

period of probation, commencing when all parties have signed the probation contract.

- 4) Respondent shall pay all costs associated with probation.
- 5) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information to that effect, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz. R. S. Ct. The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **DEBORAH L. ABERNATHY** for costs and expenses of these proceedings in the amount of \$938.50, together with interest at the legal rate from the date of this judgment.

DATED this 4th day of January, 2006.



NOEL K. DESSAINT
Clerk of the Court

TO:

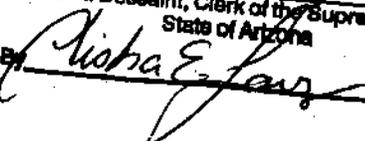
Deborah L. Abernathy, Respondent (Certified Mail, Return Receipt and Regular Mail)
Nancy A. Greenlee, Respondent's Counsel
Roberta L. Tepper, Bar Counsel
Richard N. Goldsmith, Hearing Officer 71
Patricia Seguin, Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (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)
West Publishing Company (Jode Ottman)
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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



Deputy