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**State Bar Court of California
Hearing Department
Los Angeles
DISBARMENT**

ORIGINAL

Counsel for the State Bar

**Janet S. Yoon
Deputy Trial Counsel
845 S. Figueroa Street
Los Angeles, CA 90017
(213) 765-1049**

Bar # 265479

Case Number(s):
18-O-17940

For Court use only

FILED

JAN 28 2019

P.B.

**STATE BAR COURT
CLERK'S OFFICE
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PUBLIC MATTER

In Pro Per Respondent

**Richard Dennis Coats
204 Hampden Ter
Alhambra, CA 91801
(310) 425-4428**

Bar # 117285

Submitted to: **Assigned Judge**

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

In the Matter of:
RICHARD DENNIS COATS

DISBARMENT

Bar # 117285

PREVIOUS STIPULATION REJECTED

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 **January 24, 1985**.
- (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 **11** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law."

(Effective July 1, 2018)

- (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 a member 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: **14-O-01611. See page 7, and Exhibit 1, 14 pages.**
 - (b) Date prior discipline effective: **July 19, 2015.**
 - (c) Rules of Professional Conduct/ State Bar Act violations: **Business and Professions Code, section 6106.**
 - (d) Degree of prior discipline: **30-day actual suspension.**
 - (e) If Respondent has two or more incidents of prior discipline, use space provided below:
State Bar Court case # of prior case: 16-O-16422. See page 7, and Exhibit 2, 16 pages.
Date prior discipline effective: July 23, 2017.
Rules of Professional Conduct/State Bar Act violations: Business and Professions Code, section 6068(k).
Degree of prior discipline: One year actual suspension.
- (2) **Intentional/Bad Faith/Dishonesty:** Respondent's misconduct was dishonest, intentional, or surrounded by, or followed by bad faith.

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- (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 8.**
- (12) **Pattern:** Respondent's current misconduct demonstrates a pattern of misconduct.
- (13) **Restitution:** Respondent failed to make restitution.
- (14) **Vulnerable Victim:** The victim(s) of Respondent's misconduct was/were highly vulnerable.
- (15) **No aggravating circumstances** are involved.

Additional aggravating circumstances:

C. Mitigating Circumstances [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.

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- (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.
- (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 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 which resulted from circumstances not reasonably foreseeable or which were beyond Respondent's control and which 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:

Prefiling Stipulation, see page 8.

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. (*Athearn 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).)

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- (2) **Restitution (Single Payee):** Respondent must make restitution in the amount of \$ _____, plus 10 percent interest per year from _____, to _____ (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).
- (3) **Restitution (Multiple Payees):** Respondent must make restitution to each of the following payees (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 Accrues From</i>

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

5. On July 10, 2018, respondent untimely e-mailed to the OP his quarterly report due on April 10, 2018, 91 days past the deadline.

6. Respondent failed to attend the State Bar Ethics School by July 23, 2018.

7. On August 10, 2018, a Probation Deputy mailed respondent a non-compliance letter to respondent's State Bar membership records address, and e-mailed said letter to respondent's State Bar membership records e-mail address, advising respondent that he had failed to timely submit a quarterly report that was due on April 10, 2018, and failed to submit proof of attendance at a session of State Bar Ethics School by July 23, 2018. This letter requested that respondent submit proof of attendance of State Bar Ethics School immediately, as well as advised that respondent might face a non-compliance referral. Respondent received this non-compliance letter by mail and by e-mail.

8. Respondent failed to submit to the OP his October 10, 2018, quarterly report.

9. On November 6, 2018, a Probation Deputy mailed respondent a non-compliance letter to respondent's State Bar membership records address, and e-mailed said letter to respondent's State Bar membership records e-mail address, setting forth a chart summarizing respondent's compliance and non-compliance with his probation conditions. Respondent's non-compliance included failing to timely submit the quarterly report for April 10, 2018, failing to submit the quarterly report for October 10, 2018, and failing to provide proof of completion of a session of State Bar Ethics School. Respondent received this non-compliance letter by mail and by e-mail.

10. To date, respondent has not submitted to the OP the October 10, 2018, quarterly report, and has not attended or submitted proof of attendance of a session of State Bar Ethics School, and passage of the test given at the end of the session, to the OP by July 23, 2018.

CONCLUSIONS OF LAW:

11. By failing to timely submit to the OP the quarterly report due on April 10, 2018, by failing to submit to the OP the quarterly report due on October 10, 2018, and by failing to attend the State Bar Ethics School by July 23, 2018, respondent willfully violated Business and Professions Code section 6068(k).

AGGRAVATING CIRCUMSTANCES.

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

In State Bar Court Case Number 14-O-01611, effective July 19, 2015, the Supreme Court imposed discipline (S225504) as to respondent consisting of a one-year stayed suspension and one-year probation with conditions, including a 30-day actual suspension. In that matter, respondent stipulated to violating Business and Professions Code section 6106 [moral turpitude – misrepresentation]. There were no aggravating circumstances. Mitigating circumstances included no prior discipline and a pretrial stipulation. Attached as Exhibit 1, the parties stipulate is a certified copy of this prior discipline.

