

**SUPREME COURT MINUTES
THURSDAY, JANUARY 13, 2022
SAN FRANCISCO, CALIFORNIA**

S258498 B286105 Second Appellate District, Div. 8 **OLSON (CURTIS) v. JANE
DOE**

Opinion filed: Judgment reversed

We reverse the judgment of the Court of Appeal insofar as it reversed the trial court's order granting Doe's special motion to strike the breach of contract cause of action with respect to statement in Doe's civil complaint. We remand the matter for further proceedings consistent with this opinion.

Majority Opinion by Liu, J.

-- joined by Cantil-Sakauye, C. J., Corrigan, Kruger, Groban, Jenkins, and Moor*, JJ.

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

S263569 B299184 Second Appellate District, Div. 4 **SEGAL (MICKEY) v. ASICS
AMERICA CORPORATION**

Opinion filed: Judgment affirmed in full

Majority Opinion by Cantil-Sakauye, C. J.

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

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

S271918 A158648 First Appellate District, Div. 1 **GRAY (GORDON) v.
DIGNITY HEALTH**

The time for granting or denying review in the above-entitled matter is hereby extended to February 18, 2022.

S271919 E075256 Fourth Appellate District, Div. 2 **LG AVIATION, INC. v.
KIMBRELL (JOSHUA)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 18, 2022.

S271944 A156889 First Appellate District, Div. 5

**NATIONAL UNION FIRE
INSURANCE COMPANY OF
PITTSBURGH, PA. v.
MID-CENTURY INSURANCE
COMPANY**

The time for granting or denying review in the above-entitled matter is hereby extended to February 18, 2022.

S271951 D079585 Fourth Appellate District, Div. 1

**PEOPLE v. FISCHER
(RICHARD)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 22, 2022.

S270801

MILLER ON DISCIPLINE

Order filed

Due to clerical error on the part of the State Bar of California. The order filed November 30, 2021, disbaring KAREN BARBARA MILLER (Respondent), is hereby amended to read in its entirety:

“The court orders that KAREN BARBARA MILLER (Respondent), State Bar Number 183054, 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 (or reimburse the Client Security Fund, to the extent of any payment from the Fund to such payees, in accordance with Business and Professions Code section 6140.5). Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law:

- (1) Jesus Landeros in the amount of \$7,000 plus 10 percent interest per year from October 12, 2016;
- (2) Romero Gomez in the amount of \$3,500 plus 10 percent interest per year from August 11, 2017;
- (3) Richard Koller in the amount of \$2,500 plus 10 percent interest per year from November 9, 2017;
- (4) Sylvia De La Riva in the amount of \$1,300 plus 10 percent interest per year from June 24, 2018;
- (5) Oscar Castro in the amount of \$3,750 plus 10 percent interest per year from July 23, 2018;
- (6) Jose Guinea and Fany Guevara in the amount of \$1,250 plus 10 percent interest per year from July 6, 2018;
- (7) Deisy Alvarado in the amount of \$5,000 plus 10 percent interest per year from January 31, 2018;
- (8) Irma Duenas in the amount of \$3,000 plus 10 percent interest per year from April 25, 2019;
- (9) Karen Reyes in the amount of \$9,035 plus 10 percent interest per year from August 9,

2018; and

- (10) Juan Flores in the amount of \$7,500 plus 10 percent interest per year from October 27, 2018.

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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$10,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. 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, and may be collected by the State Bar through any means permitted by law.

This order is entered nunc pro tunc to November 30, 2021.”

S271422

SUSSMAN ON DISCIPLINE

Recommended discipline imposed

The court orders that NANCY SUSSMAN (Respondent), State Bar Number 108689, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, and Respondent is placed on probation for four years subject to the following conditions:

1. Respondent is suspended from the practice of law for a minimum of the first three years of probation, and Respondent will remain suspended until providing 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 also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on July 13, 2021.
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 July 13, 2021. 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 and may be collected by the State Bar through any means permitted by law.

S271431**WATKINS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that THOMAS LEE WATKINS (Respondent), State Bar Number 162577, 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$5,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law.

S271433**GAGNE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JODI LYNN ZILS GAGNE (Respondent), State Bar Number 211396, is summarily disbarred from the practice of law 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, and may be collected by the State Bar through any means permitted by law.

