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State Bar Court of California Hearing Department Los Angeles DISBARMENT		
Counsel for the State Bar Angie Esquivel Senior Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017 (213) 765-1080 State Bar # 286432	Case Number(s): 18-C-15215-YDR	For Court use only <div style="text-align: right;"> FILED JUL 03 2019 <i>KE</i> STATE BAR COURT CLERK'S OFFICE LOS ANGELES </div>
Counsel For Respondent David Cameron Carr Law Office of David C. Carr 600 W. Broadway, Ste. 700 San Diego, CA 92101-3370 (619) 696-0526 State Bar # 124510	PUBLIC MATTER	
In the Matter of: LOGAN MICHAEL FAIRFAX State Bar # 243381 (Respondent)	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING; ORDER OF INVOLUNTARY INACTIVE ENROLLMENT DISBARMENT <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 an attorney of the State Bar of California, admitted **June 7, 2006**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **12** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."

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- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. It is recommended that (check one option only):
- Costs be 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. Unless the time for payment of discipline costs is extended pursuant to subdivision (c) of section 6086.10, costs assessed against an attorney who is actually suspended or disbarred must be paid as a condition of reinstatement or return to active status.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs."
 - Costs are entirely waived.
- (9) ORDER OF INACTIVE ENROLLMENT:
The parties are aware that if this stipulation is approved, the judge will issue an order of inactive enrollment under Business and Professions Code section 6007, subdivision (c)(4), and Rules of Procedure of the State Bar, rule 5.111(D)(1).

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

- (1) **Prior record of discipline:**
- (a) State Bar Court case # of prior case:
 - (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) **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.
- (3) **Misrepresentation:** Respondent's misconduct was surrounded by, or followed by misrepresentation.
- (4) **Concealment:** Respondent's misconduct was surrounded by, or followed by concealment.
- (5) **Overreaching:** Respondent's misconduct was surrounded by, or followed by overreaching.

- (6) **Uncharged Violations:** Respondent's conduct involves uncharged violations of the Business and Professions Code or the Rules of Professional Conduct.
- (7) **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (8) **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of Respondent's misconduct.
- (10) **Lack of Candor/Cooperation:** Respondent displayed a lack of candor and cooperation to victims of Respondent's 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 9.**
- (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 [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 Respondent's 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 Respondent's 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 Respondent.
- (7) **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.

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- (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 were directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by Respondent, 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 resulting from circumstances which were not reasonably foreseeable or were beyond Respondent's control and were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in Respondent's 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 Respondent's misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

No Prior Record of Discipline, see page 9.
Pre-trial Stipulation, see page 9.

D. Recommended Discipline:

Disbarment

Respondent is disbarred from the practice of law in California and Respondent's name is stricken from the roll of attorneys.

E. Additional Requirements:

- (1) **California Rules of Court, Rule 9.20:** Respondent must comply with the requirements of California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court order imposing discipline in this matter. Failure to do so may result in disbarment or suspension.

For purposes of compliance with rule 9.20(a), the operative date for identification of "clients being represented in pending matters" and others to be notified is the filing date of the Supreme Court order, not any later "effective" date of the order. (*Atheam v. State Bar* (1982) 32 Cal.3d 38, 45.) Further, Respondent is required to file a rule 9.20(c) affidavit even if Respondent has no clients to notify on the date the Supreme Court filed its order in this proceeding. (*Powers v. State Bar* (1988) 44 Cal.3d 337, 341.) In addition to being punished as a crime or contempt, an attorney's failure to comply with rule 9.20 is, inter alia, cause for disbarment, suspension, revocation of any pending disciplinary probation, and denial of an application for reinstatement after disbarment. (Cal. Rules of Court, rule 9.20(d).)

- (2) **Restitution (Single Payee):** Respondent must make restitution in the amount of \$ _____, plus 10 percent interest per year from _____, to _____ or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburse the Client Security Fund to the extent of any payment from the Fund to such payee, in accordance with Business and Professions Code section 6140.5).