In State Bar Court Case Number 16-O-16422, effective July 23, 2017, the Supreme Court imposed discipline (S240904) as to respondent consisting of a two-year stayed suspension and three-year probation with conditions, including a one-year actual suspension. In that matter, respondent stipulated to violating Business and Professions Code, section 6068(k) [failing to comply with

conditions of probation]. Aggravating circumstances included one prior record of discipline and multiple acts of wrongdoing. Mitigating circumstances included a pretrial stipulation. Attached as Exhibit 2, the parties stipulate is a certified copy of this prior discipline.

Multiple Acts of Wrongdoing (Std. 1.5(b)): Respondent failed to comply with his disciplinary probation by violating three (3) separate conditions of probation. Respondent did not timely submit his quarterly report due on April 10, 2018, and did not submit his quarterly report due on October 10, 2018, to the Office of Probation. In addition, Respondent has neither attended nor provided proof of attendance of, a session of the State Bar Ethics School, which was due on July 23, 2018, to the Office of Probation. (*In the Matter of Tiernan* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 523, 529-530 [respondent's six separate probation violations evidence multiple acts of wrongdoing].)

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 Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the attorney's stipulation to facts and culpability was held to be a mitigating circumstance].)

AUTHORITIES SUPPORTING DISCIPLINE.

The Standards for Attorney Sanctions for Professional Misconduct “set forth a means for determining the appropriate disciplinary sanction in a particular case and to ensure consistency across cases dealing with similar misconduct and surrounding circumstances.” (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.1. All further references to standards are to this source.) The standards help fulfill the primary purposes of discipline, which include: protection of the public, the courts and the legal profession; maintenance of the highest professional standards; and preservation of public confidence in the legal profession. (See std. 1.1; *In re Morse* (1995) 11 Cal.4th 184, 205.)

Although not binding, the standards are entitled to “great weight” and should be followed “whenever possible” in determining level of discipline. (*In re Silvertown* (2005) 36 Cal.4th 81, 92, quoting *In re Brown* (1995) 12 Cal.4th 205, 220 and *In re Young* (1989) 49 Cal.3d 257, 267, fn. 11.) Adherence to the standards in the great majority of cases serves the valuable purpose of eliminating disparity and assuring consistency, that is, the imposition of similar attorney discipline for instances of similar attorney misconduct. (*In re Naney* (1990) 51 Cal.3d 186, 190.) If a recommendation is at the high end or low end of a standard, an explanation must be given as to how the recommendation was reached. (Std. 1.1.) “Any disciplinary recommendation that deviates from the Standards must include clear reasons for the departure.” (Std. 1.1; *Blair v. State Bar* (1989) 49 Cal.3d 762, 776, fn. 5.)

In determining whether to impose a sanction greater or less than that specified in a given standard, in addition to the factors set forth in the specific standard, consideration is to be given to the primary purposes of discipline; the balancing of all aggravating and mitigating circumstances; the type of misconduct at issue; whether the client, public, legal system or profession was harmed; and the member's willingness and ability to conform to ethical responsibilities in the future. (Stds. 1.7(b) and (c).)

Standard 2.14 applies to a violation of Business and Professions Code section 6068(k). Pursuant to Standard 2.14, actual suspension is the presumed sanction for failure to comply with a condition of discipline. However, due to respondent's two prior records of discipline, Standard 2.14 must be considered in conjunction with Standard 1.8(b), which provides for a presumed sanction of disbarment. Standard 1.8(b) provides as follows:

If a member has two or more prior records of discipline, disbarment is appropriate in the following circumstances, unless the most compelling mitigating circumstances clearly predominate or the misconduct underlying the prior discipline occurred during the same time period as the current misconduct:

1. Actual suspension was ordered in any one of the prior disciplinary matters;
2. The prior disciplinary matters coupled with the current record demonstrate a pattern of misconduct; or
3. The prior disciplinary matters coupled with the current record demonstrate the member's unwillingness or inability to conform to ethical responsibilities.

This case meets the first and third criteria. Respondent received a 30-day actual suspension in his first disciplinary matter and a one-year actual suspension in his second disciplinary matter. In addition, the prior disciplinary matters coupled with the current record demonstrate respondent's unwillingness or inability to conform to ethical responsibilities. Respondent's current misconduct is nearly identical to the misconduct in his second disciplinary matter. Like respondent's second disciplinary matter, in the current matter, respondent failed to comply with probation conditions concerning quarterly reports and attending and providing proof of attendance of a session of State Bar Ethics School. Accordingly, Standard 1.8(b) applies. Standard 1.7(a) provides, "[i]f a member commits two or more acts of misconduct and the Standards specify different sanctions for each act, the most severe sanction must be imposed." Here, that is Standard 1.8(b).

