

**SUPREME COURT
FILED**

APR 13 1994

Robert Wandruff Clerk

~~P. QUINN~~
DEPUTY

S 0 3 7 7 7 1

(State Bar Court Case No. 91-0-02939; 90-0-17370; 92-0-18253;
92-0-20267; 92-0-19881; 91-0-16908; 92-0-19240 (Cons.))

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

IN BANK

IN RE NATHAN DAVID SINGER ON DISCIPLINE

It is ordered that **Nathan David Singer** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Regarding Stipulation filed November 5, 1993. It is further ordered that he take and pass the California Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and shall be added to and become part of the membership fee for the next calendar year. (Bus. & Prof. Code section 6140.7.)

I, Robert F. Wandruff, 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 APR 14 1994 A.D. 19 ____

By _____ Clerk

P. QUINN

Deputy Clerk

Mosh

Acting Chief Justice

PUBLIC MATTER

<p>THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA</p> <p>HEARING DEPARTMENT</p> <p><input checked="" type="checkbox"/> LOS ANGELES <input type="checkbox"/> SAN FRANCISCO</p>	<p style="text-align: center; font-size: small;">FOR COURT USE ONLY</p> <div style="text-align: center; font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">F I L E D</div> <p style="text-align: center; font-weight: bold;">NOV 05 1993</p> <p style="text-align: center;">STATE BAR COURT CLERK'S OFFICE LOS ANGELES</p>
<p>IN THE MATTER OF</p> <p><u>NATHAN DAVID SINGER</u></p> <p>No. <u>117340</u></p> <p>MEMBER OF THE STATE BAR OF CALIFORNIA.</p>	<p>CASE NO(S) <u>91-0-02939-JER</u> <u>92-0-19881-JER</u> <u>90-0-17370-JER</u> <u>92-0-16908-JER</u> <u>92-0-18253-JER</u> <u>92-0-19240-JER</u> <u>92-0-20267-JER</u></p> <p>ORDER REGARDING STIPULATION (<input type="checkbox"/> FIRST AMENDED- <input checked="" type="checkbox"/> SECOND AMENDED-) AS TO FACTS AND DISPOSITION</p>

A fully executed Stipulation as to Facts and Disposition pursuant to rules 405-407, Transitional Rules of Procedure of the State Bar of California, consisting of 38 pages, approved by the parties, was submitted to the State Bar Court in the above-captioned case(s). All stipulations submitted previously are rejected. The Stipulation is attached to this order and is incorporated by reference herein. Unless a party withdraws or modifies the stipulation pursuant to rule 407(c), Transitional Rules of Procedure of the State Bar of California, this order shall be effective 15 days from the service of this order. After consideration of this stipulation, the Court hereby orders:

☒ The above mentioned case numbers are hereby consolidated for the purposes of ruling upon this stipulation. *JER*

☒ Modifications to the stipulation are attached:

- ☐ the parties having no objection.
- ☒ the parties having agreed on the record on September 13, 1993 *JER*
- ☐ any party must object within 15 days of the service of this order to the stipulation, as modified by the Court, or it shall become effective; if any party objects, the Stipulation shall be deemed rejected.

☒ It appearing that this stipulation and all attachments are fair to the parties and consistent with adequate protection of the public, the stipulation is approved and the disposition is:

- ☐ ordered.
- ☒ recommended to the California Supreme Court. *JER*
- ☐ further discussion attached.

☐ After due consideration of this stipulation and all attachments, it is rejected:

- ☐ for the reasons discussed with the parties in previous conference(s).
- ☐ for the reasons attached to this order.

☒ It is further ☐ ordered ☒ recommended that costs be awarded to the State Bar pursuant to Business and Professions Code section 6086.10. *JER*

DATE: November 3, 1993

Joanne Earls Robbins
 Judge of the State Bar Court

JOANNE EARLS ROBBINS

Within document forwarded to
 Judge on 11/5/93
 STATE BAR COURT CLERK'S OFFICE
 By: *[Signature]*

Attachment to Order 410

Respondent: NATHAN DAVID SINGER, No. 117340
Case Nos.: 91-O-02939-JER 92-O-19881-JER
 90-O-17370-JER 92-O-16908-JER
 92-O-18253-JER 92-O-19240-JER
 92-O-20267-JER

MODIFICATION TO STIPULATION

1. On Forms Stipulation 100, Schedule of Attachments, and 110, Stipulation as to Facts and Disposition, "X's" shall be added in the boxes for Form Stipulation 120, Agreements and Waivers (which is attached as page 6) (pages 1 and 4). *DER*

2. On Form Probation 380, Further Conditions of Probation, the following explanation shall be added in the lower half of page 33:

STATE BAR ETHICS SCHOOL

CLIENT TRUST ACCOUNT RECORD-KEEPING COURSE

Within one (1) year of the effective date of the Supreme Court Order in this matter, Respondent shall attend the State Bar Ethics School Client Trust Account Record-Keeping Course, which is given periodically at the State Bar of California (555 Franklin Street, San Francisco, California or 333 So. Beaudry Avenue, Los Angeles, California) and shall take and pass the test given at the end of such session. Respondent understands that this requirement is separate and apart from fulfilling the MCLE ethics requirement, and is not approved for MCLE credit. *DER*

3. On Form Probation 380, Further Conditions of Probation, and "X" shall be inserted in the box for Form Trials 384, Additional Conditions of Probation (which is attached as page 34) (page 33). *DER*

<p>COUNSEL FOR STATE BAR: OFFICE OF TRIAL COUNSEL OFFICE OF TRIALS THE STATE BAR OF CALIFORNIA ROBERT P. HEFLIN ROBERTA M. YANG TERESA J. SCHMID WILLIAM F. STRALKA, No. 056147 333 South Beaudry Avenue, 9th Fl. Los Angeles, CA 90017-1466 Telephone: (213) 580-5495</p>	<p>COUNSEL FOR RESPONDENT: SUSAN MARGOLIS MARGOLIS & MARGOLIS 2000 Riverside Drive Los Angeles, California 90039-3707 Telephone: (213) 953-8996</p>
<p>THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA</p> <p>HEARING DEPARTMENT</p> <p><input checked="" type="checkbox"/> LOS ANGELES</p> <p><input type="checkbox"/> SAN FRANCISCO</p>	<p>FOR COURT USE ONLY</p> <p>FILED</p> <p>SEP 08 1993 <i>R</i> STATE BAR COURT CLERKS OFFICE LOS ANGELES</p>
<p>IN THE MATTER OF</p> <p><u>NATHAN DAVID SINGER</u>,</p> <p>No. <u>117340</u>,</p> <p>MEMBER OF THE STATE BAR OF CALIFORNIA.</p>	<p>CASE NO(S). 91-O-02939-JER Invest. Matters Nos. 92-O-19881 90-O-17370 92-O-16908 (Consolidated) 92-O-18253</p> <p>92-O-19240 92-O-20267 STIPULATION AS TO FACTS AND DISPOSITION (RULES 405-407, TRANSITIONAL RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA) <input type="checkbox"/> FIRST AMENDED <input type="checkbox"/> SECOND AMENDED</p>

SCHEDULE OF ATTACHMENTS

- | | |
|--|---|
| <input checked="" type="checkbox"/> SECTION ONE: | <input checked="" type="checkbox"/> FORM STIP 110: STIPULATION FORM, INCLUDING
GENERAL AGREEMENTS AND
WAIVERS |
| | <input type="checkbox"/> FORM STIP 120: AGREEMENTS AND WAIVERS |
| <input checked="" type="checkbox"/> SECTION TWO: | <input checked="" type="checkbox"/> FORM STIP 130: STATEMENT OF ACTS OR OMISSIONS
AND CONCLUSIONS OF LAW
WARRANTING THE AGREED
DISPOSITION |

THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA HEARING DEPARTMENT <input checked="" type="checkbox"/> LOS ANGELES <input type="checkbox"/> SAN FRANCISCO	FOR COURT USE ONLY FILED SEP 08 1993 STATE BAR COURT CLERKS OFFICE LOS ANGELES
IN THE MATTER OF <u>NATHAN DAVID SINGER</u> No. <u>117340</u> MEMBER OF THE STATE BAR OF CALIFORNIA.	CASE NO(S). 91-O-02939-JER Invest. Matters Nos. 92-O-19881 92-O-20267 92-O-16908 90-O-17370 92-O-18253 (Consolidated) 92-O-19240 STIPULATION AS TO FACTS AND DISPOSITION (RULES 405-407, TRANSITIONAL RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA) <input type="checkbox"/> FIRST AMENDED <input type="checkbox"/> SECOND AMENDED

SECTION ONE. GENERAL AGREEMENTS AND WAIVERS.

