

PUBLIC MATTER - DESIGNATED FOR PUBLICATION

Filed November 22, 2002

REVIEW DEPARTMENT OF THE STATE BAR COURT

In the Matter of)	No. 99-R-12244
)	
GREGORY SCOTT BODELL,)	OPINION ON REVIEW
)	
Petitioner for Reinstatement.)	
_____)	

Petitioner Gregory Scott Bodell resigned from the State Bar in 1990 with disciplinary charges pending after he was convicted of mail fraud stemming from a nefarious scheme practiced by a group of insurance defense attorneys in the 1980s referred to as “the Alliance.” The State Bar’s Office of Chief Trial Counsel (State Bar) seeks our review of a decision of a State Bar Court hearing judge recommending that petitioner be reinstated.

Independently reviewing the record as we must (Cal. Rules of Court, rule 951.5; Rules of Proc. of State Bar, rule 305(a); *In re Morse* (1995) 11 Cal.4th 184, 207), we adopt the hearing judge’s decision. As we shall discuss *post*, well-established law provides that an applicant for reinstatement must make a very high showing of rehabilitation to succeed. On this record, petitioner has made the required showing. Although several witnesses testified that petitioner should not be reinstated, this adverse testimony did not stem from an assessment of petitioner’s rehabilitative steps, but from the witnesses’ view of his extremely serious involvement in the Alliance. We have also concluded that the remaining reasons offered by the State Bar for

denying reinstatement are not persuasive on this record. We shall conclude, for the following reasons, that petitioner should be reinstated.

I. Issues in the Proceeding.

The relevant authorities set forth clearly the issues in a reinstatement case. Petitioner must establish by clear and convincing evidence that he is learned in the general law, that he has passed a professional responsibility examination, and that he has established his rehabilitation and is morally fit to be readmitted. (Cal. Rules of Court., rule 951(f); Rules Proc. of State Bar, rule 665(a), (b); e. g., *In the Matter of Salant* (Review Dept. 1999) 4 Cal. State Bar Ct. Rptr. 1, 3; *In the Matter of Brown* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 309, 315.)

The State Bar has no dispute with the hearing judge's findings that petitioner has satisfied the examination and learning requirements and we adopt those findings.¹

We then turn to the issue of rehabilitation and note that there is no evidence that petitioner has engaged in further substantive misconduct since his resignation. The State Bar has defined the focus we should place on petitioner's rehabilitation in the following sub-issues: (1) whether petitioner's nearly three years' of unsupervised status between the end of his criminal probation and his filing the petition for reinstatement show the required rehabilitation; (2) whether petitioner's failure to pay in full his tax obligation is consistent with the rehabilitation required for reinstatement; (3) whether petitioner showed adequate rehabilitation in view of his very serious acts which led to his federal conviction; and (4) whether petitioner's failure to

¹As the hearing judge found, petitioner passed the California Bar Examination, Attorneys' Examination, in July 1998 and the Multistate Professional Responsibility Examination in March 1999. (Cf. Cal. Rules of Court, rule 951(f).)

remember evidence that he once formed a partnership with the central figure in the Alliance is consistent with the requirements of reinstatement.

Prior to discussing the issues, we set forth briefly the background leading to this reinstatement proceeding.

II. Petitioner's Misconduct Leading to Conviction and Resignation.

Although petitioner resigned with charges pending and was not disbarred, the standards for reinstatement are the same in either case. (E.g., *Hippard v. State Bar* (1989) 49 Cal.3d 1084, 1092, fn.4; *In the Matter of Miller* (Review Dept. 1993) 2 Cal. State Bar Ct. Rptr. 423, 428, fn.1; see also Rules Proc. of State Bar, rules 660, 665.) It is well settled that we assess the showing of rehabilitation in light of the moral shortcomings which preceded petitioner's resignation.

(*Hippard v. State Bar, supra*, 49 Cal.3d at p. 1092; cf. *In the Matter of Salant, supra*, 4 Cal. State Bar Ct. Rptr. at p. 3). Evaluating the misconduct which led to resignation, we conclude that it was most serious. It not only defrauded insurers, but it constituted an affront to the honest administration of justice. In brief, the hearing judge made the following findings, which we adopt.

After four earlier failures, petitioner passed the California Bar Examination in late 1983 and was admitted to practice in December 1983. He had been working for attorney Lynn Stites since March 1982 as a law clerk. Attorney Stites continued to support petitioner despite his several bar exam failures. Petitioner felt loyalty to Stites because of this support. After admission, petitioner became an associate in Stites' office.