Respondent's misconduct is aggravated by two prior records of discipline and multiple acts of wrongdoing. Although respondent's misconduct is mitigated by a pre-filing stipulation, this mitigating factor is not compelling and does not predominate. As a result, there is no justification to depart from Standard 1.8(b). On balance, the misconduct, the substantial aggravation, the nominal mitigation, and the absence of any grounds to deviate from the presumption of disbarment provided under Standard 1.8(b), warrant disbarment.

Case law also supports disbarment. *In the Matter of Rose* is instructive as to the level of discipline where the current matter involves violations of probation conditions and Standard 1.8(b) applies. The Review Department in that case recommended disbarment under Standard 1.7(b)¹ where Rose's misconduct involved his failure to comply with certain conditions of his three-year disciplinary probation and was respondent's fourth disciplinary matter. (*In the Matter of Rose* (Review Dept. 1997) 3 Cal. State Bar Ct. Rptr. 646, 649.) In applying Standard 1.7(b), the Review Department did not find a compelling reason to depart from the presumption of disbarment. (*Id.* at p. 654.) In aggravation, Rose had an extensive record of prior discipline and engaged in multiple acts of misconduct. (*Ibid.*) In mitigation, the Review Department gave some weight to Rose's cooperation and significant weight to his community service. (*Ibid.*) The Review Department found that Rose had repeatedly failed or refused to conform his conduct to the ethical requirements of the profession despite ample opportunities to do so. Prior disciplinary orders provided Rose an opportunity to reform his conduct to the ethical strictures of the profession, but

¹ Standard 1.8(b) was formerly Standard 1.7(b).

Rose's violations of probation conditions indicated his unwillingness or inability to do so. (*Ibid.*) The Review Department also found that probation and suspension had proven inadequate in the past to prevent future misconduct. (*Id.* at p. 655.) Therefore, despite the significant mitigation from respondent's community service, the Review Department concluded that in balance with the record, nothing short of disbarment would fulfill the purposes of disciplinary sanctions. (*Ibid.*)

Here, as in *In the Matter of Rose*, Standard 1.8(b) applies due to respondent's two prior records of discipline, and there is no compelling reason to depart from this standard. Also like Rose, respondent's conduct is aggravated by multiple acts of misconduct. There are no mitigating circumstances such as that found in *In the Matter of Rose*. Moreover, respondent's failure or inability to comply with submitting quarterly reports and attending and submitting proof of attendance of a session of State Bar Ethics School, constitute serious violations, and demonstrates a repeated unwillingness or inability to conform his conduct to the ethical strictures of the profession. (*Potack v. State Bar* (1991) 54 Cal.3d 132, 139 [the failure to abide by the terms and conditions of probation is a serious violation].) Respondent's second disciplinary matter involved violations of the same probation conditions that are at issue here. Furthermore, like Rose, probation and suspension have proven inadequate in the past to prevent future misconduct.

The chief aims of attorney disciplinary probation is the protection of the public and rehabilitation of the attorney. (*In the Matter of Potack* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 525, 540, citation omitted.) Measured against these aims, "the greatest amount of discipline would be merited for violations which show a breach of a condition of probation significantly related to the misconduct for which probation was given. This would be especially significant in circumstances raising a serious concern about the need for public protection or showing the probationer's failure to undertake rehabilitative steps." (*Ibid.*) Here, the second disciplinary matter and current disciplinary matter involve the same issues concerning the failure to submit quarterly reports and the failure to attend a session of State Bar Ethics School. Moreover, respondent demonstrated a similar difficulty with submitting compliance documents in his first disciplinary matter. Where, as here, "[w]hen an attorney commits multiple violations of the same probation condition, the gravity of each successive violation increases," and where an attorney's failure to comply with specified probation conditions is identical the prior misconduct for which the attorney was disciplined, the attorney's current probation violations warrant the greatest level of discipline. (*In the Matter of Tiernan* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 523, 531.)

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of December 19, 2018, the discipline costs in this matter are \$ 3,300. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

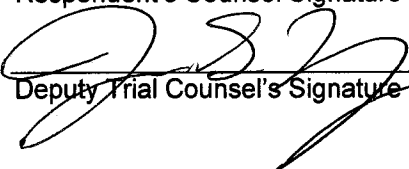
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In the Matter of: RICHARD DENNIS COATS	Case Number(s): 18-O-17940
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SIGNATURE OF THE PARTIES

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

12/27/2018  Richard Dennis Coats
Date Respondent's Signature Print Name

1/4/2019  Janet S. Yoon
Date Deputy Trial Counsel's Signature Print Name

(Do not write above this line.)

In the Matter of: RICHARD DENNIS COATS	Case Number(s): 18-O-17940
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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 Richard Dennis Coats 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.