A. PARTIES.

1. The parties to this stipulation as to facts and disposition, entered into under rules 405-407, Transitional Rules of Procedure of the State Bar of California (herein "Rules of Procedure"), are the member of the State Bar of California, captioned above (hereinafter "Respondent"), who was admitted to practice law in the State of California on January 31, 1985 and the Office of the Chief Trial Counsel, represented by the Deputy Trial Counsel of record whose name appears below.

2. If Respondent is represented by counsel, Respondent and his or her counsel have reviewed this stipulation, have approved it as to form and substance, and has signed FORM STIP 400 below.

3. If Respondent is appearing in propria persona, Respondent has received this stipulation, has approved it as to form and substance, and has signed FORM STIP 400 below.

B. JURISDICTION, SERVICE AND NOTICE OF CHARGE(S), AND ANSWER. The parties agree that the State Bar Court has jurisdiction over Respondent to take the action agreed upon within this stipulation. This stipulation is entered into pursuant to the provisions of rules 405-407, Rules of Procedure. No issue is raised over notice or service of any charge(s). The parties waive any variance between the basis for the action agreed to in this stipulation and any charge(s). As to any charge(s) not yet filed in any matter covered by this stipulation, the parties waive the filing of formal charge(s), any answer thereto, and any other formal procedures.

C. AUTHORITY OF EXAMINER. Pursuant to rule 406, Rules of Procedure, the Chief Trial Counsel has delegated to this Deputy Trial Counsel the authority to enter into this stipulation.

- ☒ SECTION THREE: ☒ FORM STIP 140: STATEMENT OF FACTS AND CIRCUMSTANCES BEARING ON THE AGREED DISPOSITION
- ☒ SECTION FOUR: ☐ FORM DISP 200: STATEMENT SUPPORTING DISMISSAL OF ALL CHARGES
☒ FORM DISP 205: STATEMENT SUPPORTING DISMISSAL OF CERTAIN CHARGES
☐ FORM DISP 210: ADMONITION
☐ FORM DISP 220: PRIVATE REPROVAL
☐ FORM DISP 230: PUBLIC REPROVAL
☒ FORM DISP 240: SUSPENSION, INCLUDES NO ACTUAL SUSPENSION
☐ FORM DISP 250: ACTUAL SUSPENSION
☐ FORM DISP 260: PROFESSIONAL RESPONSIBILITY EXAMINATION
☐ FORM DISP 270: REGARDING FURTHER CONDITIONS TO BE ATTACHED TO REPROVAL
- ☒ FORM PROB 310: GENERAL CONDITIONS OF PROBATION AND/OR APPOINTMENT OF PROBATION MONITOR
☐ FORM PROB 320: RESTITUTION
☐ FORM PROB 330: PROTECTION OF CLIENT FUNDS
☐ FORM PROB 340: MENTAL HEALTH TREATMENT
☐ FORM PROB 350: ALCOHOL/DRUG IMPAIRMENT
☒ FORM PROB 360: EDUCATION AND LAW OFFICE MANAGEMENT
☒ FORM PROB 370: COMMENCEMENT AND EXPIRATION OF PROBATION
☒ FORM PROB 380: FURTHER CONDITIONS OF PROBATION
- ☒ SECTION FIVE: ☒ APPROVAL OF PARTIES

D. PROCEDURES AND TRIAL.

In order to accomplish the objectives of this stipulation, the parties waive all State Bar Court procedures regarding formal discovery as well as hearing or trial. Instead, the parties agree to submit this stipulation to a judge of the State Bar Court.

E. PENDING PROCEEDINGS.

Except as specified in subsection I, all pending investigations and matters included in this stipulation are listed by case number in the caption above.

F. EFFECT OF THIS STIPULATION.

1. The parties agree that this stipulation includes this form and all attachments.
2. The parties agree that this stipulation is not binding unless and until approved by a judge of the State Bar Court. If approved, this stipulation shall bind the parties in all matters covered by this stipulation and the parties expressly waive review by the Review Department of the State Bar Court.
3. If the stipulation is not approved by a State Bar Court judge, the parties will be relieved of all effects of the stipulation and any proceedings covered by this stipulation will resume.
4. The parties agree that stipulations as to proposed discipline involving suspension, are not binding on the Supreme Court of California. Pursuant to Business and Professions Code sections 6078, 6083-6084, and 6100, the Supreme Court must enter an order effectuating the terms and conditions of this stipulation before any stipulation for suspension, actual or stayed, will be effective.

G. PREVIOUSLY REJECTED STIPULATIONS IN PROCEEDINGS OR INVESTIGATIONS COVERED BY THIS STIPULATION.

Unless disclosed by the parties in subsection I, there have been no previously rejected or withdrawn stipulations in matters or investigations covered by this stipulation.

H. COSTS OF DISCIPLINARY PROCEEDINGS. (Check appropriate paragraph(s).)

X 1. The agreed disposition is eligible for costs to be awarded the State Bar. (Bus. & Prof. Code, §§ 6086.10 and 6140.7.) Respondent has been notified of his or her duty to pay costs. The amount of costs assessed by the Office of Chief Trial Counsel will be disclosed in a separate cost certificate submitted following approval of this stipulation by a hearing judge. The amount of costs assessed by the State Bar Court will be disclosed in a separate cost certificate submitted upon finalization of this matter.

 2. The agreed disposition is not eligible for costs to be awarded the State Bar.

I. SPECIAL OR ADDITIONAL AGREEMENTS AS TO SECTION ONE.

X Respondent has been advised of pending investigations, if any, which are not included in this stipulation.

 FORM STIP 120 is attached, stating further general agreements and waivers.

SECTION TWO. STATEMENT OF ACTS OR OMISSIONS AND CONCLUSIONS OF LAW WARRANTING THE AGREED DISPOSITION.

- ☒ The parties have attached FORM STIP 130 and agree that the same warrants the disposition set forth in this stipulation.

SECTION THREE. STATEMENT OF FACTS, FACTORS OR CIRCUMSTANCES BEARING ON THE AGREED DISPOSITION.

