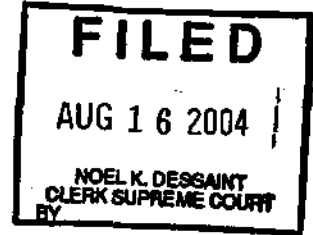


SUPREME COURT OF ARIZONA



IN THE MATTER OF A SUSPENDED MEMBER) Supreme Court
OF THE STATE BAR OF ARIZONA,) No. SB-04-0094-D
)
) Disciplinary Commission
) No. 02-1106
DAVID B. APKER,)
Bar No. 004741)
)
RESPONDENT.) **JUDGMENT AND ORDER**

This matter having come on for hearing before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision and no discretionary or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that **DAVID B. APKER**, a suspended member of the State Bar of Arizona, is hereby disbarred from the practice of law, effective the date of this order, for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **DAVID B. APKER** shall pay restitution in the following amount to the following individual:

Mary C. Dobsa: \$ 3,200.00

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(a), which requires that Respondent notify all of his clients, within ten (10) days from the date hereof, of his inability to represent them and that he should promptly inform this Court of his compliance with this Order as provided in Rule 72(e).

IT IS FURTHER ORDERED that Respondent shall comply with all rule provisions regarding reinstatement proceedings.

IT IS FURTHER ORDERED that Respondent shall be assessed costs and expenses of the disciplinary proceedings as provided in Rule 60(b).

DATED this 16th day of August, 2004.

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST

Noel K. Dessaint, Clerk of the Supreme Court
State of Arizona

By Karen Geddes Deputy

NOEL K. DESSAINT
Clerk of the Court

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TO:

David B. Apker, Respondent (Certified Mail, Return Receipt)

Christine M. Powell, Bar Counsel

Frederick K. Steiner, Jr., Hearing Officer

Douglas M. Brooks, Disciplinary Clerk (Cert. Copy)

Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)

William K. Suter, Clerk of the Supreme Court of the United States (Cert. Copy)

Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)

Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)

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