04656
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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.

On page 7 of the stipulation, an "X" is INSERTED in box (a) to require, inter alia, that Respondent abstain from the use of alcohol and illegal drugs.

On page 8 of the stipulation, the last paragraph/sentence on that page is deleted.

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

11/25/15


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 November 25, 2014, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION

in a sealed envelope for collection and mailing on that date as follows:

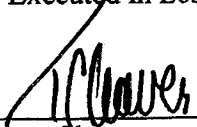
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**DOUGLAS A. BADER
LAW OFC DOUGLAS BADER
161 N MCKINLEY ST #124
CORONA, CA 92879**

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

ROSS VISELMAN, Enforcement., Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on November 25, 2014.



Tammy Cleaver
Case Administrator
State Bar Court

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
CHARLES A. MURRAY, No. 146069
845 South Figueroa Street
Los Angeles, California 90017-2515
Telephone: (213) 765-1000

FILED

SEP 17 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE)
CONVICTION OF:)
DOUGLAS ALAN BADER,)
No. 182315)
A Member of the State Bar)
) [] Felony;
) [] Crime(s) involved moral turpitude;
) [] Probable cause to believe the crime(s) involved moral
turpitude;
) [X] Crime(s) which may or may not involve moral turpitude or
other misconduct warranting discipline;
) [X] Transmittal of Notice of Finality of Conviction.

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

- [X] A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of the Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the State Bar and for such consideration and action as the Court deems appropriate:
- [] B. Notice of Appeal
- [X] C. Evidence of Finality of Conviction (Notice of Lack of Appeal)
- [] D. Other

Name of Member: Douglas Alan Bader

Date member admitted to practice law in California: June 11, 1996

Member's Address of Record: Law Office Douglas Bader

161 N. McKinley St., #124

Corona, CA 92879

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named member of the State Bar was convicted as follows:

Date of entry of conviction: July 25, 2014

Convicting court: Superior Court of California, County of Los Angeles

Case number(s): 1AV02853

Crime(s) of which convicted and classification(s): Violation of Vehicle Code § 12500(a) (Driving Without a License), one count, a misdemeanor which may or may not involve moral turpitude or other misconduct warranting discipline.

3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.

4. Other information to assist the State Bar Court

On July 25, 2014, the complaint was amended by interlineation to add VC12500(a), a misdemeanor as count eight. Respondent pled guilty to the added count eight and the remaining counts were dismissed due to the plea negotiation.

DOCUMENTS TRANSMITTED:

Complaint
Plea Form
Sentencing
Docket
Notice of Lack of Appeal

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED:

9/15/2014

BY:


Charles A. Murray
Senior Trial Counsel

A copy of this transmittal and its
Attachments have been sent to:

Douglas Alan Bader
Law Office Douglas Bader
161 N. McKinley St., #124
Corona, CA 92879

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 14-C-04656

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within

Transmittal of Records of Conviction of Attorney; Complaint; Plea Form; Sentencing; Docket; Notice of Lack of Appeal

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2010 0922 54, at Los Angeles, on the date shown below, addressed to:

**Douglas A. Bader
161 N. McKinley Street #124
Corona, CA 92879**

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: September 17, 2014

Signed: 
Lope Pacheco
Declarant

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
CHARLES A. MURRAY, No. 146069
845 South Figueroa Street
Los Angeles, California 90017-2515
Telephone: (213) 765-1000

FILED

SEP 05 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE)
CONVICTION OF:) Case No. 13-C-16384
)
) Transmittal of Records of Conviction of Attorney (Bus. & Prof.
DOUGLAS ALAN BADER,) Code §§ 6101-6102; Cal. Rules of Court, rule 9.5 et seq.)
No. 182315)
)
) Felony;
) Crime(s) involved moral turpitude;
A Member of the State Bar) Probable cause to believe the crime(s) involved moral
) turpitude;
) Crime(s) which may or may not involve moral turpitude or
) other misconduct warranting discipline;
_____) Transmittal of Notice of Finality of Conviction.

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

- A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of the Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the State Bar and for such consideration and action as the Court deems appropriate:
- B. Notice of Appeal
- C. Evidence of Finality of Conviction (Notice of Lack of Appeal)
- D. Other

Name of Member: Douglas Alan Bader

Date member admitted to practice law in California: June 11, 1996

Member's Address of Record: Law Office Douglas Bader
161 N. McKinley St., #124
Corona, CA 92879

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named member of the State Bar was convicted as follows:

Date of entry of conviction: August 13, 2014

Convicting court: Superior Court of California, County of Riverside

Case number(s): RIM1313897

Crime(s) of which convicted and classification(s): Violation of Vehicle Code § 23152(a) (DUI), one count, a misdemeanor which may or may not involve moral turpitude as in *In re Kelley* (1990) 52 Cal. 3d 487; Health & Safety Code § 11550(a) (Under the Influence of a Controlled Substance), one count, a misdemeanor which may or may not involve moral turpitude as in *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 108.

3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.

4. Other information to assist the State Bar Court

The remaining counts were dismissed.