The parties agree that the following attachment(s) constitute the facts and circumstances considered mitigating, aggravating or otherwise bearing on the agreed disposition:

- ☒ FORM STIP 140: STATEMENT OF FACTS AND CIRCUMSTANCES BEARING ON THE AGREED DISPOSITION

SECTION FOUR. AGREED DISPOSITION

Based on the foregoing and all attachments, the parties agree that the appropriate disposition of all matters covered by this stipulation is [Check appropriate disposition(s); attach schedule(s) if indicated]:

- ☐ DISMISSAL OF ALL CHARGES [FORM DISP 200]
- ☒ DISMISSAL OF CERTAIN CHARGES [Attach FORM DISP 205: STATEMENT SUPPORTING DISMISSAL OF CERTAIN CHARGES]
- ☐ ADMONITION [Attach FORM DISP 210: ADMONITION]
- ☐ PRIVATE REPROVAL [Attach FORM DISP 220: PRIVATE REPROVAL]
- ☐ PUBLIC REPROVAL [Attach FORM DISP 230: PUBLIC REPROVAL]
- ☒ SUSPENSION ENTIRELY STAYED [Attach FORM DISP 240: RECOMMENDATIONS FOR STAYED SUSPENSION]
- ☐ ACTUAL SUSPENSION [Attach FORM DISP 250: RECOMMENDATIONS FOR ACTUAL SUSPENSION]
- ☐ ADDITIONAL PROVISIONS:
- ☐ FORM DISP 260: CALIFORNIA PROFESSIONAL RESPONSIBILITY EXAMINATION
- ☐ FORM DISP 270: FURTHER CONDITIONS TO BE ATTACHED TO REPROVAL

Parties
Initials

MS, JLM, WS PAGE 6

IN THE MATTER OF

NATHAN DAVID SINGER

A Member of the State Bar.

CASE NO(S). 91-O-02939-JER

Invest. Matters Nos.

92-O-19881, 92-O-16908, 92-O-18253

92-O-19240, 92-O-20267, 90-O-17370

(Consolidated)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

ADDITIONAL AGREEMENTS AND WAIVERS

- ☐ FORM TRI 121: WAIVER OF RIGHT TO PETITION FOR RELIEF FROM ASSESSED COSTS
- ☒ FORM TRI 122: WAIVER OF ISSUANCE OF NOTICE TO SHOW CAUSE
- ☒ FORM TRI 123: STATEMENT OF AUTHORITIES SUPPORTING DISCIPLINE

OFFICE OF TRIAL COUNSEL
OFFICE OF TRIALS
THE STATE BAR OF CALIFORNIA
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Los Angeles, California 90017-1466
Telephone: (213) 580-5000

Parties' Initials W.D. Singer W.B. PAGE 7

IN THE MATTER OF

NATHAN DAVID SINGER,

A Member of the State Bar.

Case No(s). 91-O-02939-JER
Invest. Matters Nos.
92-O-19881, 92-O-16908, 92-O-18253
92-O-19240, 92-O-20267, 90-O-17370
(Consolidated)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

WAIVER OF ISSUANCE OF NOTICE TO SHOW CAUSE

It is agreed by the parties that investigative matters designated as case number(s) (SEE CAPTION CASE NOS.) may be incorporated into the within Stipulation. The parties waive the issuance of a Notice to Show Cause and the right to a formal hearing and any other procedures necessary with respect to these investigative matters in order to accomplish the objectives of this Stipulation.

Parties:
Initials

h.s. S.M. W.B. PAGE **8**

OFFICE OF TRIAL COUNSEL
OFFICE OF TRIALS
THE STATE BAR OF CALIFORNIA
ROBERT P. HEFLIN, Chief Trial Counsel
333 South Beaudry Avenue, 9th Floor
Los Angeles, California 90017-1466
Telephone: (213) 580-5000

IN THE MATTER OF

NATHAN DAVID SINGER,

A Member of the State Bar.

Case No(s). 91-O-02939-JER
Invest. Matters Nos.
92-O-19881 92-O-19240
92-O-16908 92-O-20267
92-O-18253 90-O-17370
(Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

STATEMENT OF AUTHORITIES SUPPORTING DISCIPLINE

The State Bar Court Review Department recommended In the Matter of Whitehead (12 CSBCR 354 (1991)) actual suspension of 45 days, one year stayed suspension and five years probation. The misconduct involved a \$2,000.00 misappropriation, commingling, failure to perform, return of unearned fees, supervise and respond to The State Bar investigation. The Review Department considered the aggravation of substantial harm to clients and prior private reproof and the mitigation of emotional difficulties and a current threat to the public.

The State Bar Court Review Department recommended In the Matter of Williams Reamy Kennon (90 Daily Journal D.A.R. 14314) actual suspension of 30 days, two years suspension and two years probation. The misconduct involved failure to communicate, failure to perform and failure to return unearned fees. The Review Department considered respondent's multiple acts of misconduct, harm to respondent's clients and lack of candor at the hearing in aggravation.

IN THE MATTER OF

NATHAN DAVID SINGER,

A Member of the State Bar.

CASE NO(S). 91-O-02939-JER

Invest. Matters Nos.

92-O-19881 92-O-19240

92-O-16908 92-O-20267

92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

**STATEMENT OF ACTS OR OMISSIONS
WARRANTING THE AGREED DISPOSITION**

CASE NO. 91-O-02939-JER

COUNT

(See following pages.)

Parties
Initials

7/2, SLM, MB PAGE 10

IN THE MATTER OF

NATHAN DAVID SINGER

A Member of the State Bar.

CASE NO(S) 91-O-02939-JER

Invest. Matters Nos.

92-O-19881 92-O-19240

92-O-16908 92-O-20267

92-O-18253 90-O-17370 (Con§.)

ATTACHMENT TO: [X] STIPULATION [] DECISION

**STATEMENT OF ACTS OR OMISSIONS
WARRANTING THE AGREED DISPOSITION**

CASE NO. 91-O-02939-JER

COUNT _____

COUNT ONE

Case No. 91-O-02939

1. On or about February 19, 1987, respondent was employed by Refugio Reyes (hereinafter "Reyes") to represent him in a marital dissolution matter. Reyes paid respondent \$350.00 as advanced attorney's fees.

2. On or about February 26, 1987, respondent filed a Petition for Dissolution of Marriage on behalf of his client in Los Angeles County Superior Court, entitled Reyes and. Reyes, Case Number D186144.

3. On or about April 24, 1987, respondent filed a Petition for a Request to Enter Default in the above-mentioned matter for failure of the respondent to respond to the Petition for Dissolution of Marriage.

4. Respondent failed to communicate with Reyes regarding the status of his matter, despite Reyes' numerous attempts to contact respondent by telephone and several visits to respondent's office.

5. On or about September 11, 1991, respondent filed a Declaration for Default, the Judgment, and the Notice of Entry of Judgement in Reyes and Reyes.

Respondent committed the above-described acts in wilful violation of his oath and duties as an attorney under disciplinary case law and/or California Business and Professions Code section 6068(m).

Parties:
Initials

N. D. Singer PAGE 11

IN THE MATTER OF

NATHAN DAVID SINGER

A Member of the State Bar.

CASE NO(S). 91-O-02939-JER

Invest. Matters Nos.

92-O-19881 92-O-19240

92-O-16908 92-O-20267

92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

**STATEMENT OF ACTS OR OMISSIONS
WARRANTING THE AGREED DISPOSITION**

CASE NO. 91-O-02939-JER

COUNT _____

COUNT TWO

Case No. 91-O-06244

1. On or about September 6, 1990, respondent was employed by Cesar Huerta (hereinafter "Huerta") to represent him in attempting to recover insurance proceeds from a repossessed vehicle that had been destroyed. Huerta paid respondent \$1,000.00 as advanced attorneys fees. All fees were returned to Huerta with interest on November 15, 1990.

2. In or about February 1991, Huerta was advised that the insurer was refusing to pay Huerta's claim. Respondent informed Huerta that Jerry Fernandez, his associate who had been assigned to handle his matter, had been discharged from the firm and that another associate, Mr. Kaiser, had been assigned to his matter.