January 28, 2019
Date

Cynthia Valanzuela
Judge of the State Bar Court

SUPREME COURT
FILED

(State Bar Court No. 14-O-01611)

JUN 19 2015

S225504

Frank A. McGuire Clerk

IN THE SUPREME COURT OF CALIFORNIA Deputy

En Banc

In re RICHARD DENNIS COATS on Discipline

The court orders that Richard Dennis Coats, State Bar Number 117285, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. Richard Dennis Coats is suspended from the practice of law for the first 30 days of probation;
2. Richard Dennis Coats 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 February 17, 2015; and
3. At the expiration of the period of probation, if Richard Dennis Coats has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Richard Dennis Coats 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-third of the costs must be paid with his membership fees for each of the years 2016, 2017, and 2018. If Richard Dennis Coats 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

day of JUN 19 2015 20
By: [Signature]
Deputy

CANTIL-SAKAUYE

Chief Justice

(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION		
Counsel For The State Bar Lori Brodbeck Contract Attorney 845 S. Figueroa Street Los Angeles, CA 90017 (213) 765-1075 Bar # 291116	Case Number(s): 14-O-01611	For Court use only <div style="text-align: center;"> <p>FILED</p> <p>FEB 17 2015</p> <p>STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p> </div>
In Pro Per Respondent Richard Dennis Coats 204 Hampden Terrace Alhambra, CA 91801 (310) 383-2064 Bar # 117285	<p>PUBLIC MATTER</p>	
In the Matter of: RICHARD DENNIS COATS Bar # 117285 A Member of the State Bar of California (Respondent)	Submitted to: Settlement Judge STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING ACTUAL SUSPENSION <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

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A. Parties' Acknowledgments:

- (1) Respondent is a member of the State Bar of California, admitted **January 24, 1985**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **10** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".

BS
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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 in this matter.** (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.
- (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.
- (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 7.
Pretrial Stipulation. See Attachment, page 7.

D. Discipline:

(1) **Stayed Suspension:**

(a) Respondent must be suspended from the practice of law for a period of **1 year**.

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 **1 year**, 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 **30 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 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.

(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 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:**

ATTACHMENT TO

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: RICHARD DENNIS COATS

CASE NUMBER: 14-O-01611

FACTS AND CONCLUSIONS OF LAW.

Respondent admits that the following facts are true and that he is culpable of violations of the specified statutes and/or Rules of Professional Conduct.

Case No. 14-O-01611 (State Bar Investigation)

FACTS:

1. As a member of the State Bar, Respondent was required to complete 25 hours of minimum continuing legal education ("MCLE") during the period commencing February 1, 2010, and ending January 31, 2013 (the "compliance period"). Respondent was also required to report his compliance with the MCLE requirements to the State Bar following the compliance period.

2. On February 1, 2013, Respondent reported under penalty of perjury to the State Bar that he was in compliance with the MCLE requirements, and, in particular, that he had completed the required MCLE hours during the compliance period.

3. Respondent has no proof that he completed any hours of the required MCLE courses within the compliance period.

CONCLUSIONS OF LAW:

4. By reporting under penalty of perjury to the State Bar that he was in compliance with the MCLE requirements when he knew that he was not in compliance with the MCLE requirements, Respondent committed an act involving moral turpitude, dishonesty or corruption in wilful violation of Business and Professions Code, section 6106.

ADDITIONAL FACTS RE: MITIGATING CIRCUMSTANCES.

No Prior Discipline: Respondent has been an attorney since January 24, 1985, and has no record of discipline, which is entitled to significant mitigation. (See *Friedman v. State Bar* (1990) 50 Cal.3d 235, 242 [20 years in the practice of law without discipline is afforded significant weight in mitigation].)

Pretrial Stipulation: Respondent admitted to the misconduct and entered into this stipulation to fully resolve this matter. Respondent's cooperation at this early stage has saved 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].)

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 the 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 Silvertown* (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).)

The applicable standard is found in standard 2.7, which applies to respondent’s misrepresentation and provides:

Disbarment or actual suspension is appropriate for an act of moral turpitude, dishonesty, fraud, corruption or concealment of a material fact. The degree of sanction depends on the magnitude of the misconduct and the extent to which the misconduct harmed or misled the victim and related to the member’s practice of law.

Here, actual suspension is appropriate because respondent’s misrepresentation to the State Bar regarding his MCLE compliance was an act of dishonesty directly related to the practice of law and calls into question his fitness to practice law. Misrepresentations are compounded when made in writing under penalty of perjury, like in this case, which thereby includes an imprimatur of veracity which should place a reasonable person on notice to take care that their statement is accurate, complete and true. (*In the Matter of Maloney and Virsik* (Review Dept. 2005) 4 Cal. State Bar Ct. Rptr. 774, 786.) Because there are no aggravating factors and there is mitigation for respondent’s 28 years of discipline-free legal practice, the discipline for this misconduct should fall on the lower end of the standard requiring actual suspension. For these reasons, while respondent’s misconduct is serious and undermines public confidence in the profession, 30-days of actual suspension is appropriate in this case.