S271648**JOHNSTON ON DISCIPLINE**

Recommended discipline imposed

The court orders that THOMAS VINCENT JOHNSTON (Respondent), State Bar Number 82019, 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 other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 23, 2021; 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 September 23, 2021. 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, and may be collected by the State Bar through any means permitted by law.

S271649**ROMINES ON DISCIPLINE**

Recommended discipline imposed

The court orders that MELINDA C. ROMINES (Respondent), State Bar Number 302958, 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 six months of probation, and Respondent will remain suspended until the following requirements are satisfied:
 - i. Respondent makes restitution to Caroline Cogan, or such other recipient as may be designated by the Office of Probation or the State Bar Court, in the amount of \$1,360 plus 10 percent interest per year from November 5, 2019, (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. Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law; and
 - 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 September 28, 2021.
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 September 28, 2021. 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$2,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law. One-third of the costs must be paid with Respondent's annual fees for each of the years 2023, 2024, and 2025. 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.

S271658

O'LAVERTY ON DISCIPLINE

Recommended discipline imposed

The court orders that CHERI S. O'LAVERTY (Respondent), State Bar Number 94221, 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 September 9, 2021; 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 September 9, 2021. 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, and may be collected by the State Bar through any means permitted by law. One-half of the costs must be paid with Respondent's annual fees for each of the years 2023 and 2024. 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.

S271662**HASAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that SHAMEEM HASAN (Respondent), State Bar Number 223281, 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 the first six months 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 September 14, 2021; 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 September 14, 2021. 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$1,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions must be paid in installments of one-third per year, with Respondent's annual fees for each of the years 2023, 2024, and 2025.

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.

Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law. One-third of the costs must be paid with Respondent's annual fees for each of the years 2023, 2024, and 2025. 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.

S271664**MARTIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOSEPH B. MARTIN (Respondent), State Bar Number 284156, 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 two years of probation, and Respondent will remain suspended until providing 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 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 9, 2021.
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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$1,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law.

S271665**HUDSON ON DISCIPLINE**

Recommended discipline imposed

The court orders that BLAKE ALAN HUDSON (Respondent), State Bar Number 171856, 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 September 23, 2021; 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 September 23, 2021. 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, and may be collected by the State Bar through any means permitted by law.

S271668**COX ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that PHILIP W. COX (Respondent), State Bar Number 224893, 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$5,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law.

S271669**SMITH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that STUART ALFRED SMITH (Respondent), State Bar Number 126369, is disbarred from the practice of law and that Respondent's name is stricken from the roll of attorneys.

Respondent must make restitution to the following payee or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburse 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). Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law:

- (1) Eric Hartley in the amount of \$6,666.67 plus 10 percent interest per year from January 25, 2017; and
- (2) Eric Hartley in the amount of \$46,666.67 plus 10 percent interest per year from February 5, 2018.

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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$5,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law.

S271671**KOTSCHUBEI ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ALEXANDER CHRISTIAN MILES KOTSCHUBEI (Respondent), State Bar Number 181508, 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$5,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law.

S271677**MITCHELL ON DISCIPLINE**

Recommended discipline imposed

The court orders that ANDREW BRIAN MITCHELL (Respondent), State Bar Number 284405, 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 1, 2021; 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 1, 2021. 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$2,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law. One-half of the costs must be paid with Respondent's annual fees for each of the years 2023 and 2024. 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.

S271678**DAKAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ROBIN DOUGLAS DAKAN (Respondent), State Bar Number 76181, 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$5,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law.

S271679**ENDRES ON DISCIPLINE**

Recommended discipline imposed

The court orders that KIRK CALLAN ENDRES (Respondent), State Bar Number 225526, 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 two years 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 payees, 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. Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law:
 - (1) Michael Wilson in the amount of \$750 plus 10 percent interest per year from April 23, 2018;
 - (2) Enrique Rivera in the amount of \$200 plus 10 percent interest per year from July 29, 2016;
 - (3) Martin Rivers in the amount of \$1,400 plus 10 percent interest per year from July 23, 2017;
 - (4) Larry Cowell in the amount of \$500 plus 10 percent interest per year from March 12, 2018;