3. Thereafter, until in or about July 1991, respondent failed to communicate with Huerta regarding the status of his matter, despite his attempts to contact respondent.

4. In or about July 1991, respondent informed Huerta that Mr. Kaiser was no longer with his office and that respondent assured him that respondent would handle his matter.

5. Thereafter, respondent again failed to communicate with Huerta regarding the status of his matter, despite Huerta's numerous attempts to contact respondent by telephone.

IN THE MATTER OF	CASE NO(S). 91-O-02939-JER
<u>NATHAN DAVID SINGER</u>	Invest. Matters Nos.
A Member of the State Bar.	92-O-19881 92-O-19240
	92-O-16908 92-O-20267
	92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

**STATEMENT OF ACTS OR OMISSIONS
WARRANTING THE AGREED DISPOSITION**

FORMAL
CASE NO. 91-O-02939-JER

COUNT _____

6. On or about August 8, 1991, Huerta wrote to respondent via certified mail requesting a status update on his matter. Respondent failed to respond to Huerta's letter.

Respondent committed the above-described acts in wilful violation of his oath and duties as an attorney under disciplinary case law and/or California Business and Professions Code section 6068(m).

IN THE MATTER OF

NATHAN DAVID SINGER

A Member of the State Bar.

INVEST. MATTERS Nos.

CASE NO(S). 91-O-02939-JER

92-O-19881 92-O-19240

92-O-16908 92-O-20267

92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

STATEMENT OF ACTS OR OMISSIONS WARRANTING THE AGREED DISPOSITION

CASE NO. _____

COUNT _____

COUNT THREECase No. 91-O-07275

1. In or about July 1988, respondent was employed by Dora Larson (hereinafter "Larson") to represent her in the probate of Arthur Dale Philip's estate. Larson paid respondent \$750.00 as advanced attorney's fees.

2. On or about November 10, 1988, respondent informed Larson that she had been named executrix of the above-mentioned estate and that ancillary probate proceedings would have to be instituted in the State Court of Hawaii.

3. Thereafter, respondent failed to communicate with Larson regarding the status of her matter, despite her numerous attempts to contact respondent by telephone. Respondent failed to diligently perform the services for which he was employed.

4. Respondent continues to represent Larson and has instituted ancillary proceedings in the State of Hawaii with the help of local counsel.

Respondent committed the above-described acts in wilful violation of his oath and duties as an attorney under disciplinary case law and/or California Business and Professions Code section 6068(m); and former rule 6-101(A)(2) and rule 3-110(A), of the Rules of Professional Conduct.

IN THE MATTER OF	CASE NO(S). 91-O-02939-JER
NATHAN DAVID SINGER	Invest. Matters Nos.
	92-O-19881 92-O-19240
	92-O-16908 92-O-20267
A Member of the State Bar.	92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: [X] STIPULATION [] DECISION

**STATEMENT OF ACTS OR OMISSIONS
WARRANTING THE AGREED DISPOSITION**

CASE NO. 91-O-029390-JER

COUNT _____

COUNT FOUR

Case No. 91-O-08512

1. On or about August 15, 1991, respondent was employed by Richard Simons (hereinafter "Simons") to represent him in a child support modification matter. Simons paid respondent \$250.00 as advance attorneys fees.

2. Thereafter, until in or about November 1991, respondent failed to communicate with Simons regarding the status of his matter, despite Simons' numerous attempts to contact respondent by telephone.

3. Respondent failed to perform the services for which respondent was employed.

4. On or about December 5, 1991, Simons contacted respondent and requested a refund of the \$250.00 paid to respondent as advanced attorneys fees.

5. In or about January 1992, after a second request by Simons for a refund of the advanced attorneys fees paid, respondent refunded the \$250.00 to Simons.

Respondent committed the above-described acts in wilful violation of his oath and duties as an attorney under disciplinary case law and/or California Business and Professions Code section 6068(m) and rule 3-110(A) of the Rules of Professional Conduct.

IN THE MATTER OF	CASE NO(S). 91-O-02939-JER
NATHAN DAVID SINGER	Invest. Matters Nos.
A Member of the State Bar.	92-O-19881 92-O-19240
	92-O-16908 92-O-20267
	92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: [X] STIPULATION [] DECISION

**STATEMENT OF ACTS OR OMISSIONS
WARRANTING THE AGREED DISPOSITION**

FORMAL
CASE NO. 91-O-02939-JER

COUNT

Investigation Matter No. 92-O-16908

1. On or about January 20, 1992 respondent was employed by Barbara Januazewska (hereinafter "Januazewska") to represent her in an immigration matter.

2. At the time respondent was employed he was paid advanced fees of \$385.00.

3. After January 20, 1992 respondent failed to communicate with Januazewska in response to telephone messages and registered letters until at least May of 1992.

4. Respondent refunded Januazewska's advanced fees in or about August of 1992, after Januazewska complained to the State Bar regarding respondent's conduct.

Respondent committed the above-described acts in wilful violation of his oath and duties as an attorney under disciplinary case law and Business and Professions Code section 6068(m).

Parties'
Initials

U. J. SM, WB PAGE *16*

IN THE MATTER OF

NATHAN DAVID SINGER

A Member of the State Bar.

CASE NO(S). 91-0-02939 JER

Invest. Matters Nos.

92-0-19881 92-0-19240

92-0-16908 92-0-20267

92-0-18253 90-0-17370

(Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

STATEMENT OF ACTS OR OMISSIONS WARRANTING THE AGREED DISPOSITION

FORMAL
CASE NO. 91-0-02939-JER

COUNT _____

Investigation Matter No. 92-0-19240

1. In or about October 1990, Respondent was employed by Gloria Cardenas (hereinafter "Cardenas") to represent her in a divorce proceeding in California.

2. At the time he was employed, Respondent was paid advanced fees of \$850.00. In August 1992, following her complaint to the State Bar, Respondent made a full refund of fees to Ms. Cardenas.

3. Respondent filed a petition for dissolution on behalf of Cardenas, and was able to obtain a judgment against her husband. Thereafter, Respondent attempted, but was unable to enforce the judgment or levy against any of the husband's assets because the husband had successfully secreted his assets from Ms. Cardenas. Respondent's efforts in this regard included the use of a private investigator, but were to no avail. In or about April 1991, Respondent referred Ms. Cardenas to the District Attorney's Office for their assistance in seeking enforcement of the support judgment through the criminal system.

Respondent failed to respond to all of Ms. Cardenas' telephone calls and letters throughout the entire course of his representation, in wilful violation of his oath and duties as an attorney pursuant to Business & Professions Code Section 6068(m).

IN THE MATTER OF	CASE NO(S). 92-O-02939-JER
NATHAN DAVID SINGER	Invest. Matters Nos.
	92-O-19881 92-O-19240
	92-O-16908 92-O-20267
A Member of the State Bar.	92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

STATEMENT OF FACTS AND CIRCUMSTANCES BEARING ON THE AGREED DISPOSITION

A. AGGRAVATING CIRCUMSTANCES:

- ☐ 1. Respondent has a record of prior discipline. (Std. 1.2 (b)(i).)¹ Supporting facts:
- _____
- _____
- _____
- ☒ 2. Respondent's misconduct evidences multiple acts of wrongdoing. (Std. 1.2 (b)(ii).) Supporting facts: (See Stip. Form 130)
- _____
- _____
- _____
- ☐ 3. Respondent's misconduct evidences\demonstrates a pattern of misconduct. (Std. 1.2 (b)(ii).) Supporting facts: _____
- _____
- _____
- ☐ 4. Respondent's misconduct was surrounded or followed by bad faith, dishonesty, concealment, overreaching or other circumstances defined by Standard 1.2 (b)(iii). Supporting facts: _____
- _____
- _____

¹ References to "Standards" are to the "Standards for Attorney Sanctions for Professional Misconduct: (See Transitional Rules of Procedure of the State Bar of California, Division V.)

