

**SUPREME COURT MINUTES
THURSDAY, JUNE 9, 2016
SAN FRANCISCO, CALIFORNIA**

S213873 B234271 Second Appellate District, Div. 3 **NICKERSON (THOMAS) v.
STONEBRIDGE LIFE
INSURANCE COMPANY**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed and the matter is remanded to the Court of Appeal for further proceedings consistent with this decision.

Majority Opinion by Kruger, J.

-- joined by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, and Cuéllar, JJ.

S233401

SPIRA ON DISCIPLINE

Recommended discipline imposed

The court orders that SAMUEL ROBERT SPIRA, State Bar Number 175983, 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. SAMUEL ROBERT SPIRA must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 29, 2016; and
2. At the expiration of the period of probation, if SAMUEL ROBERT SPIRA has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

SAMUEL ROBERT SPIRA 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 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 2017, 2018, and 2019. If SAMUEL ROBERT SPIRA 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.

S233403**WILSON, JR., ON
DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT OPRE WILSON, JR., State Bar Number 73190, 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. ROBERT OPRE WILSON, JR., must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 29, 2016; and
2. At the expiration of the period of probation, if ROBERT OPRE WILSON, JR., has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

ROBERT OPRE WILSON, JR., 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 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 2017, 2018, and 2019. If ROBERT OPRE WILSON, JR., 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.

S233410**ZUBERI ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SAQIB A. ZUBERI, State Bar Number 273389, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SAQIB A. ZUBERI must make restitution to the following payees:

- (1) M. Lorena Aguilera Silva in the amount of \$1,500 plus 10 percent interest per year from September 6, 2013;
- (2) Vivian M. Brown in the amount of \$65,704.47 plus 10 percent interest per year from July 2, 2014;
- (3) Rachel Ramos Herron in the amount of \$3,300 plus 10 percent interest per year from February 24, 2014;

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

SAQIB A. ZUBERI 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.

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.

S233441**MARTIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that DANIEL KIETH MARTIN, State Bar Number 245013, 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 two years subject to the following conditions:

1. DANIEL KIETH MARTIN must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on January 26, 2015; and
2. At the expiration of the period of probation, if DANIEL KIETH MARTIN has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

DANIEL KIETH MARTIN 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 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.

S233443**ROSE ON DISCIPLINE**

Recommended discipline imposed

The court orders that LAURENCE ALAN ROSE, State Bar Number 82718, 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. TERRENCE R. PACE must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 17, 2016; and
2. At the expiration of the period of probation, if LAURENCE ALAN ROSE has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

LAURENCE ALAN ROSE 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 within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2017 and 2018. If LAURENCE ALAN ROSE 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.

S233444**SAWYER ON DISCIPLINE**

Recommended discipline imposed

The court orders that LEONARD JULIUS SAWYER, State Bar Number 259068, 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 two years subject to the following conditions:

1. LEONARD JULIUS SAWYER is suspended from the practice of law for the first 90 days of probation (with credit given for inactive enrollment, which was effective May 19, 2014, through August 16, 2014 (Bus. & Prof. Code, § 6233));
2. LEONARD JULIUS SAWYER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on January 25, 2016; and
3. At the expiration of the period of probation, if LEONARD JULIUS SAWYER has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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. The costs must be paid in full with his membership fees for the year 2017. If LEONARD JULIUS SAWYER fails to pay the costs as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S233445**SMITH ON DISCIPLINE**

Recommended discipline imposed

The court orders that GERALD BRYAN SMITH, State Bar Number 152127, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. GERALD BRYAN SMITH is suspended from the practice of law for the first 60 days of probation;
2. GERALD BRYAN SMITH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on January 27, 2016; and
3. At the expiration of the period of probation, if GERALD BRYAN SMITH has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

GERALD BRYAN SMITH 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.

S234756**BOWERS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ROBERT GLENNE BOWERS, State Bar Number 85975, as a member of the State Bar of California is accepted.

ROBERT GLENNE BOWERS must also comply with rule 9.20 of the 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 this order.

S234757**DIANDA ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DON ANTHONY DIANDA, State Bar Number 99601, as a member of the State Bar of California is accepted.

DON ANTHONY DIANDA must also comply with rule 9.20 of the 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 this order.

S234758**McSHANE ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LESLIE JACQUELINE McSHANE, State Bar Number 143476, as a member of the State Bar of California is accepted.

LESLIE JACQUELINE McSHANE must also comply with rule 9.20 of the 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 this order.

S234759**ROGERS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LAURA LOUISE ROGERS, State Bar Number 77934, as a member of the State Bar of California is accepted.

LAURA LOUISE ROGERS must also comply with rule 9.20 of the 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 this order.

S234760

**VARONA-JIRIK ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ISABEL VARONA-JIRIK, State Bar Number 135907, as a member of the State Bar of California is accepted.

ISABEL VARONA-JIRIK must also comply with rule 9.20 of the 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 this order.