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- (3) **Restitution (Multiple Payees):** Respondent must make restitution to each of the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburse the Client Security Fund to the extent of any payment from the Fund to such payee, in accordance with Business and Professions Code section 6140.5):

<i>Payee</i>	<i>Principal Amount</i>	<i>Interest Accrued From</i>

- (4) **Other Requirements:** It is further recommended that Respondent be ordered to comply with the following additional requirements:

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: LOGAN MICHAEL FAIRFAX
CASE NUMBER: 18-C-15215-YDR

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 moral turpitude.

Case No. 18-C-15215-YDR (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 May 10, 2018, the United States Attorney's Office ("USAO") filed a one count Information against respondent in *United States of America v. Logan Michael Fairfax*, United States District Court, Southern District of California, case no. 18-CR2309-BAS. The Information charged respondent with violating 31 United States Code ("USC") section 5324(a)(3), for knowingly and for the purpose of evading the reporting requirements of 31 USC section 5313(a), and the regulations promulgated thereunder, structure and assist in the structuring, or attempt to structure and assist in structuring, any transaction with a domestic financial institution; in violation of 31 USC sections 5324(a)(3) and 5324(d), and 18 USC section 2.
3. Respondent surrendered himself on May 10, 2018. Respondent posted bond on that same day and was released from custody.
4. On June 28, 2018, respondent pled guilty to a single felony count of knowingly and for the purpose of evading the reporting requirements of 31 USC section 5313(a), and the regulations promulgated thereunder, structuring and assisting in the structuring, or attempting to structure and assist in structuring, any transaction with a domestic financial institution; in violation of 31 USC sections 5324(a)(3) and 5324(d), and Title 18 USC section 2.
5. Judgment was entered on September 25, 2018. Respondent was sentenced to one year of supervised release probation, fined \$2,000 and to pay a \$100 assessment. Among other conditions of probation, respondent was required to submit to a random search by a probation officer of respondent's person, property, residence, office or vehicle; to provide complete disclosure of personal and business financial records to the probation officer as requested; to notify the USAO's Collections Unit of any interest in property obtained directly and indirectly, including any interest obtained under any other name, or entity, including a trust, partnership or corporation until the fine or restitution is paid in full; notify the USAO's Collections Unit before transferring any interest held or owned under any other

name, or entity, including a trust, partnership or corporation; and was permitted to travel throughout the United States.

6. On February 27, 2019, the Review Department issued an order pursuant to Business and Professions Code section 6102 that respondent be suspended from the practice of law effective March 25, 2019, pending final disposition of the State Bar proceeding.

7. On March 28, 2019, the Review Department issued an order referring this matter to the Hearing Department for a hearing and decision recommending the discipline to be imposed in the event the Hearing Department finds that the facts and circumstances surrounding the offenses for which respondent was convicted involved moral turpitude or other conduct warranting discipline.

8. On April 8, 2019 respondent filed a Motion for Early Termination of Probation in *United States of America v. Logan Michael Fairfax*, United State District Court, Southern District of California, case no. 18-CR2309-BAS.

9. On April 8, 2019, the U.S. District Court for the Southern District of California terminated respondent's probation.

FACTS:

10. Beginning around January 2013, respondent practiced law as a solo practitioner. As a solo practitioner, respondent counseled a number of clients in the cannabis industry about compliance with California cannabis laws, consistent with the 2008 California Attorney General's Office Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, dated August 1, 2008 (Guidelines).

11. Specifically, respondent drafted corporate governance documents and agreements for these clients consistent with Guideline section IV(A)(1). Respondent counseled his clients regarding the differences in California and Federal law and specifically that cannabis remained illegal under Federal law.

12. Respondent ceased counseling clients in the cannabis industry in April 2016.

13. Between November 2013 and March 2016, respondent, a third party attorney ("Attorney 1") and a certified public accountant ("the CPA") operated an enterprise devised to aide persons and entities (clients) engaged in the large scale cultivation of marijuana, sale of marijuana, and manufacturing of hash oil to avoid detection by federal and state law enforcement by forming non-profit corporations, filing false tax returns on behalf of these non-profit corporations and assisting in the structuring of cash transactions in order to evade bank Anti-Money Laundering ("AML") programs.