- [] 5. Respondent's misconduct harmed significantly client(s), the public or the administration of justice. (Std. 1.2 (b)(iv).) Supporting facts: _____

- [] 6. Respondent demonstrated indifference to rectifying the consequences of misconduct. (Std. 1.2 (b)(v).) Supporting facts: _____

- [] 7. Respondent demonstrated indifference to atoning for the consequences of misconduct. (Std. 1.2 (b)(v).) Supporting facts: _____

- [] 8. Respondent displayed a lack of candor and cooperation to any victim(s) of misconduct. (Std. 1.2 (b)(vi).) Supporting facts: _____

- [] 9. Respondent displayed a lack of candor and cooperation to the State Bar during disciplinary investigation or proceedings. (Std. 1.2 (b)(vi).) Supporting facts: _____

Parties' Initials JA: SM, WBS PAGE 19

Initials

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-
- This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

B. MITIGATING CIRCUMSTANCES:

[X] 1. Respondent has no record of prior discipline over many years of practice, coupled with present misconduct not deemed serious. (Std. 1.2 (e)(i).) Supporting facts: Respondent was admitted to practice on January 31, 1985.

[X] 2. Respondent acted in good faith. (Std. 1.2 (e)(ii).) Supporting facts:

[X] 3. Respondent's misconduct did not result in harm to the client(s) or person(s) who were the objects of misconduct. (Std. 1.2 (e)(iii).) Supporting facts:

[] 4. Respondent suffered extreme emotional difficulties at the time of misconduct of the type which is subject to the conditions recognized by Standard 1.2 (e)(iv). Supporting facts:

[] 5. Respondent suffered extreme physical disabilities at the time of misconduct of the type which is subject to the conditions recognized by Standard 1.2 (e)(iv). Supporting facts:

[] 6. Respondent displayed spontaneous candor and cooperation to the victim(s) of misconduct. (Std. 1.2 (e)(v).) Supporting facts:

- [] 7. Respondent displayed spontaneous candor and cooperation to the State Bar during disciplinary investigation and proceedings. (Std. 1.2 (e)(v).) Supporting facts: _____

- [] 8. Respondent presented an extraordinary demonstration of good character as set forth in Standard 1.2 (e)(vi). Supporting facts: _____

- [] 9. Respondent promptly took objective steps to spontaneously demonstrate remorse which steps were designed to timely atone for any consequences of Respondent's misconduct. (Std. 1.2 (e)(vii).) Supporting facts: _____

- [] 10. Respondent promptly took objective steps to spontaneously demonstrate recognition of the wrongdoing acknowledged, which steps were designed to timely atone for any consequences of Respondent's misconduct. (Std. 1.2 (e)(vii).) Supporting facts: _____

- [] 11. Considerable time has passed since Respondent's misconduct, followed by convincing proof of subsequent rehabilitation (Std. 1.2 (e)(viii)). Supporting facts: _____

- [] 12. Excessive delay occurred in conducting this disciplinary proceeding, which delay is not attributable to Respondent and which delay was prejudicial to Respondent. (Std. 1.2 (e)(ix).) Supporting facts: _____

[X] 13. Additional circumstance(s) in mitigation or additional facts regarding the above paragraphs are stated as follows: _____

See Pages 22A + 22B, following.

RESPONDENT'S STATEMENT IN MITIGATION

1. Respondent has practiced law in the State of California for more than 8-1/2 years, and has no record of prior discipline.

2. Respondent graduated with honors from the University of Toronto in 1972. He attended Loyola University, and earned his Juris Doctor in 1984.

3. Respondent has taught and lectured frequently in the areas of legal research and writing, torts, civil procedure, corporations, and equitable remedies. He has been an instructor and lecturer at the U.C.L.A. Extension's Attorney Assistant Training Program, the Paralegal Program at Century College, Whittier College School of Law, Rancho Santiago College, and Northrop University School of Law. Since 1991, he has been a member of the Advisory Board for the U.C.L.A. Attorney Assistant Program, and, since 1989, he has held a law instructor credential for the California Community College system.

4. Respondent has participated extensively in pro bono work in the legal community. From January 1986 to December 1988, he was a Volunteer Attorney and served on the Board of Directors of the Women's Legal Clinic. He has also served as Project Coordinator for the Los Angeles County Bar Association Barristers' Domestic Violence Counseling Project. He has worked as a volunteer law clerk (1982-1985) and as a volunteer

attorney (1985-1991) with the Harriett Buhai Law Project in Los Angeles. From 1989-1990, Respondent volunteered his services with the San Fernando Valley Neighborhood Legal Services office. From 1988 to the present, he has worked as a volunteer in the Los Angeles County Bar Association's Fee Dispute Mediation Program. From 1989 to the present, he has provided pro bono legal services to the Los Angeles County Bar Association's Dispute Resolution Program, and has worked as a settlement officer with the Los Angeles County Municipal Court's Landlord/Tenant Dispute resolution program. From 1990 to the present, he has served as a Judge Pro Tem with the Los Angeles Municipal Court, and from 1992 to the present, he has served as a volunteer Judge Pro Tem at the Los Angeles County Superior Court (Central District.)

5. Respondent's conduct as described in this Stipulation arose from lack of management skills and poor office management systems, not from bad faith or malfeasance. Since January 1993, Respondent has engaged the services of a private law office management consultant, Nancy Leemon, who has worked consistently with Respondent to policies and procedures to improve the level of accountability and organization in Respondent's law officed.

6. Respondent has displayed spontaneous candor and cooperation with the State Bar throughout the investigation and formal proceedings in this matter.

IN THE MATTER OF

NATHAN DAVID SINGER

A Member of the State Bar.

CASE NO(S). 91-O-02939-JER

Invest. Matters Nos.

92-O-19881 92-O-19240

92-O-16908 92-O-20267

92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: [X] STIPULATION [] DECISION

STATEMENT SUPPORTING DISMISSAL OF CERTAIN CHARGES

FORMAL

CASE NO.: 91-O-02939-JER

COUNT NO.: _____

Count One (1)

Based on further investigation, the parties have determined that justice would be served by the dismissal of the charges in Count One of the Notice to Show Cause in case number 91-O-02939 that respondent violated former Rules of Professional Conduct 6-101(A)(2) and Rules of Professional Conduct 3-110(A) and 3-500. Accordingly, the parties respectfully request the Court to dismiss without prejudice said charges in the interest of justice.

Count Two (2)

Based on further investigation, the parties have determined that justice would be served by the dismissal of the charges in Count Two of the Notice to Show Cause in case number 91-O-06244 that respondent violated Rules of Professional Conduct 3-110(A), 3-500 and 3-700(A)(2). Accordingly, the parties respectfully request the Court to dismiss without prejudice said charges in the interest of justice.

Count Three (3)

Based on further investigation, the parties have determined that justice would be served by the dismissal of the charges in Count Three of the Notice to Show Cause in case number 91-O-07275 that respondent violated Rules of Professional Conduct 3-700(A)(2), and 3-700(D)(2). Accordingly, the parties respectfully request the Court to dismiss without prejudice said charges in the interest of justice.

