

DON TORGENRUD
DON TORGENRUD, P.C.
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ST. IGNATIUS, MT 59865-0490
Telephone: (406) 745-2711

FILED
BERNARD F. MCCARTHY, CLERK
JUN 10 2004
BANKRUPTCY COURT
by _____
Deputy Clerk

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re

Case No. 03-62471-RBK

FULBRIGHT, WILLIAM E
FULBRIGHT, APRIL D
Debtor(s)

Chapter 7

**TRUSTEE'S NOTICE OF FINAL REPORT
AND PROPOSED DISTRIBUTION**

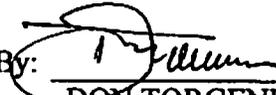
DON TORGENRUD, trustee of the estate of the above-named debtor(s), has filed with the above Court his Application for Final Compensation and Reimbursement of Expenses, and his Final Report of Receipts and Disbursements. Pursuant to Federal Rule of Bankruptcy Procedure 2002(f)(8), notice was mailed to creditors of the time for filing proofs of claim, and the time has now passed for such filings. After having reviewed all proofs of claim which have been filed in this case, the undersigned trustee proposes to distribute the monies in his control belonging to this estate, which total the sum of \$8,379.93, as follows:

- A. To DON TORGENRUD, Trustee, fees of \$1,587.99 and expenses of \$200.00.
- B. To professional(s) employed by the estate: \$0.00 for accounting and attorney fees and expenses.
- C. To the Clerk of the U.S. Bankruptcy Court, costs of \$0.00.
- D. To the following allowed unsecured claimants who filed timely proofs of claim, on a pro rata basis, the balance of \$6,591.94 which represents a dividend of 1.94 percent:

- 1. To HARRY YASKUS, DDS in the amount of \$11.31, paid on its proof of claim in the amount of \$581.35.
- 2. To ECAST SETTLEMENT CORP ASSIGNEE OF in the amount of \$29.18, paid on its proof of claim in the amount of \$1,500.55.
- 3. To CAPITAL ONE BANK in the amount of \$9.10, paid on its proof of claim in the amount of \$467.64.
- 4. To US DEPARTMENT OF EDUCATION in the amount of \$1,672.47, paid on its proof of claim in the amount of \$85,992.70.
- 5. To DELIA L. GOMEZ in the amount of \$4,869.88, paid on its proof of claim in the amount of \$250,391.95.

1
2 NOTICE: ANY CREDITOR OR PARTY IN INTEREST WHO HAS AN OBJECTION TO
3 THE ABOVE-PROPOSED DISTRIBUTION MUST FILE SUCH OBJECTION WITH THE
4 UNITED STATES BANKRUPTCY COURT AND SERVE A COPY OF THE SAME ON THE
5 UNDERSIGNED TRUSTEE AND ON THE OFFICE OF THE UNITED STATES TRUSTEE
6 AND REQUEST A HEARING WITHIN TWENTY (20) DAYS OF THE DATE OF THE
7 FILING OF THIS NOTICE WITH THE CLERK OF THE UNITED STATES BANKRUPTCY
8 COURT.

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DATED: June 2, 2004

By: 
DON TORGENRUD

In re William E. Fulbright and April D. Fulbright / Debtor

Case No. 03-62471-7-RBK
(If known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State. H—Husband W—Wife J—Joint C—Community	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No. 12789 Creditor #: 4 Bitterroot Valley Eye Assoc 300 N 10th St #A Hamilton MT 59840	J	Medical bills				\$ 75.00
Account No. 8592989431 Creditor #: 5 BMG Music Service P O Box 91545 Indianapolis IN 46291-0545	J	Purchase of goods				\$ 41.00
Account No. Creditor #: 6 Julie Calhoun 426A Railroad Ave Lodi CA 95240	H	Potential Claim	X	X	X	UNKNOWN
Account No. 4121741415485692 Creditor #: 7 Capitol One P O Box 85015 Richmond VA 23285-5015	J	Credit card purchases				\$ 659.00
Account No. Representing: Capitol One		AllianceOne Inc P O Box 719002 San Diego CA 92171-9002				
Account No. Representing: Capitol One		Associated Recovery Stystems P O Box 463023 Escondido CA 92046-3023				
Account No. 4791241522223192 Creditor #: 8 Capitol One P O Box 85015 Richmond VA 23285-5015	J	Credit card purchases				\$ 1,542.00

