

- 3) During the period of probation, Respondent shall pay restitution to Denise Barregarye in the amount of \$1,696.00, with interest at the statutory rate of 10% per annum from February 15, 2002. Respondent shall contact the LOMAP director within thirty (30) days of the final judgment and order and submit a scheduled repayment plan. Probation may also be renewed for an additional two (2) years if restitution is outstanding, pursuant to Rule 60(a)5(A).
- 4) Respondent shall pay all costs and expenses associated with compliance with the terms of probation, including those incurred by the State Bar as a result of the administration and enforcement of the terms of probation.
- 5) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5. The Hearing Officer shall conduct a hearing within thirty (30) 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 Respondent shall be assessed costs and expenses of the discipline proceedings as provided in Rule 60(b).

DATED this _____ day of _____, 2004.

CHARLES E. JONES
Chief Justice

TO:

Barbara T. Brown, Respondent (Certified Mail, Return Receipt)
Dana David, Bar Counsel
Geoffrey M.T. Sturr, Hearing Officer 8X
Patricia Seguin, Acting 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)
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