IN THE MATTER OF	CASE NO(S). 91-O-02939-JER
<u>NATHAN DAVID SINGER</u>	Invest. Matters Nos.
	92-O-19881 92-19240
	92-O-16908 92-O-20267
A Member of the State Bar.	92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

STATEMENT SUPPORTING DISMISSAL OF CERTAIN CHARGES

FORMAL
CASE NO.: 91-O-02939-JER COUNT NO.: _____

Count Four (4)

Based on further investigation, the parties have determined that justice would be served by the dismissal of the charges in Count Four of the Notice to Show Cause in case number 91-O-08512 that respondent violated Bus & Prof. Code section 6106 and Rules of Professional Conduct 3-500. Accordingly, the parties respectfully request the Court to dismiss without prejudice said charges in the interest of justice.

Count Five (5)

Based on further investigation, the parties have determined that justice would be served by the dismissal of the charges in Count Five of the Notice to Show Cause in case number 91-O-02939 that respondent violated Bus & Prof. Code section 6068(i). Accordingly, the parties respectfully request the Court to dismiss without prejudice said charges in the interest of justice.

Parties
Initials

M.S. SLM, WTS PAGE 25

IN THE MATTER OF

NATHAN DAVID SINGER,

A Member of the State Bar.

CASE NO(S). 91-O-02939-JER
Invest. Matters Nos.

92-O-19881 92-O-19240

92-O-16908 92-O-20267

92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: [X] STIPULATION [] DECISION

STATEMENT SUPPORTING DISMISSAL OF CERTAIN CHARGES

CASE NO.: _____ COUNT NO.: _____

Investigation Matter 92-O-20267 (Lorkiewicz)

Based on further investigation, the parties have determined that justice would be served by the dismissal of case number 92-O-20267. Accordingly, the parties respectfully request the Court to dismiss without prejudice said charges in the interest of justice.

Investigation Matter No. 92-O-19881 (Owens-Fleming)

Based on further investigation, the parties have determined that justice would be served by the dismissal of case number 92-O-19881. Accordingly, the parties respectfully request the Court to dismiss without prejudice said charges in the interest of justice.

Investigation Matter No. 92-O-18253 (Messick)

Based on further investigation, the parties have determined that justice would be served by the dismissal of case number 92-O-18253. Accordingly, the parties respectfully request the Court to dismiss without prejudice said charges in the interest of justice.

Investigation Matter No. 90-O-17370 (Benton)

Based on further investigation, the parties have determined that justice would be served by the dismissal of case number 90-O-17370. Accordingly, the parties respectfully request the Court to dismiss without prejudice said charges in the interest of justice.

IN THE MATTER OF

NATHAN DAVID SINGER

A Member of the State Bar.

CASE NO(S). 91-O-02933-JER

Invest. Matters Nos.

92-O-19881 92-O-20267

92-O-16908 90-O-17370

92-O-18253 (Cons.)

92-O-19240

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

SUSPENSION, INCLUDES NO ACTUAL SUSPENSION

[Fill in the blanks as appropriate and check boxes at left for all language that is intended to be included in the stipulation, deleting words or phrases that are not appropriate. When designating numbers for the amount of suspension or probation, please spell out the number and include the arabic numerals in parenthesis provided.]

☒ It is recommended that Respondent be suspended from the practice of law for a period of one (1) ~~days / months /~~ years, that the execution of such suspension be stayed, that Respondent be placed upon probation for a period of two (2) ~~days / months /~~ years, and that Respondent be ordered to comply with the attached conditions of probation.

CONDITIONS OF PROBATION:

- ☒ FORM PROB 310: GENERAL CONDITIONS OF PROBATION AND/OR APPOINTMENT OF PROBATION MONITOR
- ☐ FORM PROB 320: RESTITUTION
- ☐ FORM PROB 330: PROTECTION OF CLIENT FUNDS
- ☐ FORM PROB 340: MENTAL HEALTH TREATMENT
- ☐ FORM PROB 350: ALCOHOL/DRUG IMPAIRMENT
- ☒ FORM PROB 360: EDUCATION AND LAW OFFICE MANAGEMENT
- ☒ FORM PROB 370: COMMENCEMENT AND EXPIRATION OF PROBATION
- ☐ FORM PROB 380: FURTHER CONDITIONS OF PROBATION

FURTHER RECOMMENDATIONS:

- ☒ It is further recommended that the California Supreme Court order Respondent to take and pass the California Professional Responsibility Examination administered by the Committee of Bar Examiners of the State Bar of California within one (1) year/ X () months/ _____ () years of the effective date of the order of the Supreme Court (Segretti v. State Bar (1976) 15 Cal.3d 878, 890-891) and furnish satisfactory proof of such passage to the Probation Unit, Office of Trials, within said time.

IN THE MATTER OF

NATHAN DAVID SINGER,

A Member of the State Bar.

CASE NO(S). 91-O-02939-JER

Invest. Matters Nos.

92-O-19881 92-O-19240

92-O-16908 92-O-20267

92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

STANDARD CONDITIONS OF PROBATION¹ - GENERAL

- ☒ COND. 310. That during the period of probation, Respondent shall comply with the provisions of the State Bar Act and Rules of Professional Conduct of the State Bar of California;
- ☒ COND. 410. That during the period of probation, Respondent shall report not later than January 10, April 10, July 10 and October 10 of each year or part thereof during which the probation is in effect, in writing, to the Probation Unit, Office of Trials, Los Angeles, which report shall state that it covers the preceding calendar quarter or applicable portion thereof, certifying by affidavit or under penalty of perjury (provided, however, that if the effective date of probation is less than 30 days preceding any of said dates, Respondent shall file said report on the due date next following the due date after said effective date):
- (a) in Respondent's first report, that Respondent has complied with all provisions of the State Bar Act, and Rules of Professional Conduct since the effective date of said probation;
 - (b) in each subsequent report, that Respondent has complied with all provisions of the State Bar Act and Rules of Professional Conduct during said period;
 - (c) provided, however, that a final report shall be filed covering the remaining portion of the period of probation following the last report required by the foregoing provisions of this paragraph certifying to the matters set forth in subparagraph (b) thereof;

¹ If attached to forms DISP 220 or DISP 230, the word "probation," as used herein, shall be interpreted to mean "condition attached to a reproof" pursuant to rule 956, California Rules of Court.

COND. 600. MAINTENANCE OF OFFICIAL MEMBERSHIP ADDRESS.

- [X] COND. 610. That Respondent shall promptly report, and in no event in more than ten days, to the membership records office of the State Bar and to the Probation Unit, Office of Trials, all changes of information including current office or other address for State Bar purposes as prescribed by section 6002.1 of the Business and Professions Code;

**STANDARD CONDITIONS OF PROBATION:
ASSIGNMENT OF PROBATION MONITOR**

COND. 510. ASSIGNMENT OF PROBATION MONITOR:

- [X] That Respondent shall be referred to the Probation Unit, Office of Trials, for assignment of a probation monitor. Respondent shall promptly review the terms and conditions of Respondent's probation with the probation monitor to establish a manner and schedule of compliance consistent with these terms of probation. During the period of probation, Respondent shall furnish such reports concerning Respondent's compliance as may be requested by the probation monitor. Respondent shall cooperate fully with the probation monitor to enable him/her to discharge Respondent's duties pursuant to rule 611, Rules of Procedure of the State Bar;

COND. 550. AUTHORITY OF PROBATION MONITOR TO QUESTION RESPONDENT:

- [X] That subject to assertion of applicable privileges, Respondent shall answer fully, promptly and truthfully any inquiries of the Probation Unit, Office of Trials, and any probation monitor assigned under these conditions of probation which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with these terms of probation;

IN THE MATTER OF

NATHAN DAVID SINGER

A Member of the State Bar.

