

**SUPREME COURT MINUTES
THURSDAY, NOVEMBER 2, 2017
SAN FRANCISCO, CALIFORNIA**

S241412**GARCIA (ESEQUIEL PAUL)
ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to November 20, 2017.

No further extensions of time are contemplated.

S239387 ADMIN. 2017-11-01**STATE BAR RULES 5-110 &
5-220**

Order filed

On May 1, 2017, the court issued an order granting in part and denying in part a request from the Board of Trustees of the State Bar of California to approve recommended amendments to rule 5-110 of the California Rules of Professional Conduct. In particular, the court denied the request to add proposed paragraph (D) to rule 5-110 and related proposed Discussion paragraphs [3] and [4] concerning prosecutors' ethical pretrial disclosure obligations. The court directed the Board to consider alternative revisions set forth in Attachment 2 to that order. Additionally, the court requested that the Board provide an explanation as to the meaning of the term "cumulative disclosures of information" as used in the second sentence of Discussion paragraph [3], or alternatively to consider removing this portion of the sentence from the Discussion. The court invited the State Bar to submit for court approval any additional revisions to rule 5-110(D) and Discussion paragraphs [3] and [4] following its review and consideration of the court's order. On August 31, 2017, the Board filed a supplemental request for expedited approval of proposed amendments to rule 5-110(D) and Discussion paragraphs [3] and [4]. The request is granted. These amendments are set forth in the approved version of rule 5-110 appended as Attachment 1 to this order, and are effective November 2, 2017.

It is so ordered.

S242829**PETERSON ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID CHARLES PETERSON, State Bar Number 69272, 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. DAVID CHARLES PETERSON is suspended from the practice of law for a minimum of the first year of probation, and he will remain suspended until he provides proof to the State Bar Court of his 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. DAVID CHARLES PETERSON 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 May 9, 2017.
3. At the expiration of the period of probation, if DAVID CHARLES PETERSON has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID CHARLES PETERSON 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).)

DAVID CHARLES PETERSON 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 half of the costs must be paid with his membership fees for each of the years 2018 and 2019. If DAVID CHARLES PETERSON 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.

S243994**GERGES ON DISCIPLINE**

Recommended discipline imposed

The court orders that MOTAZ M. GERGES, State Bar Number 202175, 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. MOTAZ M. GERGES is suspended from the practice of law for the first sixty days of probation;
2. MOTAZ M. GERGES 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 July 11, 2017; and
3. At the expiration of the period of probation, if MOTAZ M. GERGES has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MOTAZ M. GERGES 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.

S244009**OHANIAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SHANT OHANIAN, State Bar Number 281652, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SHANT OHANIAN 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.