

**SUPREME COURT MINUTES
THURSDAY, JULY 11, 2019
SAN FRANCISCO, CALIFORNIA**

S251392 E066267 Fourth Appellate District, Div. 2 **MONSTER ENERGY
COMPANY v. SCHECHTER
(BRUCE L.)**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed.

Majority Opinion by Corrigan, JJ.

-- joined by Cantil-Sakauye, C. J., Chin, Liu, Cuéllar, Kruger, and Groban, JJ.

S256828 G054375 Fourth Appellate District, Div. 3 **IN RE E.P.**
Time for ordering review extended on the court's own motion

The time for ordering review on the court's own motion is hereby extended to September 23, 2019. (Cal. Rules of Court, rule 8.512(c).)

S178464 **PEOPLE v. MARTINEZ
(SANTIAGO)**

Extension of time granted

Based upon counsel Mark E. Cutler's representation that the appellant's reply brief is anticipated to be filed by October 26, 2019, an extension of time in which to serve and file that brief is granted to August 27, 2019. After that date, only one further extension totaling about 61 additional days is contemplated.

S198309 **PEOPLE v. FLETCHER
(MARCUS)**

Extension of time denied

The application of appellant for an extension of time to file appellant's opening brief is denied.

S202630 **PEOPLE v. BUTLER
(RAYMOND OSCAR)**

Extension of time granted

Based upon Deputy Attorney General David W. Williams's representation that the respondent's brief is anticipated to be filed by September 3, 2019, an extension of time in which to serve and file that brief is granted to September 3, 2019. After that date, no further extension is contemplated.

S224408**PEOPLE v. RAMIREZ
(RICHARD RAYMOND)**

Extension of time granted

Based upon counsel Barry Morris's representation that the appellant's reply brief is anticipated to be filed by January 1, 2020, counsel's request for an extension of time in which to serve and file that brief is granted to August 28, 2019. After that date, only two further extensions totaling about 126 additional days are 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).)

S165998**PEOPLE v. PLATA (NOEL
JESSE) & TRAN (RONALD
TRI)**

Order filed

Appellant Tran's "Motion for Leave to File a Supplemental Opening Brief," filed on June 14, 2019, is granted. Respondent must serve and file a supplemental respondent's brief no later than 30 days after the date of this order. Appellant Tran may serve and file a supplemental reply brief no later than 30 days after the filing of the supplemental respondent's brief.

S182341**PEOPLE v. BUETTNER
(JEFFREE J.) & JONES
(GLEN JOSEPH)**

Order filed

Good cause appearing, the "Application for Relief from Default on Behalf of Appellant Glen J. Jones," filed on July 8, 2019, to file appellant Jones' opening brief is granted.

S256566**SANCHEZ (JOSEPH PETER)
v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District.

S255540**SWINDER ON DISCIPLINE**

Recommended discipline imposed

The court orders that JIMMY SWINDER (Respondent), State Bar Number 288934, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and Respondent is placed on probation for three years subject to the following conditions:

1. Respondent is suspended from the practice of law for a minimum of the first 18 months of probation, and Respondent will remain suspended until the following requirements are satisfied:
 - i. Respondent makes restitution to the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburses the Client Security Fund, to the extent of any payment from the Fund to such payee, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles:
 - (1) Martir Villatoro in the amount of \$2,500 plus 10 percent interest per year from May 25, 2016;
 - (2) Valerie Carter in the amount of \$3,500 plus 10 percent interest per year from April 2, 2016;
 - (3) Albert Butterfield in the amount of \$3,600 plus 10 percent interest per year from January 14, 2016;
 - (4) Martin Espino-Garcia in the amount of \$500 plus 10 percent interest per year from October 14, 2016;
 - (5) Willie Madison in the amount of \$2,500 plus 10 percent interest per year from April 3, 2017;
 - (6) Leaster Goodwin in the amount of \$3,750 plus 10 percent interest per year from December 30, 2015; and
 - (7) Harold Leslie Bradley in the amount of \$3,500 plus 10 percent interest per year from October 5, 2015.
 - ii. Respondent provides proof to the State Bar Court of rehabilitation, fitness to practice and present 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. 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 March 22, 2019.
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.

Within 30 days of the effective date of this Order, Respondent must provide an accounting to Martir Villatoro and Martin Espino-Garcia.

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 March 22, 2019. 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.

S255541**RAMOS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JANNETTE I. RAMOS (Respondent), State Bar Number 200334, 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.

S255542**McSWIGGAN ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that LAWRENCE JOSEPH McSWIGGAN (Respondent), State Bar Number 214415, 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.

S255543**KOIMAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that DANIELA KOIMAN (Respondent), State Bar Number 170482, 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 60 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 March 18, 2019; 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 March 18, 2019. 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 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.

S255722**NGUYEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that KEITH QUANG NGUYEN (Respondent), State Bar Number 267209, 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 March 25, 2019; 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 March 25, 2019. 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.

S255723**ZOUVAS ON DISCIPLINE**

Recommended discipline imposed

The court orders that LUKE CHRISTOPHER ZOUVAS (Respondent), State Bar Number 216154, 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 March 18, 2019; 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 March 18, 2019. 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.

S255724

**BURLISON, JR., ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ROBERT CARLIN BURLISON, JR. (Respondent), State Bar Number 97461, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must make restitution to Donna Urich, as Administrator of the Weidemoyer Estate, in the amount of \$34,680.27 plus 10 percent interest per year from March 16, 2017. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

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.

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.

S255725**CONKLE ON DISCIPLINE**

Recommended discipline imposed

The court orders that CHRISTOPHER BRIAN CONKLE (Respondent), State Bar Number 255177, 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 March 13, 2019; 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 March 13, 2019. 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.

S255727**DOREY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DEE ELLA DOREY (Respondent), State Bar Number 163203, 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.

S255729**FEUERBORN ON
DISCIPLINE**

Recommended discipline imposed

The court orders that ARTHUR MARK FEUERBORN (Respondent), State Bar Number 213866, 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 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 April 2, 2019; 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 April 2, 2019. 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-third of the costs must be paid with Respondent's membership fees for each of the years 2020, 2021, and 2022. 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.

S255730**KORECHOFF ON
DISCIPLINE**

Recommended discipline imposed

The court orders that VICTOR STEVEN KORECHOFF (Respondent), State Bar Number 146826, 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 60 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 April 2, 2019; 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 April 2, 2019. 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.

S255732

KRUPNICK ON DISCIPLINE

Recommended discipline imposed

The court orders that MATTHEW PAUL KRUPNICK (Respondent), State Bar Number 234822, 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 April 5, 2019; 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 April 5, 2019. 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-third of the costs must be paid with Respondent's annual fees for each of the years 2020, 2021, and 2022. 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.