Sheet no. 1 of 8 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal \$
(Total of this page)

\$ 2,317.00

Total \$

(Use only on last page and on Summary of Schedules)

In re William E. Fulbright and April D. Fulbright / Debtor

Case No. 03-62471-7-RBK
(If known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i t e d	D i s p u t e d	Amount of Claim
Account No. Representing: Capitol One		Viking Collection Service SW P O Box 7366 Phoenix AZ 85011-7366				
Account No. 529107041448823 Creditor #: 9 Capitol One P O Box 85015 Richmond VA 23285-5015	J	Credit card purchases				\$ 1,017.00
Account No. Representing: Capitol One		Collectech Systems P O Box 16336 West Palm Beach FL 33416-6336				
Account No. 50234987118 Creditor #: 10 Columbia House P O Box 1131 Terre Haute IN 47811-1131	J	Purchase of goods				\$ 96.00
Account No. Representing: Columbia House		Dymacol Inc P O Box 9017 Oceanside NY 11572-9017				
Account No. Representing: Columbia House		North Shore Agency 751 Summa Ave Westbury NY 11590				
Account No. 240674939 Creditor #: 11 FedEx P O Box 1140 Memphis TN 38101-1140	H	Services Performed				\$ 51.00

Sheet no. 2 of 8 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal \$
(Total of this page)

\$ 1,164.00

Total \$

(Use only on last page and on Summary of Schedules)

In re William E. Fulbright and April D. Fulbright / Debtor

Case No. 03-62471-7-RBK
(if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	Code of H—Husband W—Wife J—Joint C—Community	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	Contingent	Unliquidated	Disputed	Amount of Claim
Account No. CV017148 Creditor #: 12 Dee Gomez c/o A Edward Fields, Attorney 1860 Howe Ave #130 Sacramento CA 95825	H	Professional Liability Claim		X	X	\$ 250,392.00
Account No. 5488975016858576 Creditor #: 13 Household Bank P O Box 98715 Las Vegas NV 89193-8715	J	Credit card purchases				\$ 453.00
Account No. 546531195 Creditor #: 14 Internal Revenue Service 600 17th St Stop 5028 DEN Denver CO 80202-5402	J	1997 Federal Income Taxes Tax Year 1997				\$ 18,184.00
Account No. 546531195 Creditor #: 15 Internal Revenue Service 600 17th St Stop 5028 DEN Denver CO 80202-5402	J	1998 Federal Income Taxes Tax Year 1998				\$ 11,082.00
Account No. CV014374 Creditor #: 16 Monica R Larkin c/o Mark Regalbuti, Atty 1810 S St Sacramento CA 95814	H	Professional Liability Claim		X	X	\$ 55,370.00
Account No. Creditor #: 17 Rita Lopez 1825 Colette Lodi CA 95242	H	Potential Claim		X	X	UNKNOWN
Account No. WUL2095241 Creditor #: 18 Med-Cor P O Box 36228 San Jose CA 95158	H	Services Performed				\$ 49.00

Sheet no. 3 of 8 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal \$
(Total of this page)

\$ 335,530.00

Total \$

(Use only on last page and on Summary of Schedules)

