

**SUPREME COURT MINUTES
THURSDAY, JANUARY 7, 2016
SAN FRANCISCO, CALIFORNIA**

S231618 A146444 First Appellate District, Div. 2

**MERCHANT E-SOLUTIONS,
INC. v. S.C. (UNIVERSAL
PROCESSING SERVICES OF
WISCONSIN, LLC)**

Petition for review & application for stay denied

S230507 H040380 Sixth Appellate District

**PEOPLE v. COLLINS
(JEROME G.)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 8, 2016.

S158112

**PEOPLE v. HAMILTON
(ALEXANDER RASHAD)**

Extension of time granted

The application of appellant for relief from default for the failure to timely file appellant's request for extension of time is granted.

Good cause appearing, and based upon counsel Mark D. Greenberg's representation that the appellant's reply brief is anticipated to be filed by April 15, 2016, counsel's request for an extension of time in which to file that brief is granted to February 22, 2016. After that date, only one further extension totaling about 53 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S230190

de CHAVEZ ON DISCIPLINE

Recommended discipline imposed: disbarred

The court orders that OSCAR ARTURO RUIZ de CHAVEZ, State Bar Number 108605, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

OSCAR ARTURO RUIZ de CHAVEZ 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.

S230193**AGNEW ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JEFFREY ALAN AGNEW, State Bar Number 105268, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JEFFREY ALAN AGNEW 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.

S230199**BINGHAM ON DISCIPLINE**

Recommended discipline imposed

The court orders that AMY LYNN BINGHAM, State Bar Number 250122, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for one year subject to the following conditions:

1. AMY LYNN BINGHAM is suspended from the practice of law for the first 30 days of probation;
2. AMY LYNN BINGHAM 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 September 16, 2015; and
3. At the expiration of the period of probation, if AMY LYNN BINGHAM m has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

AMY LYNN BINGHAM must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for each of the years 2017, 2018, and 2019. If AMY LYNN BINGHAM 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.

S230200**BARDET ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that GORDON PAUL BARDET, State Bar Number 85104, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

GORDON PAUL BARDET 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.

S230202**BALCOM ON DISCIPLINE**

Recommended discipline imposed

The court orders that TIMOTHY BROOKS BALCOM, State Bar Number 190496, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. TIMOTHY BROOKS BALCOM is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until he provides proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. TIMOTHY BROOKS BALCOM must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on August 5, 2015.
3. At the expiration of the period of probation, if TIMOTHY BROOKS BALCOM has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

TIMOTHY BROOKS BALCOM must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension 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).)

TIMOTHY BROOKS BALCOM must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S230215**MALPASS ON DISCIPLINE**

Recommended discipline imposed

The court orders that THEODORE EDWARD MALPASS, State Bar Number 112914, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. THEODORE EDWARD MALPASS is suspended from the practice of law for the first 90 days of probation;
2. THEODORE EDWARD MALPASS must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Order Approving Stipulation filed on September 1, 2015; and
3. At the expiration of the period of probation, if THEODORE EDWARD MALPASS has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

THEODORE EDWARD MALPASS 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, Los Angeles, within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

THEODORE EDWARD MALPASS must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2017, 2018, and 2019. If THEODORE EDWARD MALPASS 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.

S230216**MANZANO ON DISCIPLINE**

Recommended discipline imposed

The court orders that CATALINA LOREDO MANZANO, State Bar Number 191928, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. CATALINA LOREDO MANZANO is suspended from the practice of law for a minimum of the first six months of probation, and she will remain suspended until the following conditions are satisfied:

- i. She makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles:
 - (1) Denise Sales in the amount of \$2,500 plus 10 percent interest per year from April 2, 2014;
 - (2) Adrian Perez in the amount of \$1,500 plus 10 percent interest per year from May 27, 2014.
 - ii. She pays in full the sanctions in the amount of \$250 and \$750 ordered on August 24, 2012, and February 22, 2013, respectively, in *Karim Gabriela-Aguilar v. Alejandro Vega*, Kern County Superior Court case No. S-1500CV-275340, and provides satisfactory proof of compliance to the State Bar's Office of Probation in Los Angeles.
 - iii. If she remains suspended for two years or more as a result of not satisfying the preceding condition, she must also provide proof to the State Bar Court of her rehabilitation, fitness to practice and present learning and ability in the general law before the suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. CATALINA LOREDO MANZANO must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 3, 2015.
 3. At the expiration of the period of probation, if CATALINA LOREDO MANZANO has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

CATALINA LOREDO MANZANO must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of her suspension, whichever is longer 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).)