DOCUMENTS TRANSMITTED:

Complaint
Sentencing Memorandum
Plea Form
Entry of Plea

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED:

9/2/2014

BY:


Charles A. Murray
Senior Trial Counsel

A copy of this transmittal and its
Attachments have been sent to:

Douglas Alan Bader
Law Office Douglas Bader
161 N. McKinley St., #124
Corona, CA 92879

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 13-C-16384

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within

Transmittal of Records of Conviction of Attorney; Complaint; Sentencing Memorandum; Plea Form; Entry of Plea

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2010 0923 08, at Los Angeles, on the date shown below, addressed to:

**Douglas A. Bader
Law Office of Douglas Bader
161 N. McKinley Street, #124
Corona, CA 92879**

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: September 5, 2014

Signed: 
Lupe Pacheco
Declarant

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CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best of his information and belief, and that a copy of the foregoing document has been served this day by placing a true copy thereof in a sealed envelope(s) addressed as follows:

**Deputy Trial Counsel Ross Viselman
State Bar of California
Office of the Chief Trial Counsel
845 South Figueroa Street
Los Angeles, California 90017-1295**

I deposited each such envelope in the mail at Corona, California, with postage thereon fully prepaid on June 11, 2014.

Signed on June 11, 2014



Douglas Bader

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL
CHARLES A. MURRAY, No. 146069
845 South Figueroa Street
Los Angeles, California 90017-2515
Telephone: (213) 765-1000

FILED

APR 17 2014

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

IN THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA

IN THE MATTER OF THE)
CONVICTION OF:)
DOUGLAS ALAN BADER,)
No. 182315)
A Member of the State Bar)
) [] Felony;
) [] Crime(s) involved moral turpitude;
) [] Probable cause to believe the crime(s) involved moral
turpitude;
) [X] Crime(s) which may or may not involve moral turpitude or
other misconduct warranting discipline;
) [X] Transmittal of Notice of Finality of Conviction.

To the CLERK OF THE STATE BAR COURT:

1. Transmittal of records.

- [X] A. Pursuant to the provisions of Business and Professions Code, section 6101-6102 and California Rules of Court, rule 9.5 et seq., the Office of the Chief Trial Counsel transmits a certified copy of the record of convictions of the following member of the State Bar and for such consideration and action as the Court deems appropriate:
- [] B. Notice of Appeal
- [X] C. Evidence of Finality of Conviction (Register of Actions certified on 01/27/14)
- [] D. Other

Name of Member: Douglas Alan Bader

Date member admitted to practice law in California: June 11, 1996

Member's Address of Record: Law Office Douglas Bader

161 N. McKinley St., #124

Corona, CA 92879

2. Date and court of conviction; offense(s).

The record of conviction reflects that the above-named member of the State Bar was convicted as follows:

Date of entry of conviction: March 23, 2012

Convicting court: Superior Court of California, County of Riverside

Case number(s): RIM1108796

Crime(s) of which convicted and classification(s): Violation of Vehicle Code § 14601.1(a) (Driving with Suspended License), one count, a misdemeanor which may or may not involve moral turpitude or other misconduct warranting discipline as in *In the Matter of Carr* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 108.

3. Compliance with Rule 9.20. (Applicable only if checked.)

We bring to the Court's attention that, should the Court enter an order of interim suspension herein, the Court may wish to require the above-named member to comply with the provisions of rule 9.20, California Rules of Court, paragraph (a), within 30 days of the effective date of any such order; and to file the affidavit with the Clerk of the State Bar Court provided for in paragraph (c) of rule 9.20 within 40 days of the effective date of said order, showing the member's compliance with the provisions of rule 9.20.

4. Other information to assist the State Bar Court

Since the Riverside County court clerks decline to complete the State Bar's Notice of Appeal form, the complete Register of Actions certified on January 27, 2014 is being presented as proof that no party has filed an appeal within 30 days after pronouncement of Judgment on March 23, 2012 (See Cal. Rules of Court, rule 8.853) or within 60 days after pronouncement of Judgment (See Cal. Rules of Court, rule 8.308).

DOCUMENTS TRANSMITTED:

Complaint
Plea Form
Sentencing
Register of Actions

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED:

4/16/2014

BY:


Charles A. Murray
Senior Trial Counsel

A copy of this transmittal and its
Attachments have been sent to:

Douglas Alan Bader
Law Office Douglas Bader
161 N. McKinley St., #124
Corona, CA 92879

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DECLARATION OF SERVICE BY CERTIFIED MAIL

CASE NUMBER: 14-C-00375

I, the undersigned, over the age of eighteen (18) years, whose business address and place of employment is the State Bar of California, 845 South Figueroa Street, Los Angeles, California 90017, declare that I am not a party to the within action; that I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service; that in the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day; that I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit; and that in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of Los Angeles, on the date shown below, a true copy of the within

Transmittal of Records of Conviction of Attorney; Complaint; Plea Form; Sentencing; Register of Actions

in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 7196 9008 9111 1008 2292, at Los Angeles, on the date shown below, addressed to:

**Douglas A. Bader
Law Office Douglas Bader
161 N. McKinley, St #124
Corona, CA 92879**

in an inter-office mail facility regularly maintained by the State Bar of California addressed to:

N/A

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: April 17, 2014

Signed: 
Lupe Pacheco
Declarant



The document to which this certificate is affixed is a full, true and correct copy of the original on file and of record in the State Bar Court.

ATTEST October 26, 2017

State Bar Court, State Bar of California,
Los Angeles

By Elizabeth Almey
Clerk

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Court Specialist 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 June 22, 2018, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING

in a sealed envelope for collection and mailing on that date as follows:

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

DOUGLAS A. BADER
3175 MAYFAIR LN
RIVERSIDE, CA 92506 - 4350

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

SCOTT D. KARPFF, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on June 22, 2018.



Marc Kraus
Court Specialist
State Bar Court