Stites put together a group of about fifteen defense attorneys in 1984 or 1985 referred to as "the Alliance" to defraud insurers. The Alliance would conduct unneeded discovery and litigative steps in cases, bill excessively for services, or appear for both plaintiffs and defendants

in the same action and then have different Alliance members undertake separate representation of the clients to falsely create the appearance that the clients were represented by independent counsel.

The parties in this reinstatement proceeding argued extensively over whether petitioner's role in the Alliance was that of a peripheral researcher or a central figure. While we adopt the hearing judge's findings that petitioner was more of a researcher and drafter of pleadings to create insurance coverage, than a mastermind of the scheme, he clearly was a principal in it and was close in proximity to Stites who was a central Alliance figure.² Alliance duties petitioner undertook were to prepare cross-complaints against the clients of Stites' law office in order to extend litigation, to meet with Alliance members to strategize in bringing more litigation to be defended ultimately by insurers, and to aid in preparation of bills for legal services that would eventually be paid by insurers.³

Petitioner's first act to further the Alliance was in 1985, and his last acts were in 1989. At first, petitioner went along with Stites, relying on his judgment as to the most effective way of creating litigative events for his clients. By 1987, petitioner became depressed over his Alliance activities and hoped the problems would go away; but, because of his loyalty to Stites, he remained involved with him until late 1987. Petitioner then opened his own law office within Stites's offices. He ceased working on Alliance cases but represented Stites in various matters.

²The hearing judge gave several reasons in his findings for concluding that petitioner was not a central Alliance figure, including petitioner's salary at the time, the number of witnesses who testified to petitioner's more limited role in the Alliance and decisions made while prosecuting petitioner.

³For situations in which insurers would be required to pay fees of independent counsel see, for example, *San Diego Federal Credit Union v. Cumis Ins. Society, Inc.* (1984) 162 Cal.App.3d 358, 375.

In the fall of 1988, after Stites had moved to Switzerland, petitioner agreed to Stites's request to send him computer media containing Alliance case pleadings and documents. Petitioner kept copies in the California law office of what he sent Stites, and no documents or media were destroyed. However, petitioner admitted that in 1988, he had intended in part to frustrate any investigation into the Alliance. In 1989, Stites wished to return to the United States, but was concerned about his ability to re-enter. Unaware of any intended enforcement action against Stites, petitioner gave him advice that entry into the U.S. from Canada was likely to provoke less scrutiny.

In May 1990, petitioner was convicted in federal court on his plea of guilty to one felony count of mail fraud (18 U.S.C. § 1341) arising out of his misconduct with the Alliance. Petitioner immediately tendered his resignation from State Bar membership with disciplinary charges pending, and it became effective on August 24, 1990. Before petitioner was sentenced, the government reported that he had cooperated with them. These cooperative steps included petitioner's discussion of his involvement with the Alliance, his agreement to help the government in arresting Stites, and his testimony in the trial of some Alliance members. Petitioner was sentenced to five years' probation on conditions, which included 150 days in a halfway house. Petitioner complied with his probation, and it ended in October 1996.

III. Hearing Judge's Assessment.

The hearing judge considered the favorable character testimony petitioner introduced, his significant involvement with his church, his speaking to law students on many occasions about his crime, and his psychological therapy to understand why he engaged in improprieties with the Alliance. The hearing judge also considered the State Bar's unfavorable evidence that petitioner

still owes the Internal Revenue Service a large amount of back taxes and that five witnesses offered by the State Bar testified that petitioner should not be reinstated.

In the hearing judge's view, although petitioner's criminal conduct was repugnant, he sustained his burden of showing his rehabilitation. The judge did not consider the negative testimony of some witnesses to dilute petitioner's showing. Nor was it deemed adverse that much of petitioner's reform occurred during his felony probation. The hearing judge recommended that petitioner be reinstated. The State Bar's appeal followed.

IV. Discussion of the Issues and Evidence re Petitioner's Rehabilitation.

We now turn to the issues framed by the State Bar, which are asserted to be indicative of lack of satisfactory reform to warrant reinstatement.