14. On January 17, 2013, two undercover officers ("UCOs"), UCO1 and UCO2, of the Immigration and Customs Enforcement ("ICE") Office of the Special Agent in Charge, located in San Diego, Financial Group, posing as individuals involved in growing cannabis, met with respondent and Attorney 1. During that meeting, Attorney 1 spent approximately 15 minutes summarizing California law, citing to the Guidelines, including advising the purported clients that cannabis was illegal under federal law.

15. At this same meeting on January 17, 2013, UCO1 informed Attorney 1 and respondent that he and UCO2 were shipping the majority of the marijuana he and UCO2 cultivate in San Diego, to New York State. UCO1 further informed Attorney 1 and respondent that UCO1 and UCO2 currently cultivated forty-eight plants.

16. Attorney 1 advised UCO1 not to ship marijuana to New York anymore, but added that UCO1 was free to do what he wants.

17. At the January 17, 2013 meeting, UCO1 paid Attorney 1 \$3,000 USD for Attorney 1 and respondent to form a marijuana collective on behalf of UCO1 and UCO2. UCO1 also provided Attorney 1 and respondent with the name of the collective to be formed. Attorney I referred UCO1 to the CPA.

18. Respondent formed the non-profit mutual benefit corporation for UCO1 by January 30, 2014.

19. On January 22, 2014, respondent told UCO1 that the CPA, whom Attorney 1 had referred to UCO1 and with whom respondent and Attorney 1 had formed a business relationship, was the best accountant to use to obtain tax filing services for UCO1's collective.

20. On February 11, 2016, respondent agreed to meet with UCO1 to discuss UCO1's proposed sale of the non-profit corporation respondent helped him form, to a friend, UCO3.

21. On February 24, 2016, UCO3 and respondent met to discuss the proposed sale of UCO1's non-profit corporation. Respondent provided money laundering and criminal consulting services to UCO3, for which UCO3 paid respondent \$250. At this same meeting, respondent agreed to complete and file corporate filings on behalf of UCO3 in order to conceal UCO3's criminal activities for a legal fee of \$500.

22. During the meeting with UCO3 on February 24, 2016, respondent suggested that UCO3 limit bank account deposits to amounts under \$10,000 to avoid Federal reporting requirements.

23. On March 24, 2016, respondent provided UCO3 with the requested filing documents, which respondent knew would be used to conceal UCO3's criminal activities. UCO3 paid respondent \$500 in exchange for the filing documents. On this same day, UCO3 paid respondent an additional \$100 for additional criminal consulting services. Specifically, respondent gave detailed instructions to UCO3 on how to engage in structured cash deposits, for the purpose of evading filing of a Currency Transaction Report for a proposed transaction of approximately \$15,000.

24. Between February and March of 2016, respondent provided another client, UCO2, with various virtual currency money laundering brokering services. Respondent was aware of UCO2's activities, to include the manufacture of Butane Hash Oil (BHO) and the shipping out of state of BHO for sale in other states, which was illegal.

25. Specifically, on March 31, 2016, respondent found a third party willing to pay UCO2 \$12,000 USD bitcoin to help UCO2 purchase equipment for large scale manufacturing of BHO from an individual that only accepted bitcoin.

26. On March 31, 2016, respondent provided his bitcoin wallet address to UCO2, for UCO2 to deposit the respondent's finder's fee for the acquisition of the equipment, which respondent knew UCO2 would use for the large scale manufacture of BHO and shipment and sale of BHO out of state, which was illegal.

CONCLUSIONS OF LAW:

27. The facts and circumstances surrounding the offense for which respondent was convicted involved moral turpitude.

AGGRAVATING CIRCUMSTANCES.