CATALINA LOREDO MANZANO must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S230272

MANOFF ON DISCIPLINE

Recommended discipline imposed: disbarred

The court orders that PAUL ALAN MANOFF, State Bar Number 57697, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

PAUL ALAN MANOFF 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.

S230273**PERRIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that STEVEN KENNETH PERRIN, State Bar Number 144539, 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. STEVEN KENNETH PERRIN is suspended from the practice of law for 30 days (with credit given for inactive enrollment, which was effective March 8, 2013 through April 7, 2013 (Bus. & Prof. Code, § 6233)).
2. STEVEN KENNETH PERRIN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on September 3, 2015.
3. At the expiration of the period of probation, if STEVEN KENNETH PERRIN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

STEVEN KENNETH PERRIN 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. Costs must be paid with his membership fees for the year 2017. If STEVEN KENNETH PERRIN fails to pay costs as described above, or as may be modified by the State Bar Court, costs are due and payable immediately.

S230276**WORDELL ON DISCIPLINE**

Recommended discipline imposed

The court orders that CHARLTON KIPP WORDELL, State Bar Number 191544, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. CHARLTON KIPP WORDELL is suspended from the practice of law for the first 180 days of probation (with credit given for the period of his inactive enrollment from February 3, 2014, through August 2, 2014 (Bus. & Prof. Code, § 6233)).

2. CHARLTON KIPP WORDELL must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on August 31, 2015; and
3. At the expiration of the period of probation, if CHARLTON KIPP WORDELL has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

CHARLTON KIPP WORDELL 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. The costs are to be paid with CHARLTON KIPP WORDELL's membership fees for the year 2017. If he fails to pay the costs as stated, or as may be modified by the State Bar Court, the costs are due and payable immediately.

S230359**LI ON DISCIPLINE**

Recommended discipline imposed

The court orders that JAMES HSIAOSHENG LI, State Bar Number 176662, 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. JAMES HSIAOSHENG LI is suspended from the practice of law for the first six months of probation;
2. JAMES HSIAOSHENG LI must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on August 26, 2015 and as modified on October 8, 2015; and
3. At the expiration of the period of probation, if JAMES HSIAOSHENG LI has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JAMES HSIAOSHENG LI 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).)

JAMES HSIAOSHENG LI must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S230362**OLIVER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that KEITH ROBERT OLIVER, State Bar Number 257837, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

KEITH ROBERT OLIVER 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.

S230364**GARDNER ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAMON ERIC GARDNER, State Bar Number 226776, 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. DAMON ERIC GARDNER is suspended from the practice of law for the first 90 days of probation;
2. DAMON ERIC GARDNER 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 September 11, 2015; and
3. At the expiration of the period of probation, if DAMON ERIC GARDNER has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DAMON ERIC GARDNER 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).)

DAMON ERIC GARDNER must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S230371**STURM ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DERRICK RABURN STURM, State Bar Number 189083, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DERRICK RABURN STURM 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.

S230373**FAGAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ERIC FRANCIS FAGAN, State Bar Number 87071, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

ERIC FRANCIS FAGAN 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.

S230375**MERL ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ERIC L. MERL, State Bar Number 117068, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

ERIC L. MERL 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.

S230377**NICKEL ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BRUCE NICKEL, State Bar Number 177824, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

BRUCE NICKEL 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.

S230494**LISTER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SHERMAN L. LISTER, State Bar Number 38616, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SHERMAN L. LISTER 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.