A. Petitioner's proof of rehabilitation from his misconduct.

As we noted *ante*, we must view petitioner's rehabilitation in light of the moral shortcomings that preceded his resignation. Moreover, as the Supreme Court reiterated in an admissions moral character case, *In re Gossage* (2000) 23 Cal.4th 1080, 1096, the more serious the earlier misconduct, the stronger the rehabilitative showing required. The State Bar points to the seriousness of petitioner's Alliance misconduct and argues that the proper time period for measuring his rehabilitation is from the end of his criminal probation in 1996 to the 1999 date of filing his petition for reinstatement (citing *In re Gossage, supra*, 23 Cal.4th at pp. 1099-1100). Judged as such, the State Bar contends that petitioner has failed to meet his burden. We disagree with the State Bar's analysis as unduly narrow in this case. Although *Gossage* and the earlier admissions case it cites, *In re Menna* (1995) 11 Cal.4th 975, 989, do not consider the time an applicant is in custody or under court or State Bar supervision to be particularly weighty in assessing rehabilitation, the applicant in each of those cases had engaged in extremely serious

misconduct for an extensive time and had not adequately shown rehabilitation in light of the seriousness of the offenses. In *Gossage* the misconduct spanned a total of 14 years and in *Menna*, 5 years. Moreover, the Court in *Gossage* noted that that applicant did not behave in an exemplary fashion while on parole. (*In re Gossage, supra*, 23 Cal.4th at p. 1099, fn. 22.) In contrast, in this case, petitioner's misconduct, though clearly serious, spanned four years, but we have no evidence that petitioner acted in less than an exemplary fashion while on probation. Further, as we shall discuss, some of petitioner's positive conduct, notably his 1990 cooperation with the State Bar, occurred despite his understanding that he would get no benefit from it. We therefore conclude that it is appropriate in this case to accord some weight to petitioner's activities while on probation, but we give far greater weight to the last four years of petitioner's showing, which were after he completed his criminal probation.

Our concern, however, is not just in counting the correct number of years for measuring petitioner's rehabilitation; but more importantly, to assess the quality of petitioner's showing in light of his very serious misconduct surrounding his conviction of a crime involving moral turpitude. Whether petitioner was only a researcher for Attorney Stites or was more involved in Alliance strategy, he was clearly a principal in a scheme, which was not only dishonest, but for a lawyer, especially reprehensible in its affront to the fair administration of justice. We also acknowledge that in the very heavy burden petitioner must surmount in proving his rehabilitation, character evidence alone, no matter how positive, is not determinative. (*Hippard v. State Bar, supra*, 49 Cal.3d at p. 1095; *In the Matter of Salant, supra*, 4 Cal. State Bar Ct. Rptr. at p. 5.)

Examining petitioner's showing independently, we agree with the hearing judge that it offers clear and convincing evidence that petitioner met his burden.

First, we note that there were many witnesses whose opinions were entitled to weight who knew petitioner for a sufficient period of time and were reasonably familiar with his misconduct regarding the Alliance. Second, we note that the witnesses gave specific, convincing reasons for holding favorable opinions of petitioner's rehabilitation or present moral fitness. We do not find it necessary to detail all the evidence, but will discuss some examples. Petitioner called 11 outside witnesses. Eight of the eleven were attorneys, and several of them had backgrounds that would be expected to make them critical in cases of unrehabilitated misconduct or inadequate cooperation to address the harm petitioner earlier caused. "Testimony of members of the bar and bench of high repute is also entitled to careful consideration when the petitioner has been close to their observation. [Citations]." (*Preston v. State Bar* (1946) 28 Cal.2d 643, 651.) This is because "[s]uch witnesses are morally bound by their oaths as attorneys at law not to recommend a disbarred attorney for reinstatement unless they are satisfied of the rehabilitation of his character. [Citations]." (*Ibid.*; see also Rules Prof. Conduct, rule 1-200(B) [attorneys have a duty not to further the application for admission or readmission to the bar of a person they know "to be unqualified in respect to character, education, or other relevant attributes"].)

Robert Amidon, an attorney for 25 years, had worked in Naval intelligence, had served as an assistant United States attorney, and then practiced civil law. In 1989, Aetna Insurance Company hired Amidon to investigate Alliance activities and to determine what losses Aetna might have incurred as a result. Amidon's investigation for Aetna was wide-ranging. He reviewed numerous documents, and he spoke with the federal prosecutors on the case and also with Alliance defendants. That is how Amidon met petitioner in either 1989 or 1990. From Amidon's extensive investigation of the harm done by Alliance members, he concluded that petitioner was one of the few Alliance figures who cooperated with the prosecution and insurer

victims and that petitioner's activities did not cause losses for Aetna. Moreover, it was Amidon's view of petitioner's role that he was more of a new attorney-researcher and not a central Alliance strategist. Amidon opined that petitioner was very candid and truthful with him. Amidon felt that his experience as a former prosecutor helped him judge petitioner's character and he ultimately opined that petitioner was qualified for reinstatement.⁴ Although Amidon had had only a few contacts with petitioner since his investigation, which lasted from 1989 until 1996 or 1997, Amidon knew of nothing to change his opinion.