- (5) Martin Fernandez in the amount of \$1,500 plus 10 percent interest per year from May 13, 2016;
 - (6) Donald Sutton in the amount of \$750 plus 10 percent interest per year from May 3, 2018;
 - (7) Craig Whitney in the amount of \$2,500 plus 10 percent interest per year from November 20, 2018;
 - (8) John Jarvie in the amount of \$750 plus 10 percent interest per year from March 8, 2017;
 - (9) Salvador Rodriguez in the amount of \$1,000 plus 10 percent interest per year from November 15, 2018;
 - (10) Paul Robinson in the amount of \$750 plus 10 percent interest per year from March 22, 2018;
- 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 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 28, 2021.
 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 September 28, 2021. 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, and may be collected by the State Bar through any means permitted by law. One-third of the costs must be paid with Respondent's annual fees for each of the years 2023, 2024, and 2025. 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.

S271680**GLASINOVIC ON
DISCIPLINE**

Recommended discipline imposed

The court orders that VANNIA GLASINOVIC (Respondent), State Bar Number 244040, 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 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 September 17, 2021; 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 September 17, 2021. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$2,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law.

S271764**BOLLIGER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOHN CAMERON BOLLIGER (Respondent), State Bar Number 159254, 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$4,750 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by

law.

S271765

Recommended discipline imposed

VIRGA ON DISCIPLINE

The court orders that PHILIP THOMAS VIRGA (Respondent), State Bar Number 165324, 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 three years subject to the following conditions:

1. 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 September 13, 2021, and Order Modifying Stayed Suspension Order filed on October 13, 2021; 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.

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, and may be collected by the State Bar through any means permitted by law. One-half of the costs must be paid with Respondent's annual fees for each of the years 2023 and 2024. 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.

S271767

Recommended discipline imposed: disbarred

DIBAEI ON DISCIPLINE

The court orders that AMIR SAM DIBAEI (Respondent), State Bar Number 275798, 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 Nicholas Mitchell Woods, or such other recipient as may be designated by the Office of Probation or the State Bar Court, in the amount of \$15,000 plus 10 percent interest per year from January 28, 2016 (or reimburse 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). Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by

law.

S272646**BEST ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOHN DONALD BEST, State Bar Number 146984, as an attorney of the State Bar of California is accepted.

S272647**BLEVINS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PAUL EDWARD BLEVINS, State Bar Number 160378, as an attorney of the State Bar of California is accepted.

S272648**DUMAS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JAMES LEE DUMAS, State Bar Number 222838, as an attorney of the State Bar of California is accepted.

S272649**HOFFMAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of GERALD L. HOFFMAN, State Bar Number 143296, as an attorney of the State Bar of California is accepted.

S272650**LEBOFFE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PAUL ANTHONY LEBOFFE, State Bar Number 154878, as an attorney of the State Bar of California is accepted.

S272652

**MOREZZI ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of EUGENIA JOANNA MOREZZI, State Bar Number 150133, as an attorney of the State Bar of California is accepted.

S272655

**MORRELLI ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SHANNON AUTUMN MORRELLI, State Bar Number 214808, as an attorney of the State Bar of California is accepted.

S272659

**REISBORD ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ANDREA ELLEN REISBORD, State Bar Number 149419, as an attorney of the State Bar of California is accepted.

S272660

TUCKER ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of SCOT DUNCAN TUCKER, State Bar Number 155786, as an attorney of the State Bar of California is accepted.



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
FEBRUARY 2, 2022**

Due to the COVID-19 coronavirus pandemic and related public health directives from state and local authorities, the procedures specified by Administrative Orders Nos. 2020-3-13 (Mar. 16, 2020), 2020-03-27 (March 27, 2020), and 2020-08-19 (August 19, 2020) apply. Counsel will appear remotely and courtroom seating for the press will be strictly limited to achieve appropriate distancing. The public will continue to have access to argument via live-streaming on the judicial branch website: <http://www.courts.ca.gov/>.

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald M. George State Office Complex, Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on February 2, 2022.

WEDNESDAY, FEBRUARY 2, 2022 — 9:00 A.M.

- (1) Conservatorship of the Person and Estate of Eric B., S261812
(justice pro tempore to be assigned)
- (2) In re Christopher L., S265910
(justice pro tempore to be assigned)
- (3) People v. Bloom (Robert Maurice), [Automatic Appeal], S095223
(justice pro tempore to be assigned)

CANTIL-SAKAUYE

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)