Guidance on the level of discipline to be imposed in this matter can be found in the unreported decision of *In the Matter of Yee* (Review Dept. 2014), 2014 WL 3748590. In *Yee*, the Review Department found that an attorney's false affirmation of that she completed the MCLE requirements constituted an act of moral turpitude, which requires discipline under standard 2.7. While Yee was found to have been grossly negligent and committed an act of moral turpitude by providing no proof of taking MCLE courses during her compliance period, she was only publicly reprimanded. The Review Department found that her 22-year, discipline-free career, her candor and cooperation with the State Bar, her extraordinary good character, her remorse and recognition of wrongdoing, and her pro bono work and community service provided enough mitigation to warrant a reprimand rather than an actual suspension.

Here, like with *Yee*, respondent made a misrepresentation under penalty of perjury in order to circumvent continuing legal educational requirements established for the purpose of enhancing attorney competence and protecting the public. But unlike in *Yee*, respondent has less mitigation, and so deviation from standard 2.7 is not appropriate. In light of the totality of the facts and circumstances surrounding respondent's misconduct, discipline consisting of a one-year stayed suspension, including 30-days of actual suspension and a one-year period of probation with conditions, is appropriate to protect the public, the courts and the legal profession, to maintain high professional standards by attorneys, and to preserve public confidence in the legal profession.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of June 25, 2014, the prosecution costs in this matter are \$2,992. 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

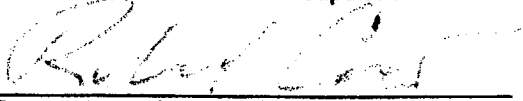
Pursuant to rule 3201, Respondent may not receive MCLE credit for completion State Bar Ethics School. (Rules Proc. of State Bar, rule 3201.)

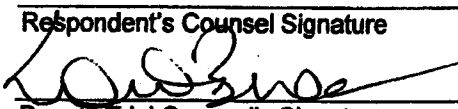
(Do not write above this line.)

In the Matter of: RICHARD DENNIS COATS	Case number(s): 14-O-01611
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SIGNATURE OF THE PARTIES

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

12/29/2017  Richard Coats
Date Respondent's Signature Print Name

1/8/2015  LORI BRODBECK
Date Deputy Trial Counsel's Signature Print Name

(Do not write above this line.)

In the Matter of: RICHARD DENNIS COATS	Case Number(s): 14-O-01611
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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.

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

2-13-15


GEORGE E. SCOTT, 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 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 February 17, 2015, I deposited a true copy of the following document(s):

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

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

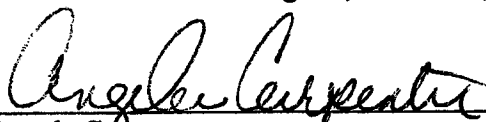
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**RICHARD DENNIS COATS
LAW OFFICE OF RICHARD D COATS
204 HAMPDEN TERRACE
ALHAMBRA, CA 91801**

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

LORI BRODBECK, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on February 17, 2015.



Angela Carpenter
Case Administrator
State Bar Court



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 December 17, 2018

State Bar Court, State Bar of California,
Los Angeles

By
Clerk

A handwritten signature in black ink, appearing to be "D. H. G.", is written over a horizontal line.

SUPREME COURT
FILED

JUN 23 2017

Jorge Navarrete Clerk

(State Bar Court No. 16-O-16422)

S240904

IN THE SUPREME COURT OF CALIFORNIA Deputy

En Banc

In re RICHARD DENNIS COATS on Discipline

The court orders that Richard Dennis Coats, State Bar Number 117285, 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 three years subject to the following conditions:

1. Richard Dennis Coats is suspended from the practice of law for the first one year of probation;
2. Richard Dennis Coats 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 February 1, 2017; and
3. At the expiration of the period of probation, if Richard Dennis Coats has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Richard Dennis Coats must also comply with California Rules of Court, rule 9.20, 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 this order. Failure to do so may result in disbarment or suspension.

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.

I, Jorge Navarrete, 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

_____ day of _____ 20____

By: _____

Deputy

CANTIL-SAKAUYE
Chief Justice

(Do not write above this line.)

State Bar Court of California Hearing Department Los Angeles ACTUAL SUSPENSION			PUBLIC MATTER
Counsel For The State Bar Patrice Vallier-Glass Deputy Trial Counsel 845 S. Figueroa Street Los Angeles, CA 90017 (213) 765-1180 Bar # 305900	Case Number(s): 16-O-16422-CV	For Court use only FILED FEB 01 2017 STATE BAR COURT CLERK'S OFFICE LOS ANGELES	
In Pro Per Respondent Richard Dennis Coats 204 Hampden Ter Alhambra, CA 91801 (310) 383-2064 Bar # 117285	Submitted to: Assigned Judge		
In the Matter of: RICHARD DENNIS COATS Bar # 117285 A Member of the State Bar of California (Respondent)	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 January 24, 1985.
- (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 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."
- (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: (Hardship, special circumstances or other good cause per rule 5.132, Rules of Procedure.) If Respondent fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.
 - Costs are waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs".
 - Costs are entirely waived.