William Hodgman, an assistant district attorney of Los Angeles County who had 20 years of experience in that office and who oversaw all of the District Attorney's line operations as well as its investigation bureau, had known petitioner for about 10 years. Hodgman's contacts with petitioner have been social, involving mutual activities of their respective families such as childbirth classes and Cub Scout activities. Hodgman believed that he had acquired a very positive opinion of petitioner's rehabilitation from those activities, particularly watching petitioner's teaching and leadership with young children. As Hodgman testified, petitioner appreciated the wrongfulness of what he earlier did and showed a very strong sense of "never wanting to get into that situation ever, ever again." In Hodgman's words, petitioner felt a lot of shame and humiliation over what he did and never wanted anyone who knew him to have to look askance at him again.

⁴As Amidon testified, "My personal view is that he should be given a second chance. From the time that we first interviewed [petitioner] and with the Aetna representatives, we again had formed our conclusion and my opinion was the same that he was just at the wrong place at the wrong time. He was young and inexperienced. He didn't know how to get unstuck from the tar baby and that he should be given a second chance. . . ." Amidon testified as to an ultimate issue in this proceeding, but his testimony was not precluded thereby, although that ultimate issue is for our Court and the Supreme Court. (See *In the Matter of Harney* (Review Dept. 1995) 3 Cal. State Bar Ct. Rptr. 266, 277, fn. 7.)

The testimony of State Bar Deputy Trial Counsel Jan Oehrle was also noteworthy. Oehrle had been admitted to practice for nearly 25 years and had spent the past 13 years as a Deputy Trial Counsel for the State Bar. She was the principal attorney for the Office of Chief Trial Counsel assigned to evaluate complaints of attorney misconduct regarding the Alliance. Oehrle's purpose in testifying was to affirm petitioner's cooperation with the State Bar in its investigation. She first met petitioner in 1990 when his attorney contacted her with petitioner's offer to assist the State Bar. Petitioner gave Oehrle detailed information about the Alliance, including the relationship of the participants *inter se* and with Stites. According to Oehrle, this information was most helpful.⁵ One matter of concern to Oehrle was that petitioner might expect some benefit in return for helping the State Bar as she had never had such an offer of assistance before from an attorney who was involved in State Bar proceedings. However, petitioner understood that he would receive no benefit from cooperating with the State Bar. Oehrle was able to verify that petitioner's information about the Alliance was honest, as it fully corroborated evidence she received from other sources. Although we do not regard Oehrle's appearance as an intent to act as petitioner's general character witness, we cannot recall another instance in which a State Bar senior trial attorney testified as favorably for a party to State Bar Court proceedings.

Petitioner's current employer, attorney Henry Gradstein, also testified impressively for petitioner. Gradstein, a lawyer for 20 years, knew petitioner since the summer of 1985. He was aware of petitioner's misconduct, criminal conviction, and bar resignation, and he has observed petitioner's successful course of rehabilitation. Gradstein gave detailed reasons for considering

⁵Oehrle testified in part: "[The Alliance] was a very, very large case and at the time, my perception was, that the State Bar didn't really have the resources to do the kind of investigation that we really needed to do without the information [petitioner] gave us."

petitioner rehabilitated, including pointing out his prominent role in ensuring high ethical standards for practice in Gradstein's law office, although petitioner served but as a law clerk.⁶ Should petitioner be reinstated, Gradstein would like to see petitioner as a partner in the practice.

Other witnesses' testimonies of petitioner's rehabilitation were also impressive, particularly for the detailed reasons the witnesses gave for their favorable opinions.

We also note the evidence of petitioner's personal expression of sufficient insight into and sincere remorse over his Alliance misconduct. We observe this both in his own testimony and as a key aspect of the testimony of many of his witnesses. Petitioner took meaningful steps to learn of the factors associated with his misconduct, and he took considerable steps to correct and enhance his life, including intense involvement with his church, which led to a position of significant leadership in those religious activities. He also spoke to classes of law students to share with them the misconduct he committed and the importance of honest conduct as a lawyer.