Multiple Acts of Wrongdoing (Std. 1.5(b)): Respondent's numerous instances of advising UCO3 on money laundering schemes to avoid bank AML programs, assisting UCO2 in the commission of a crime by securing a third party transfer of bitcoin to allow UCO2 to purchase equipment for the manufacture of BHO, as well as preparing and filing a non-profit corporation on behalf of UCO1 and UCO3, a non-profit corporation in which respondent knew was involved in the sale of marijuana across state lines in violation of federal laws, represent multiple acts of misconduct. Multiple acts of wrongdoing are an aggravating factor.

MITIGATING CIRCUMSTANCES.

Pretrial Stipulation: Should respondent enter into a pre-filing stipulation, thereby preserving State Bar Court time and resources, as well as acknowledging and accepting responsibility for his misconduct, he will be entitled to mitigation. (*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].)

No Prior Record of Discipline: Respondent has been admitted to practice law since June 7, 2006. Respondent was placed on interim suspension on March 25, 2019 based on the misconduct committed herein. Respondent had been discipline free for approximately 7 years of practice from admission to the earliest misconduct committed herein and is only entitled to slight mitigation. (*In the Matter of Aguiluz* (Review Dept. 1992) 2 Cal. State Bar Ct. Rptr. 32, 44; *In re Naney* (1990) 51 Cal.3d 186, 196 [7 years not a strong showing of mitigation]; *Kelly v. State Bar* (1988) 45 Cal.3d 649, 658 [7.5 years not "especially commendable. Petitioner has been practicing long enough to know that his conduct was wrong, but not so long as to make his blemish-free record surprising."].)

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 a conviction referral proceeding, “discipline is imposed according to the gravity of the crime and circumstances of the case.” (*In the Matter of Katz* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 502, 510.) Respondent’s culpability in this proceeding is conclusively established by the record of his convictions. (Bus. & Prof. Code, § 6101, subd. (a); *In re Crooks* (1990) 51 Cal.3d 1090, 1097.) Respondent is presumed to have committed all of the elements of the crimes of which he was convicted. (*In re Duggan* (1976) 17 Cal.3d 416, 423; *In the Matter of Respondent O* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 581, 588.)

Although respondent’s conviction is not a crime that involves moral turpitude *per se*, the facts and circumstances surrounding respondent’s conviction involved moral turpitude as respondent, with the intent to evade detection by federal and state laws as well as AML banking programs, advised undercover officers, whom he believed to be clients, on money laundering schemes and assisted a client in the commission of a crime by securing a third party transfer of bitcoin to allow the client to purchase equipment for the manufacture of BHO. (*See In re Young* (1989) 49 Cal.3d 257, 264 [attorney’s conviction under Penal Code section 32 (accessory to a felony) where attorney assisted a client with the intent to help the client avoid arrest involved moral turpitude *per se*; the Supreme Court held the crime “necessarily involves moral turpitude since it requires that a party has a specific intent to impede justice with knowledge that his actions permit a fugitive of the law to remain at large. An attorney convicted of this crime necessarily acts with conscious disregard of his obligation to uphold the law”]; *In the Matter of Fandey* (Review Dept. 1994) 2 Cal. State Bar Ct. Rptr. 767, 775 [aiding and abetting client in evading child support court order amounted to acts of moral turpitude and dishonesty].)

As such, Standard 2.15(b) applies to respondent’s conduct and provides that disbarment is the presumed sanction for final conviction of a felony in which the facts and circumstances surrounding the offense involve moral turpitude, unless the most compelling mitigating circumstances clearly predominate, in which case actual suspension of at least two years is appropriate.

Although respondent is entitled to some mitigation for entering into this pretrial stipulation and slight mitigation for no prior record of discipline, on balance the nature of respondent’s crime in engaging in counseling UCOs on how to violate the law, which is further aggravated by multiple acts, warrants

disbarment as respondent has not presented any compelling mitigation to warrant deviation from the presumed sanction. As such, disbarment is necessary to achieve the purposes of discipline expressed in Std. 1.1, including protection of the public, maintenance of high professional standards, and preservation of public confidence in the legal profession.