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

- (1) **Prior record of discipline**
- (a) State Bar Court case # of prior case 14-O-01611
 - (b) Date prior discipline effective July 19, 2015.
 - (c) Rules of Professional Conduct/ State Bar Act violations: **Business and Professions Code, section 6106 [Moral Turpitude, Dishonesty or Corruption].**
 - (d) Degree of prior discipline **one year stayed suspension, one year probation, 30 days' actual suspension**
 - (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.

(Do not write above this line.)

- (8) **Harm:** Respondent's misconduct harmed significantly a client, the public, or the administration of justice.
- (9) **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (10) **Candor/Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct, or to the State Bar during disciplinary investigations or proceedings.
- (11) **Multiple Acts:** Respondent's current misconduct evidences multiple acts of wrongdoing. See Attachment at page 8-9.
- (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 [see standards 1.2(i) & 1.6]. Facts supporting mitigating circumstances are required.

- (1) **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not likely to recur.
- (2) **No Harm:** Respondent did not harm the client, the public, or the administration of justice.
- (3) **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct or to the State Bar during disciplinary investigations and proceedings.
- (4) **Remorse:** Respondent promptly took objective steps demonstrating spontaneous remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) **Restitution:** Respondent paid \$ _____ on _____ in restitution to _____ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) **Good Faith:** Respondent acted with a good faith belief that was honestly held and objectively reasonable.
- (8) **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical or mental disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and the difficulties or disabilities no longer pose a risk that Respondent will commit misconduct.

(Do not write above this line.)

- (9) **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) **Good Character:** Respondent's extraordinarily good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) **No mitigating circumstances** are involved.

Additional mitigating circumstances:

Pretrial Stipulation. See Attachment at page 9.

D. Discipline:

- (1) **Stayed Suspension:**
- (a) Respondent must be suspended from the practice of law for a period of **two years**.
- i. and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and fitness to practice and present learning and ability in the general law pursuant to standard 1.2(c)(1) Standards for Attorney Sanctions for Professional Misconduct.
- ii. and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. and until Respondent does the following:
- (b) The above-referenced suspension is stayed.
- (2) **Probation:**
- Respondent must be placed on probation for a period of **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 **one year**.
- 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:

(Do not write above this line.)

E. Additional Conditions of Probation:

- (1) If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and present learning and ability in the general law, pursuant to standard 1.2(c)(1), Standards for Attorney Sanctions for Professional Misconduct.
- (2) During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (5) Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
 No Ethics School recommended. Reason: .
- (9) Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) The following conditions are attached hereto and incorporated:
 Substance Abuse Conditions Law Office Management Conditions

(Do not write above this line.)

Medical Conditions

Financial Conditions

F. Other Conditions Negotiated by the Parties:

- (1) **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 5.162(A) & (E), Rules of Procedure.**
- No MPRE recommended. Reason:
- (2) **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) **Other Conditions:**

ATTACHMENT TO
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION

IN THE MATTER OF: RICHARD DENNIS COATS
CASE NUMBER: 16-O-16422

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. 16-O-16422 (State Bar Investigation)

FACTS:

1. On June 19, 2015, the California Supreme Court filed an order imposing discipline against respondent in State Bar Court Case No. 14-O-01611 (Supreme Court Case No. S225504), including a one-year stayed suspension, one year of probation, and 30 days' actual suspension. The discipline became effective July 19, 2015. Respondent was ordered to comply with the following relevant conditions of probation, among other conditions:

- 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 shall be submitted in the next quarter date, and cover that 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; and

- 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.

2. The Supreme Court order also required respondent to take and pass the Multistate Professional Responsibility Examination within one year after the effective date of the order and to provide proof of such passage to the State Bar Office of Probation.

3. On July 17, 2015, a probation deputy of the Office of Probation sent a letter to respondent at his State Bar Membership records address advising respondent of his probation conditions. Respondent received the July 17, 2015 letter.

4. On August 3, 2015, respondent had a telephonic meeting with a probation deputy, during which the probation deputy again explained respondent's probation conditions. Respondent indicated he understood the probation conditions.

5. Respondent had actual knowledge of the Supreme Court's order and of all conditions of probation.

6. Respondent violated his probation by:

- a. Failing to submit to the Office of Probation his July 10, 2016 quarterly report by that date or at any other time,
- b. Failing to submit to the Office of Probation his final report, which was due by July 19, 2016, at any time to date, and
- c. Failing to provide satisfactory proof to the Office of Probation of attendance at a session of Ethics School, and passage of the test given at the end of that session.

7. On September 9, 2016, the Office of Probation mailed a letter to respondent at his State Bar Membership records address and emailed respondent advising him that he was in violation of probation. Respondent received the letter. To date, respondent has not submitted to the Office of Probation the July 10, 2016 quarterly report, the final report, nor satisfactory proof of attendance at a session of Ethics School, and proof of passage of the test given at the end of Ethics School.

CONCLUSIONS OF LAW:

8. Respondent violated conditions of probation by failing to submit one quarterly report due July 10, 2016; by failing to submit a final report due July 19, 2016; and by failing to complete Ethics School. Thus, the respondent willfully violated section 6068(k) of the Business and Professions Code.