B. The State Bar's Negative Evidence of Petitioner's Reform.

The State Bar offered five witnesses who gave negative opinions of petitioner's rehabilitation. Because these five witnesses are attorneys, their testimonies are entitled to great weight if "petitioner has been close to their observation." (*Preston v. State Bar, supra*, 28 Cal.2d at p. 651.) The testimony of Edwin Warren was indicative. Warren, a liability defense lawyer for 35 years was asked to help insurers look into billings of Alliance members. Although Warren looked into petitioner's conduct during the mid-1980s, he was unaware that petitioner had been convicted of a crime and unaware of whether petitioner had made any efforts at rehabilitation. Warren opined that petitioner should not be rehabilitated because petitioner's conduct with the

⁶Petitioner served as a law clerk for Gradstein's and other law offices from 1990 or 1991. Gradstein gave petitioner full-time employment since the mid-1990s.

Alliance was so grave that “no one who would engage in that conduct could at some point in time be rehabilitated.”

Thomas Brown, a lawyer for sixteen years and partner of a major law firm representing insurers seeking to assess damages to their clients from Alliance activities, opined that petitioner should not be reinstated. Brown had had contacts with petitioner only between about 1987 or 1988 and 1991. Brown’s opinion was that petitioner should not be reinstated because, by 1990 or 1991, he had still not accepted responsibility or shown remorse for his misconduct and because petitioner either discounted or falsified the extent of his involvement with Stites and other Alliance figures.

The hearing judge found these witnesses’ opinions to be weak in view of pertinent case law or to be outweighed by other more credible testimony. We agree, and we find that the negative testimony did not rebut petitioner’s favorable testimony for a very important reason: in all but the testimony of Brown, the negative testimony was based solely on the severity of petitioner’s earlier misconduct and not on his rehabilitative steps since resignation. In short, these witnesses have had no personal observation of petitioner for most, if not all, of the 10 years that have elapsed between the time petitioner resigned with disciplinary charges pending in 1990 and the hearings below. Thus, while the negative testimony of each of these witnesses is relevant on the issues of the seriousness and the nature and extent of petitioner's prior misconduct, it has little relevance on the issues of petitioner's present character and of whether petitioner has maintained a sustained period of unblemished and exemplary conduct.

In the case of Brown’s testimony, we agree with the hearing judge’s analysis discounting it in view of much more evidence that petitioner did cooperate sufficiently with the State Bar and law enforcement and accepted adequate responsibility for his Alliance misconduct. We also note

that Brown's contacts with petitioner ended in 1991, thus depriving Brown of any significant opportunity to evaluate petitioner's rehabilitation.

C. The Evidence Surrounding Petitioner's Income Tax Liabilities.

Petitioner disclosed in his reinstatement petition that he owed nearly \$458,000 in federal income taxes, penalties, and interest. About two-thirds to three-quarters of this amount is interest and penalties. This delinquency started in 1983 when petitioner's late payment of taxes led to a later interest and penalty assessment of \$40,000. Petitioner paid his 1984 and 1985 taxes timely, but erred in estimating his quarterly tax payments and had a \$7,000 underpayment. In 1987 when petitioner suffered investment reversals and had to incur considerable expenses for his criminal defense arising out of the Alliance matter, he was unable to pay his taxes, estimated at \$40,000. In 1988, he underpaid his taxes by about \$4,000, but paid in full his taxes for 1989 and 1990.

Because of heavy expenses, petitioner was unable to pay his 1991 and 1992 taxes and did not recall whether he paid his taxes in 1993 or 1994. Between 1995 and 1998, petitioner complied with an Internal Revenue Service (IRS) payment plan requiring him to pay increasing monthly payments, starting at \$25 monthly and increasing to \$558 monthly.

For 1997 through 1999, petitioner paid his taxes in full. Petitioner also owed the California Franchise Tax Board about \$15,000 or \$20,000, which he paid in full by 1996 or 1997. In 1998, petitioner consulted tax counsel who recommended he propose to the IRS an offer in compromise, pursuant to 26 Code of Federal Regulations part 301.7122-1.⁷ Petitioner's

⁷At the time petitioner submitted his offer to the IRS, there were two grounds for compromising a tax liability under 26 Code of Federal Regulations part 301.7122-1(b)(1) and (2): a dispute as to the tax liability, or a doubt as to collectibility where the tax liability exceeds the taxpayer's assets and income. The record does not disclose the basis of petitioner's offer in compromise. Subsequently, the IRS added a third ground for an offer in compromise in 26 Code of Federal Regulations part 301.7122-1(b)(3): promoting effective tax administration.

counsel advised him to offer \$50,000 to settle his delinquencies. The offer was pending at the time of the hearing below.

