

**SUPREME COURT MINUTES  
FRIDAY, FEBRUARY 15, 2019  
SAN FRANCISCO, CALIFORNIA**

**S242799**

**MEZA (JULIA C.) v.  
PORTFOLIO RECOVERY  
ASSOCIATES, LLC**

Opinion filed

We answer the Ninth Circuit's question as follows: Section 98(a) requires an affiant to provide an address within 150 miles of the place of trial at which lawful service can be made of a form of process that directs the affiant to attend trial. Although a subpoena normally must be personally served, in some circumstances witnesses can be summoned to appear at trial without service of process upon the witness personally. Thus, section 98(a) does not categorically require that all affiants be personally present at a location within 150 miles of the place of trial for a reasonable period within 20 days prior to trial. Such presence is required only if it is necessary for lawful service at that address of process designed to secure the affiant's attendance at trial.

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Chin, Corrigan, Liu, Kruger, Groban, and Jenkins\*, JJ.

\* Associate Justice of the Court of Appeal, First Appellate District, Division Three, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**S112691**

**PEOPLE v. WESTERFIELD  
(DAVID ALAN)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to May 6, 2019, or the date upon which rehearing is either granted or denied, whichever occurs first.

**S252955**

B277734 Second Appellate District, Div. 7

**PEOPLE v. MATA (JOHNNY)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 28, 2019.

**S253072**

B280305 Second Appellate District, Div. 5

**SULLIVAN (JOHN) v. PURE  
FLIX ENTERTAINMENT  
LLC**

The time for granting or denying review in the above-entitled matter is hereby extended to March 26, 2019.

**S253197**      E069088 Fourth Appellate District, Div. 2      **PEOPLE v. GENTILE, JR.,  
(JOSEPH)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 22, 2019.

**S253227**      A136451 First Appellate District, Div. 3      **PEOPLE v. ANDERSON  
(VERNON)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 27, 2019.

**S253250**      E068432 Fourth Appellate District, Div. 2      **ARISTA (CHRISTYNA) v.  
COUNTY OF RIVERSIDE**

The time for granting or denying review in the above-entitled matter is hereby extended to March 28, 2019.

**S252879**      **NIKKHOO ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SANAM ALICIA NIKKHOO (Respondent), State Bar Number 297290, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must 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.

**S252880**      **REYES ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARCELO REYES (Respondent), State Bar Number 202731, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 90 days of probation;
2. Respondent 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 October 26, 2018; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be

terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on October 26, 2018. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent 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.

Respondent must also maintain the records of compliance as required by the conditions of probation.

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 Respondent's membership fees for each of the years 2020 and 2021. If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance is due and payable immediately.

**S252881****SAXON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SEAN GARDNER SAXON (Respondent), State Bar Number 230054, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must 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.

**S252883****SMITH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that PETER LYNN SMITH (Respondent), State Bar Number 197828, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must 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.

**S252885****ALLEN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that GREGORY P. ALLEN (Respondent), State Bar Number 98002, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must 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.

**S252887****BUTTERS ON DISCIPLINE**

Recommended discipline imposed

The court orders that AMY LOUISE BUTTERS (Respondent), State Bar Number 212072, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 90 days of probation;
2. Respondent 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 October 19, 2018; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent 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.

Respondent must also maintain the records of compliance as required by the conditions of probation.

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 Respondent's membership fees for each of the years 2020 and 2021. If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance is due and payable immediately.

**S252890****CHRISTENSEN ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that STEVE SUMNER CHRISTENSEN (Respondent), State Bar Number 150517, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 90 days of probation;
2. Respondent 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 October 15, 2018; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent 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.

Respondent must also maintain the records of compliance as required by the conditions of probation.

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.

**S252891****FIGUEROA ON DISCIPLINE**

Recommended discipline imposed

The court orders that TRISHA DANIELLE FIGUEROA (Respondent), State Bar Number 204156, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for three years subject to the following conditions:

1. Respondent must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 17, 2018; and
2. At the expiration of the period of probation, if Respondent has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on October 17, 2018. 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.

**S252892****GYGAX ON DISCIPLINE**

Recommended discipline imposed

The court orders that LISA LYNN GYGAX (Respondent), State Bar Number 176029, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for two years subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 30 days of probation;
2. Respondent must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on October 3, 2018; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Decision filed on October 3, 2018. 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.

**S252897****VENIE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAVID CHIPMAN VENIE (Respondent), State Bar Number 204954, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must 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.

**S252900****KRITZER ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID MARC KRITZER (Respondent), State Bar Number 170545, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent must comply with the conditions of probation recommended by the Hearing

Department of the State Bar Court in its Order Approving Stipulation filed on October 29, 2018; and

2. At the expiration of the period of probation, if Respondent has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on October 29, 2018. 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.

**S253742****LAW ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of NINA L. LAW, State Bar Number 130121, as a member of the State Bar of California is accepted.

**S253750****WALL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of NATALIE C. WALL, State Bar Number 153103, as a member of the State Bar of California is accepted.

**S253758****YOUNG ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHRISTOPHER STEVEN YOUNG, State Bar Number 94561, as a member of the State Bar of California is accepted.

**S253760****HILDEBRAND ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LAURAL GERBRANDT HILDEBRAND, State Bar Number 164761, as a member of the State Bar of California is accepted.

**S253764****ROBERTSON ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHARLES DAVID ROBERTSON, State Bar Number 103546, as a member of the State Bar of California is accepted.

**S253836****HARRISON ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SHELTON ELMORE HARRISON, State Bar Number 237813, as a member of the State Bar of California is accepted.

**S253839****KATZMAN ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RICHARD ALAN KATZMAN, State Bar Number 91349, as a member of the State Bar of California is accepted.

**S253840****SHURE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of YUENE CHIN SHURE, State Bar Number 165909, as a member of the State Bar of California is accepted.

**S253841****RALSTON ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RACHEL ANNE RALSTON, State Bar Number 135761, as a member of the State Bar of California is accepted.

**S253844****LOPEZ ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JEFFREY JOSEPH LOPEZ, State Bar Number 183668, as a member of the State Bar of California is accepted.



**S253845****McCOY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOHN MICHAEL McCOY, State Bar Number 126067, as a member of the State Bar of California is accepted.

**S253846****COFFMAN ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BARBARA JEAN COFFMAN, State Bar Number 172303, as a member of the State Bar of California is accepted.