AGGRAVATING CIRCUMSTANCES.

Prior Record of Discipline (Std. 1.5(a)): Respondent has a prior record of discipline, Supreme Court Case Number S225504, consisting of the discipline from which the current probation was imposed. The prior discipline was based upon respondent knowingly and falsely reporting to the State Bar, under penalty of perjury, that he was in compliance with his MCLE requirements. However, respondent had no proof that he completed any hours of the required 25 units of MCLE between January 2, 2010 and January 31, 2013. The California Supreme Court filed an order imposing discipline including a one-year stayed suspension, one year of probation, and 30 days' actual suspension. The discipline became effective July 19, 2015.

Multiple Acts of Wrongdoing (Std. 1.5(b)): Respondent failed to comply with three separate conditions of probation in that he failed to submit one quarterly report, failed to submit one final report and failed to attend Ethics School. (*In the Matter of Tiernan* (Review Dept, 1996) 3 Cal. State Bar Ct.

Rptr. 523, 529-530 [respondent's six separate probation violations evidenced multiple acts of wrongdoing, and not a pattern of misconduct].)

MITIGATING CIRCUMSTANCES.

Pretrial Stipulation: By entering into this stipulation, respondent has acknowledged misconduct and is entitled to mitigation for recognition of wrongdoing and saving the State Bar significant resources and time. (*Silva-Vidor v. State Bar* (1989) 49 Cal.3d 1071, 1079 [where mitigative credit was given for entering into a stipulation as to facts and culpability]); *In the Matter of Spaith* (Review Dept. 1996) 3 Cal. State Bar Ct. Rptr. 511, 521 [where the attorney's stipulation to facts and culpability was held to be a mitigating circumstance].)

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; hereinafter "Standards.") 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 purpose 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)-(c).)

Standard 2.14 applies to a violation of Business and Professions Code section 6068(k). It states:

Actual suspension is the presumed sanction for failing to comply with a condition of discipline. The degree of the sanction depends on the nature of the condition violated and the member's unwillingness or inability to comply with disciplinary orders.

Periods of actual suspension can range from 30 days to three years. (Std. 1.2(c)(1).) Respondent's current misconduct shows a continuation of his unwillingness or inability to comply with his obligations as an attorney and officer of the court in a manner which bears on his fitness to practice law. Respondent failed to comply with the underlying disciplinary probation by violating three separate and distinct

conditions of probation, thereby violating the Supreme Court's order. Thus, respondent's conduct warrants a substantial period of actual suspension.

Furthermore Standard 1.8(a) applies to cases in which a member has a prior record of discipline. Standard 1.8(a) indicates that the sanction for the subsequent discipline must be greater than the previously imposed sanction, "unless the prior discipline was so remote in time and the previous misconduct was not serious enough that imposing greater discipline would be manifestly unjust."

Respondent's prior misconduct of knowingly and falsely reporting to the State Bar, under penalty of perjury, that he complied with MCLE requirements was serious and not remote in time. It is serious misconduct, and bears on respondent's moral turpitude, to lie to the State Bar. Furthermore, respondent's prior misconduct, which occurred on February 1, 2013, was not remote. Thus, it would not be manifestly unjust to impose upon respondent a greater discipline than his previously imposed discipline.

"Part B. Sanctions for Specific Misconduct" of the Standard for Attorney Sanctions for Professional Misconduct states, "[t]he presumed sanction for any specific act of misconduct is a starting point for the imposition of discipline, but can be adjusted up or down depending on the application of mitigating and aggravating circumstances set forth in Standards 1.5 and 1.6, and the balancing of these circumstances as described in Standards 1.7(b) and (c)."

When determining the level of discipline, consideration must be given to the aggravating and mitigating circumstances. Aggravating circumstances and mitigating circumstances must be established by clear and convincing evidence. (Rules Proc. of State Bar, tit. IV, Stds. for Attorney Sanctions for Prof. Misconduct, stds. 1.5 and 1.6). Here, there is clear and convincing evidence that shows aggravating circumstances, in that, respondent has a prior record of discipline involving moral turpitude upon which the current probation was imposed. In addition, respondent committed multiple acts of wrongdoing in his failure to comply with probation conditions. Respondent is also entitled to mitigation credit given his willingness to enter into this stipulation as to facts, conclusions of law and disposition. Balancing the aggravating factors against the mitigating factor, supports substantial discipline within the range of Standard 2.14 is warranted.

When respondent entered into the 2014 stipulation for his prior discipline, he was aware of the probation conditions he had to meet. Respondent was also contacted by the Office of Probation during his probation period, and he initially complied with probation conditions. However, given respondent's three separate probation violations and his continued failure to bring himself into compliance, two years' stayed suspension, three years' probation, and one year actual suspension is appropriate to protect the public, the courts and the legal profession, maintain high professional standards, and preserve public confidence in the legal profession.