The hearing judge found that the circumstances surrounding petitioner's delinquencies did not show adverse moral character. The State Bar contends that petitioner's unresolved tax delinquencies in view of his income of over \$150,000 per year shows a lack of requisite rehabilitation. We agree with the hearing judge's assessment.

This is not a case where petitioner has concealed assets or his delinquencies. Nor is this a case where petitioner has failed to file tax returns. His large salary earned in the years just before and during this reinstatement proceeding accompanied his full payment of taxes for those years. He should not be deprived of the ability to take advantage of the offer in compromise procedures open to any citizen seeking to resolve a large delinquency, particularly consisting sizeably of penalties and interest. (Cf. *Kwasnik v. State Bar* (1990) 50 Cal.3d 1061, 1069-1070, 1072-1074 [moral character admissions case—debt of applicant discharged in bankruptcy].) Ultimately, the State Bar's concerns seem to revolve around its claim that petitioner did not corroborate his testimony with additional documentary evidence. While that is true, petitioner's evidence on this subject remains unrebutted.

D. The Evidence Surrounding Petitioner's Recall of His Partnership with Stites.

Petitioner testified that he did not recall forming a partnership with Stites in 1986. Petitioner was shown a law corporation application which he signed in 1986 for the formation of the Stites & Bodell Law Corporation. Petitioner did not recall that the corporation was active, and it was suspended several years later for failing to pay taxes. The State Bar did not show that the corporation was active or that a separate practice emerged from this relationship. The hearing judge did not make any findings on this issue, but the State Bar argues that it indicates

petitioner's lack of credibility. We disagree with the State Bar. We would be more concerned had petitioner failed to recall a material event, particularly following his resignation. Since petitioner committed his misconduct while practicing with Stites, we do not see how his failure to recall forming this law corporation 14 years earlier affects his rehabilitative showing.

E. Overall discussion of the evidence concerning rehabilitation.

Ultimately, we must decide whether petitioner has shown proof of sustained exemplary conduct since his resignation. (Cf. *In re Menna, supra*, 11 Cal.4th at p. 989.) We regard petitioner's proof analogous to that shown in the recent reinstatement case of *In the Matter of Salant, supra*, 4 Cal. State Bar Ct. Rptr. at pages 4 and 5. Although the misconduct in that case was considerably more isolated than the present case and occurred under mitigating circumstances, Salant offered impressive testimony from government attorneys and others who observed her and who gave specific reasons for testifying favorably for her, including her openness about her offense, her insight into its cause, and her positive behavior under stress. Notwithstanding this favorable testimony, there were some doubts that we held not to be inconsistent with the very high requisite showing. We recommended Salant's reinstatement, and the Supreme Court ordered it.

Here 10 years elapsed between petitioner's resignation and the hearings below. Abundant, critical witnesses established petitioner's success in overcoming the weaknesses that led to his earlier dishonest behavior and showed his success in establishing himself as a successful law clerk, making important contributions to his church and being highly sensitive to ethical behavior.

The hearing judge who presided over the twelve-day trial in this proceeding concluded that petitioner had made the very high showing which reinstatement demands. We agree.

V. Recommendation.

For the foregoing reasons, we recommend that Gregory Scott Bodell's petition for reinstatement be granted and that he be reinstated as an active member of the State Bar of California upon his paying the required fees (Bus. & Prof. Code, § 6063) and other sums (e.g., Bus. & Prof. Code, §§ 6140.5, subd. (c), 6140.7) and upon his taking the oath of an attorney at law (Bus. & Prof. Code, § 6067).

STOVITZ, P. J.

We concur:

WATAI, J.
EPSTEIN, J.

Case No. 99-R-12244

In the Matter of Gregory Scott Bodell

Hearing Judge

Michael D. Marcus

Counsel for the Parties

For the State Bar of California:

Paul O'Brien
Office of the Chief Trial Counsel
The State Bar of California
1149 S. Hill St.
Los Angeles, CA 90015

For Petitioner:

Susan L. Margolis
2000 Riverside Dr.
Los Angeles, CA 90039