

**SUPREME COURT MINUTES  
MONDAY, JUNE 3, 2019  
SAN FRANCISCO, CALIFORNIA**

**S239122**      B269027 Second Appellate District, Div. 6      **PEOPLE v. VALENZUELA  
(LUIS DONICIO)**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed. We remand this matter for further proceedings consistent with our opinion.

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Chin, Liu, Cuéllar, and Groban, JJ.

Dissenting Opinion by Corrigan, J.

Dissenting Opinion by Kruger, J.

-- joined by Corrigan, JJ.

**S240153**      G050907 Fourth Appellate District, Div. 3      **COOK, JR., (ANTHONY  
MAURICE) ON H.C.**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal granting Cook's petition for writ of habeas corpus is reversed and the matter is remanded to the Court of Appeal with directions to deny the petition. The denial order shall be without prejudice to Cook's filing a motion in the trial court for a *Franklin* proceeding under the authority of section 1203.01 and today's decision.

Majority Opinion by Corrigan, J.

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

Concurring and Dissenting Opinion by Kruger, J.

**S250108**      G054241 Fourth Appellate District, Div. 3      **PEOPLE v. LEMCKE  
(DESIRAE LEE)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to July 5, 2019.

**S254157**      **BROWN ON DISCIPLINE**  
Recommended discipline imposed: disbarred

The court orders that MICHAEL JOHN BROWN (Respondent), State Bar Number 115473, 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.

**S254852****GANZ ON DISCIPLINE**

Recommended discipline imposed

The court orders that ANDREW MICHAEL GANZ (Respondent), State Bar Number 231601, 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 Decision filed on January 11, 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 Decision filed on January 11, 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.

**S254869****QUADE ON DISCIPLINE**

Recommended discipline imposed

The court orders that STEPHEN GARY QUADE (Respondent), State Bar Number 156961, is suspended from the practice of law in California for two years, 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 a minimum of the first year 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) Adriana Poblete in the amount of \$16,850 plus 10 percent interest per year from August 21, 2010; and
    - (2) Silbestre Espinosa in the amount of \$25,000 plus 10 percent interest per year from April 16, 2008.
  - ii. If Respondent remains suspended for two years or longer as a result of not satisfying the preceding requirement, Respondent must also provide proof to the State Bar Court of 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. Respondent 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 January 30, 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.

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 January 30, 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.

**S254872**

**WEIDINGER ON  
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that CHRISTOPHER MATTHEW WEIDINGER (Respondent), State Bar Number 262347, 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.

**S254906****BROIDY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ALAN FRANK BROIDY (Respondent), State Bar Number 89430, 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 the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court:

- (1) Gayle Levine in the amount of \$370,916.76 plus 10 percent interest per year from September 6, 2016;
- (2) Ronald Dunner, Francine Dunner and/or Sheri Nemptzov in the amount of \$150,000 plus 10 percent interest per year from December 31, 2016.

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.

**S254908****DERVAES, JR., ON  
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that R. SCOTT DERVAES, JR., (Respondent), State Bar Number 202133, 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.