Case law supports one year actual suspension as well. *In the Matter of Gorman* (Review Dept. 2003) 4 Cal. State Ct. Rptr. 567, 573, the Review Department acknowledged that there is a wide range of discipline for an attorney who has committed probation violations. The level of discipline can range from "merely extending probation...to imposition of the full amount of stayed suspension in the underlying disciplinary matter as actual suspension." More serious sanctions should be imposed to those probation violations closely related to the reasons for imposing discipline, and the prior record of discipline should also be taken into consideration. In the instant case, respondent's failure to submit one quarterly report, failure to submit one final report, and failure to complete Ethics School raises great

concerns that he has not rehabilitated from his prior misconduct and that public protection could be compromised by respondent's inability to conform his conduct to the ethical standards demanded of attorneys.

The courts have consistently held that failure to abide by terms and conditions of probation is a serious violation. (See *Potack v. State Bar* (1991) 54 Cal.3d 132, 139). In *Potack*, the Supreme Court determined that the attorney willfully failed to comply with the terms of his probation after he was given ample opportunity by the State Bar. The attorney's disciplinary order in the underlying matter stayed execution of a two-year suspension on the condition that he comply with specified terms and conditions of probation. The Supreme Court held that "[a]lthough petitioner attempts to minimize his probation violation and subsequent misconduct with respect to the default proceedings, his failure to abide by the terms and conditions of his probation is a serious violation, warranting the review department's recommendation that our 1986 order staying suspension be set aside." (*Id.*) Although *Potack* involved a probation revocation proceeding, rather than a disciplinary proceeding, it is instructive on the Court's view on probation violation matters. In the instant matter, discipline including one year actual suspension, consistent with the discipline imposed in *Potack*, is appropriate.

COSTS OF DISCIPLINARY PROCEEDINGS.

Respondent acknowledges that the Office of Chief Trial Counsel has informed respondent that as of January 9, 2017, the discipline costs in this matter are approximately \$3,669. Respondent further acknowledges that should this stipulation be rejected or should relief from the stipulation be granted, the costs in this matter may increase due to the cost of further proceedings.

EXCLUSION FROM MINIMUM CONTINUING LEGAL EDUCATION ("MCLE") CREDIT

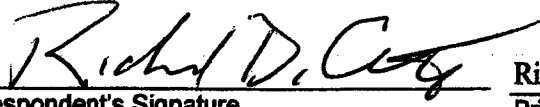
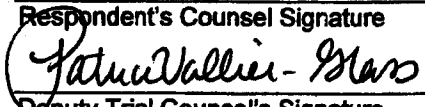
Respondent may not receive MCLE credit for completion of State Bar Ethics School, or any other educational course(s) to be ordered as a condition of suspension. (Rules Proc. of State Bar, rule 3201.)

(Do not write above this line.)

In the Matter of: RICHARD DENNIS COATS	Case number(s): 16-O-16422
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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>1-20-2017</u> Date	<u></u> Respondent's Signature	<u>Richard Dennis Coats</u> Print Name
<u>1/27/17</u> Date	<u></u> Respondent's Counsel Signature Deputy Trial Counsel's Signature	<u>Patrice Vallier-Glass</u> Print Name

(Do not write above this line.)

In the Matter of: RICHARD DENNIS COATS	Case Number(s): 16-O-16422
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ACTUAL SUSPENSION ORDER

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

- The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
 - The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
 - All Hearing dates are vacated.
1. On page 5 of the Stipulation, the "X" in the box at paragraph E.(1) is deleted, as respondent's period of actual suspension is for one year.
 2. On page 6 of the Stipulation, the "X" in the box at paragraph F.(1) is deleted, and an "X" is inserted in the box next to "No MPRE recommended." Also, the following is inserted after "Reason," "Respondent was suspended effective October 11, 2016, for failing to pass the MPRE, and he will remain suspended until he provides proof of passage of the MPRE."

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.)**

Feb. 1, 2017
Date

Cynthia Valenzuela
CYNTHIA VALENZUELA
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 February 1, 2017, 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:

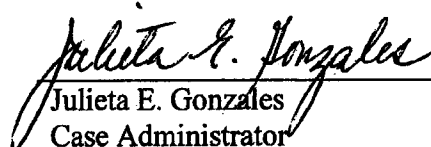
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

RICHARD DENNIS COATS
LAW OFFICE OF RICHARD D COATS
204 HAMPDEN TER
ALHAMBRA, CA 91801

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

Patrice N. Vallier-Glass, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on February 1, 2017.



Julieta E. Gonzales
Case Administrator
State Bar Court



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 December 17, 2018
State Bar Court, State Bar of California,
Los Angeles

By *[Signature]*
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 January 28, 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:

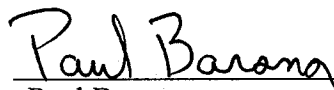
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

RICHARD DENNIS COATS
204 HAMPDEN TER
ALHAMBRA, CA 91801 - 2909

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

JANET S. YOON, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on January 28, 2019.



Paul Barona
Court Specialist
State Bar Court