CASE NO(S). 91-O-02939-JER

Invest. Matters Nos.

92-O-19881 92-O-19240

92-O-16908 92-O-20267

92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

STANDARD CONDITIONS OF PROBATION:¹ EDUCATION AND LAW OFFICE MANAGEMENT

COND. 1000. LAW OFFICE MANAGEMENT PROBLEMS.

COND. 1010. PLAN TO BE SUBMITTED TO PROBATION MONITOR:

- ☒ That Respondent develop a law office management/organization plan that meets with the approval of Respondent's probation monitor within 90 (days/months) from the date on which Respondent is notified of the assignment of Respondent's probation monitor. This plan must include procedures to send periodic status reports to clients, the documentation of telephone messages received and sent, file maintenance, the meeting of deadlines, the establishment of procedures to withdraw as attorney, whether of record or not, when clients cannot be contacted or located, and for the training and supervision of support personnel.

COND. 1050. COMPLETION OF COURSE ON LAW OFFICE MANAGEMENT:

- ☒ That Respondent provide satisfactory evidence of completion of a course on law office management which meets with the approval of Respondent's probation monitor within 1 (days/months/year) from the date on which the order of the Supreme Court² in this matter becomes effective.

COND. 1100. CONTINUING LEGAL EDUCATION

- ☐ COND. 1100. That within one year [or _____] of the effective date of the Supreme Court's order³ in this matter, Respondent must attend no less than _____ hours of courses which are California Mandatory Continuing Legal Education approved in law office management, attorney/client relations, and/or general legal ethics and which must be approved in advance by Respondent's probation monitor. Respondent must provide satisfactory proof of attendance to the probation

¹ If attached to forms DISP 220 or DISP 230, the word "probation," as used herein, shall be interpreted to mean "condition attached to a reproof" pursuant to rule 956, California Rules of Court.

² If attached to forms DISP 220 or DISP 230, the "order of the Supreme Court," as used herein, shall mean the State Bar Court order approving the stipulation or decision.

³ If attached to forms DISP 220 or DISP 230, the "Supreme Court order" shall refer to the State Bar Court order approving the stipulation or decision.

Parties'
Initials

MS, Sun, WPS PAGE 31

monitor [and the Probation Unit, Los Angeles] within said one year [or
{period of time}]. The California State Bar's
'Ethics School' will be considered a satisfactory general legal ethics course as to six
hours of this requirement.

Parties
Initials

JS, SLM, WYS PAGE 32

IN THE MATTER OF

NATHAN DAVID SINGER

A Member of the State Bar.

CASE NO(S). 91-O-02939-JER

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92-O-19881 92-O-19240

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92-O-18253 90-O-17370 (Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

COMMENCEMENT AND EXPIRATION OF PROBATION¹

COMMENCEMENT OF PROBATION

☒ That the period of probation shall commence as of the date:

☒ On which the order of the Supreme Court in this matter becomes effective.

☐

COMMENCEMENT OF SUSPENSION

☐ That the period of actual suspension shall commence on _____.

☐ That the period of suspension shall commence as of the date:

☐ on which the order of the Supreme Court in this matter becomes effective.

☐

☒ EXPIRATION OF PROBATION

That at the expiration of the period of this probation if Respondent has complied with the terms of probation, the order of the Supreme Court suspending Respondent from the practice of law for a period of one (1) days/month(s)/year(s) shall be satisfied and the suspension shall be terminated.

¹ If attached to forms DISP 220 or DISP 230, the word "probation," as used herein, shall be interpreted to mean "condition attached to a reproof" pursuant to rule 956, California Rules of Court.

Parties' *M.S.*
Initials *SLM, WPS*

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IN THE MATTER OF

NATHAN DAVID SINGER,

A Member of the State Bar.

CASE NO(S). 91-O-02939-JER

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ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

FURTHER CONDITIONS OF PROBATION:¹

- ☒ FORM TRI 381: STATE BAR ETHICS SCHOOL
- ☒ FORM TRI 382: STATE BAR ETHICS SCHOOL CLIENT TRUST ACCOUNT
RECORD-KEEPING COURSE
- ☐ FORM TRI 383: ADDITIONAL AGREEMENTS AND WAIVERS FOR PUBLIC AND
PRIVATE REPROVALS
- ☐ FORM TRI 384: ADDITIONAL CONDITIONS OF PROBATION
- ☐ FORM TRI 385: MODIFICATION OF PROBATION, RULE 951(c) OF THE
CALIFORNIA RULES OF COURT

¹ If attached to forms DISP 220 or DISP 230, the word "probation," as used herein, shall be interpreted to mean "condition attached to a reproof" pursuant to rule 956, California Rules of Court.

OFFICE OF TRIAL COUNSEL
OFFICE OF TRIALS
THE STATE BAR OF CALIFORNIA
ROBERT P. HEFLIN, Chief Trial Counsel
333 South Beaudry Avenue, 9th Floor
Los Angeles, California 90017-1466
Telephone: (213) 580-5000

IN THE MATTER OF

NATHAN DAVID SINGER,

A Member of the State Bar.

Case No(s). 91-O-02939-JER
Invest. Matters Nos.
92-O-19881 92-O-19240
92-O-16908 92-O-20267
92-O-18253 90-O-17370
(Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

STATE BAR ETHICS SCHOOL

☐ FOR REPROVAL CASES:

Within one (1) year of the date of the issuance of the letter of reprobation in this matter, Respondent shall attend the State Bar Ethics School, which is held periodically at the State Bar of California (555 Franklin Street, San Francisco, or 333 S. Beaudry Avenue, Los Angeles) and shall take and pass the test given at the end of such session. Respondent understands that this requirement is separate and apart from fulfilling the MCLE ethics requirement, and is not approved for MCLE credit.

☒ FOR SUSPENSION CASES:

Within one (1) year of the effective date of the Supreme Court order in this matter, Respondent shall attend the State Bar Ethics School, which is held periodically at the State Bar of California (555 Franklin Street, San Francisco, or 333 S. Beaudry Avenue, Los Angeles) and shall take and pass the test given at the end of such session. Respondent understands that this requirement is separate and apart from fulfilling the MCLE ethics requirement, and is not approved for MCLE credit.

OFFICE OF TRIAL COUNSEL
OFFICE OF TRIALS
THE STATE BAR OF CALIFORNIA
ROBERT P. HEFLIN, Chief Trial Counsel
333 South Beaudry Avenue, 9th Floor
Los Angeles, California 90017-1466
Telephone: (213) 580-5000

Partier
Initial.

LS *SLM* *WKS* PAGE 35

IN THE MATTER OF

NATHAN DAVID SINGER,

A Member of the State Bar.

Case No(s). 91-O-02939-JER
Invest. Matters Nos.
92-O-19881 92-O-19240
92-O-16908 92-O-20267
92-O-18253 90-O-17370
(Cons.)

ATTACHMENT TO: ☒ STIPULATION ☐ DECISION

ADDITIONAL CONDITIONS OF PROBATION¹

CURRENT TELEPHONE NUMBER

- ☒ That Respondent maintain with the Probation Unit a current address and a current telephone number at which telephone number Respondent can be reached and respond within twelve (12) hours.

LAW PRACTICE MANAGEMENT SECTION OF THE STATE BAR

- ☒ Respondent shall, within thirty (30) days from the effective date of this Stipulation, join the Law Practice Management Section of the State Bar of California and shall pay whatever dues and costs are associated with such enrollment for a period of one (1) year. Respondent shall furnish satisfactory evidence of membership in the section to the Probation Unit, Office of Trials, Los Angeles, within thirty (30) days of enrollment.