Case law is in accord. In *In re Utz* (1989) 48 Cal.3d 468, the Supreme Court of California disbarred the attorney despite mitigation of no prior record of discipline based on his criminal convictions of seven counts of mail fraud in violation of Title 18 U.S.C. section 1341, and two counts of using interstate transportation to defraud individuals in violation of Title 18 U.S.C. section 2314 committed while practicing law. The facts and circumstances surrounding the attorney's conviction indicated that the attorney was an active participant in a land sale project which involved three corporations established by three of his associates, created for the purpose of defrauding investors to invest in the sale of land while the corporations diverted funds from their corporations to unrelated real estate ventures and other private undertakings. The sale project included the solicitation of investors for operation of land sales, misrepresentations to investors about the associates' ownership of land and concealment of liens or encumbrances of the subject land. The Supreme Court gave deference to the State Bar Court's findings of fact surrounding the attorney's conviction, which indicated that the attorney used his position as an Attorney General to secure investments by assuring investors the land sale was safe and for fabricating a letter and lying to a tribunal on two separate occasions to protect one of his associates. The Supreme Court of California found that the attorney's misconduct was further aggravated by his lack of candor and credibility in the State Bar Court proceedings as well as his unwillingness to acknowledge the serious nature of his misconduct.

Like *Utz*, the facts and circumstances surrounding respondent's conviction involve moral turpitude as respondent engaged in establishing fraudulent non-profit corporations for over a two year period with two other individuals, for personal monetary gain. While the *Utz* attorney participated in a sophisticated land sale scheme intended to defraud investors, respondent participated in the establishment of fraudulent non-profit corporations intended to deceive Federal and State governments, as well as AML banking programs. Both the *Utz* attorney and respondent engaged in these deceptive practices over an extended period of time and used their profession to further their criminal enterprise. Moreover, like *Utz*, respondent committed multiple acts of moral turpitude when preparing and filing fraudulent non-profit corporations on behalf of his clients and securing a third party transfer of bitcoin to his client to assist in the client's criminal activities of manufacturing BHO. Like *Utz* although respondent is entitled to mitigation for no prior record of discipline, respondent does not present any compelling mitigation to warrant deviation from the Standard.

As such, respondent's disbarment is necessary to achieve the purposes of discipline expressed in Std. 1.1, including protection of the public, maintenance of high professional standards, and preservation of public confidence in the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of May 16, 2019, the discipline costs in this matter are approximately \$2,856.50. Respondent further acknowledges that should this stipulation be rejected or should relief from stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

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In the Matter of: Logan Michael Fairfax	Case Number(s): 18-C-15215-YDR
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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>6/12/2019</u> Date	<u>Logan Fairfax</u> Respondent's Signature	<u>Logan Michael Fairfax</u> Print Name
<u>6/19/19</u> Date	<u>David C. Carr</u> Respondent's Counsel Signature	<u>David Cameron Carr</u> Print Name
<u>6/25/19</u> Date	<u>[Signature]</u> Deputy Trial Counsel's Signature	<u>Angie Esquivel</u> Print Name

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In the Matter of: Logan Michael Fairfax	Case Number(s): 18-C-15215-YDR
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DISBARMENT ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

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

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See Rules Proc. of State Bar, rule 5.58(E) & (F).) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after the filed date of the Supreme Court order. (See Cal. Rules of Court, rule 9.18(a).)**

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

July 3, 2019
Date

Rebecca Meyer Rosenberg
REBECCA MEYER ROSENBERG, JUDGE PRO TEM
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 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 July 3, 2019, I deposited a true copy of the following document(s):

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

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

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

DAVID CAMERON CARR
LAW OFFICE OF DAVID C. CARR
600 W BROADWAY STE 700
SAN DIEGO, CA 92101-3370

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

ANGIE ESQUIVEL, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on July 3, 2019.



Angela Carpenter
Court Specialist
State Bar Court