



**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION**

In re

VIOLATION OF GENERAL ORDER 06-03 AND
LOCAL BANKRUPTCY RULE 5005-4

MP. No. 2:10-mp-00132 VZ

(Formerly MI 10-00004 VZ)

**ORDER SANCTIONING EVAN L. SMITH, SBN #101369, FOR FAILING TO COMPLY WITH
GENERAL ORDER 06-03 AND LOCAL
BANKRUPTCY RULE 5005-4:**

**(1) \$50.00 TO BE PAID BY EVAN L. SMITH TO
THE U.S. BANKRUPTCY COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA VIA
CASHIERS' CHECK, NO LATER THAN JULY 30,
2010;**

**(2) A CONTINUING SANCTION IS IMPOSED ON
EVAN L. SMITH OF \$50 PER DOCUMENT FILED
OTHER THAN ELECTRONICALLY VIA CM/ECF
AFTER JULY 1, 2010;**

**(3) BARRING EVAN L. SMITH FROM THE
PRACTICE OF LAW IN THE UNITED STATES
BANKRUPTCY COURT FOR THE CENTRAL
DISTRICT OF CALIFORNIA, EFFECTIVE UPON
THE DATE OF ENTRY OF THIS ORDER; and**

**(4) REFERRING EVAN L. SMITH TO THE STATE
BAR OF CALIFORNIA FOR POSSIBLE FURTHER
INVESTIGATION AND DISCIPLINE**

Hearing Date on Order to Show Cause

DATE: July 13, 2010

TIME: 10:00 a.m.

PLACE: Courtroom 1368, Roybal Federal Bldg
255 E. Temple Street
Los Angeles, CA 90012

On July 13, 2010, a hearing ("Hearing") was held on an Order to Show Cause ("OSC") because

attorney **EVAN L. SMITH, SBN #101369**, was not in compliance with the mandatory electronic filing requirements of General Order 06-03 and Local Bankruptcy Rule 5005-4. No appearance was made by **EVAN L. SMITH**, and no written response to the OSC was filed.

Based upon the findings and conclusions made at the Hearing, **IT IS ORDERED THAT:**

- (1) Cause has not been shown;
- (2) A monetary sanction of \$50.00 must be paid by **EVAN L. SMITH** to be received by the court no later than July 30, 2010, and the form of payment must be by cashiers' check payable to the United States Bankruptcy Court for the Central District of California;
- (3) A continuing sanction is imposed on **EVAN L. SMITH** of \$50 per document filed manually after July 1, 2010, including in person at an intake window or by mail, except as authorized by Local Bankruptcy Rules or the Court Manual or filed in this miscellaneous proceeding;
- (4) **EVAN L. SMITH** is barred from the practice of law in the United States Bankruptcy Court for the Central District of California, effective upon the date of entry of this order;
- (5) The Clerk of Court must transmit a copy of this order to the California State Bar for possible further investigation and discipline of **EVAN L. SMITH**; and
- (6) The Clerk of Court must post a copy of this order on this court's website to be viewable by the public.

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DATED: July 21, 2010

United States Bankruptcy Judge

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*): **ORDER SANCTIONING EVAN L. SMITH, SBN #101369, FOR FAILING TO COMPLY WITH GENERAL ORDER 06-03 AND LOCAL BANKRUPTCY RULE 5005-4:**

- (1) \$50.00 TO BE PAID BY EVAN L. SMITH TO THE U.S. BANKRUPTCY COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA VIA CASHIERS' CHECK, NO LATER THAN JULY 30, 2010;
- (2) A CONTINUING SANCTION IS IMPOSED ON EVAN L. SMITH OF \$50 PER DOCUMENT FILED OTHER THAN ELECTRONICALLY VIA CM/ECF AFTER JULY 1, 2010;
- (3) BARRING EVAN L. SMITH FROM THE PRACTICE OF LAW IN THE UNITED STATES BANKRUPTCY COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, EFFECTIVE UPON THE DATE OF ENTRY OF THIS ORDER; and
- (4) REFERRING EVAN L. SMITH TO THE STATE BAR OF CALIFORNIA FOR POSSIBLE FURTHER INVESTIGATION AND DISCIPLINE

was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF"). Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of **7/21/10**, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below.

(See NEF for confirmation of Electronic Transmission)
U.S. Trustee: ustregion16.la.ecf@usdoj.gov

II. SERVED BY THE COURT VIA U.S. MAIL. A copy of this notice and a true copy of this judgment or order was sent by United States Mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below:

Non-Complying Attorney:

Address on file with Court

Evan L. Smith
50 N. Santa Anita Ave, Suite 750
Arcadia, CA 91006

Address from www.calbar.ca.gov

Evan L. Smith
150 N. Santa Anita Ave, Suite 300
Arcadia, CA 91006

Certificate of Mailing:

This order was sent via U.S. Mail to the Non-Complying Attorney
on the date indicated below:

KATHY J. CAMPBELL, Clerk of Court

DATED: July 21, 2010

/s/ Kim Collins

By: Deputy Clerk