MENTAL HEALTH TREATMENT

- ☐ That Respondent shall obtain psychiatric or psychological help from a duly licensed psychiatrist or a clinical psychologist, at Respondent's own expense, and shall furnish evidence to the Probation Unit, Office of Trials, Los Angeles, that Respondent is so complying with each report that Respondent is required to render under these conditions of probation; provided, however, that should it be determined by said psychiatrist or psychologist that the Respondent has recovered from the mental infirmities set forth in this Decision, Respondent may furnish to the Probation Unit a written statement from said psychiatrist or psychologist so certifying by affidavit or under penalty of perjury, in which event, and subject to the approval of the court, no reports or further reports under this paragraph shall be required and Respondent shall not be required to obtain such psychiatric or psychological help.

¹If attached to forms DISP 220 or DISP 230, the word "probation," as used herein, shall be interpreted to mean "condition attached to a reproof" pursuant to rule 956, California Rules of Court.

SECTION FIVE. APPROVAL OF PARTIES.

The parties and all counsel of record hereby approve the foregoing stipulation and all attachments, and the parties agree to be bound by all terms and conditions stated and the agreed disposition.

DATE: 9-8-93

William F. Stralka
Deputy Trial Counsel
WILLIAM F. STRALKA

DATE: _____

Deputy Trial Counsel

DATE: _____

DATE: _____

DATE: 9/8/93

Nathan David Singer
Respondent
NATHAN DAVID SINGER

DATE: _____

Respondent

DATE: 9/8/93

Susan Margolis
Respondent's Counsel
SUSAN MARGOLIS

DATE: _____

Respondent's Counsel

DECLARATION OF SERVICE

[Rule 242, Trans. Rules Proc.; Code Civ. Proc., § 1013a(1)]

I am a Deputy Court Clerk of the State Bar Court. I am over the age of eighteen and not a party to the within proceeding. In the City and County of Los Angeles, on the date shown below, I deposited a true copy of the following document(s)

**ORDER REGARDING STIPULATION AS TO FACTS AND
DISPOSITION, filed November 5, 1993;
STIPULATION AS TO FACTS AND DISPOSITION, filed September 8,
1993;**

in a sealed envelope as follows:

- [X] with first-class postage thereon fully prepaid in a facility regularly maintained by the United States Postal Service at Los Angeles, California, addressed as follows:


**SUSAN MARGOLIS
MARGOLIS & MARGOLIS
2000 RIVERSIDE DRIVE
LOS ANGELES CA 90039-3707**

- [] by certified mail, , with a return receipt requested, in a facility regularly maintained by the United States Postal Service at Los Angeles, California, addressed as follows:

- [X] in an interoffice mail facility regularly maintained by the State Bar of California addressed as follows:

WILLIAM STRALKA ESQ, OFFICE OF TRIALS

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in Los Angeles, California, on **November 5, 1993.**


Michael J. Wolverton
Deputy Court Clerk
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

7-26-13
State Bar Court, State Bar of California,
Los Angeles

By

Charles J. [Signature]
Clerk

SUPREME COURT
FILED

(State Bar Court Case No. 97-Q-16357)

OCT 16 1997

S064959

Robert F. Wandruff Clerk
[Signature]
DEPUTY

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

=====

IN THE MATTER OF THE RESIGNATION OF **NATHAN DAVID SINGER**

A MEMBER OF THE STATE BAR OF CALIFORNIA

=====

The voluntary resignation of **Nathan David Singer** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

I, Robert F. Wandruff, 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 OCT 16 1997 A. D. 19__
Clerk

By *[Signature]*
Deputy Clerk

[Signature]
Chief Justice

**RESOLUTION OF THE BOARD OF GOVERNORS
OF THE
STATE BAR OF CALIFORNIA
ADOPTED APRIL 5, 1986
RE RESIGNATIONS OF MEMBERS OF THE STATE BAR
WITH DISCIPLINARY CHARGES PENDING**

RESOLVED that the Board hereby recommends that the Supreme Court amend rule 960, California Rules of Court in the form attached and the Board further adopts the policy statement attached, said policy to apply to all resignations not previously transmitted to the Supreme Court.

. . .

RESOLVED that the State Bar Court Clerk's Office hereby is authorized and directed to transmit to the Clerk of the Supreme Court, together with an indication that the Board recommends that they be accepted, all resignations with charges pending filed in form acceptable under rule 960, California Rules of Court to which the Office of Trial Counsel has not filed written notice with the State Bar Court Clerk's Office within 40 days after filing of the resignation that perpetuation of testimony is needed; provided that in the absence of proof that the member has performed the acts specified in California Rules of Court, rule 955(a) and (b), the State Bar Court Clerk's Office shall further indicate that the Board recommends that the Supreme Court include in its order accepting the resignation an order that the resigned attorney comply with the provisions of rule 955, and it is

FURTHER RESOLVED that the State Bar Court Clerk's Office is authorized and directed to transmit to the Clerk of the Supreme Court all resignations with charges pending to which the Office of Trial Counsel has filed written notice with the State Bar Court Clerk's Office within 40 days after filing of the resignation that perpetuation of testimony is needed, together with an indication that the Board recommends that they be accepted and that the Supreme Court include in its order accepting the resignation an order that the resigned attorney cooperate in the perpetuation of testimony and reserving jurisdiction over the resigned attorney until perpetuation is complete.

DECLARATION OF SERVICE

([Rule 62(b) Rules Proc. for State Bar Ct. Proceedings; Code Civ. Proc., § 1013a(4)]

I am a Deputy Court Clerk of the State Bar Court. 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 the date shown below, I deposited a true copy of the following document(s)

RESOLUTION OF THE BOARD OF GOVERNORS ADOPTED APRIL 5, 1986

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

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

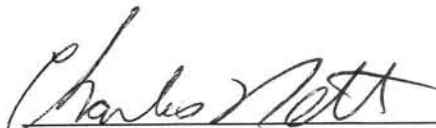
NATHAN DAVID SINGER
7211 ROSEWOOD AVE
LOS ANGELES CA 90036

- [] by certified mail, with a return receipt requested, through the United States Postal Service at Los Angeles, California, addressed as follows:

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

Dane C. Dauphine, Esq.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Los Angeles, California, on October 8, 1997.


Charles Nettles
Deputy Court Clerk IV
State Bar Court

F I L E D

CCT 01 1997 WC

RESIGNATION WITH CHARGES PENDING

STATE BAR COURT
CLERK'S OFFICE
LOS ANGELESI, NATHAN DAVID SINGER, Membership # 117340

against whom charges are pending, hereby resign as a member of the State Bar of California and relinquish all right to practice law in the State of California and agree that, in the event this resignation is accepted and I later file a petition for reinstatement, the State Bar will consider in connection therewith all disciplinary matters and proceedings against me at the time this resignation is accepted, in addition to other appropriate matters.

I further agree that upon the filing of this resignation by the Office of the Clerk, State Bar Court, I will be transferred to inactive membership of the State Bar. Upon such transfer, I acknowledge that I will be ineligible to practice law or to advertise or hold myself out as practicing or as entitled to practice law.

I further agree that within **thirty (30) days** of the filing of this resignation by the Office of the Clerk, State Bar Court, I shall perform the acts specified in Rule 955(a) and (b), California Rules of Court and within **forty (40) days** of the date of filing of this resignation by the Office of the Clerk, State Bar Court, I shall notify that Office as specified in Rule 955(c), California Rules of Court.

DATED: 9-23-97

Nathan David Singer
Nathan David Singer



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 July 26, 2013

State Bar Court, State Bar of California,
Los Angeles.

By

Clerk