In re William E. Fulbright and April D. Fulbright / Debtor

Case No. 03-62471-7-RBK
(If known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i t e d	D i s p u t e d	Amount of Claim
Account No. 108160.2I Creditor #: 19 Murphy Pearson et al Attorneys at Law 88 Kearny St 10th Floor San Francisco CA 94108-5530	H	1998 Legal Services				\$ 2,648.00
Account No. 0062102901264151138 Creditor #: 20 National Credit Audit Corp 8600 N Industrial Rd Peoria IL 61615	J	Purchase of goods				\$ 18.00
Account No. Creditor #: 21 Carol Noviskie 622 Paloma Stockton CA 95210	H	Potential Claim	X	X	X	UNKNOWN
Account No. FU7 Creditor #: 22 Peter F Silcher, DDS 1116 W Main St Hamilton MT 59840-2336	J	Medical bills				\$ 3,112.00
Account No. 810066947 Creditor #: 23 Practitioners Publishing Co P O Box 966 Fort Worth TX 76101-0966	H	2000 Purchase of goods				\$ 144.00
Account No. 4245490301091722 Creditor #: 24 Providian Bancorp First Deposit National Bank P O Box 9016 Pleasanton CA 94566	J	Credit card purchases				\$ 2,147.00
Account No. Representing: Providian Bancorp		United Creditors Alliance P O Box 4012 Reynoldsburg OH 43068-9012				

Sheet no 4 of 8 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal \$
(Total of this page)

\$ 8,069.00

Total \$

(Use only on last page and on Summary of Schedules)

In re William E. Fulbright and April D. Fulbright / DebtorCase No. 03-62471-7-RBK
(If known)**SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g u e n t	D i s p u t e d	Amount of Claim
Account No. 4121370501995834 Creditor #: 25 Providian Bancorp First Deposit National Bank P O Box 9016 Pleasanton CA 94566	J	Credit card purchases			\$ 1,118.00
Account No. Representing: Providian Bancorp		Providian P O Box 660565 Dallas TX 75266-9579			
Account No. Representing: Providian Bancorp		Providian P O Box 99604 Arlington TX 76096-9604			
Account No. Creditor #: 26 Richard Nolan, MD P O Box 4634 Hayward CA 94540-4634	H	1999 Services Performed			\$ 6,850.00
Account No. BEALO000 Creditor #: 27 Richard Nolan, MD P O Box 4634 Hayward CA 94540-4634	H	1999 Services Performed		X	\$ 950.00
Account No. Creditor #: 28 Richard Nolan, MD P O Box 4634 Hayward CA 94540-4634	J	1999 Medical bills			\$ 3,608.00
Account No. Representing: Richard Nolan, MD		American Revenue Management P O Box 2122 Oakland CA 94621			

Sheet no. 5 of 8 sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority ClaimsSubtotal \$
(Total of this page)

\$ 12,526.00

Total \$

(Use only on last page and on Summary of Schedules)

In re William E. Fulbright and April D. Fulbright / Debtor

Case No. 03-62471-7-RBK
(If known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i d a t e d	D i s p u t e d	Amount of Claim
Account No. TAYST000 Creditor #: 29 Richard Nolan, MD P O Box 4634 Hayward CA 94540-4634	H	1999 Services Performed			X	\$ 800.00
Account No. 074776493 Creditor #: 30 Rodan & Fields P O Box 11448 Des Moines IA 50336-1448	J	Purchase of goods				\$ 46.00
Account No. CV002915 Creditor #: 31 San Joaquin Superior Court Rosario Javier, Acct Auditor 222 E Weber 3rd Floor Stockton CA 95202	H	Potential Claim			X	\$ 250.00
Account No. 1320152257 Creditor #: 32 The Billing Center P O Box 60001 Tampa FL 33660-0001	J	Purchase of goods				\$ 49.00
Account No. 0000V1W106 Creditor #: 33 United Parcel Service P O Box 505820 The Lakes NV 88905-5820	H	Services Performed				\$ 123.00
Account No. Representing: United Parcel Service		OSI Collection Services Inc P O Box 6110 Westerville OH 43086-6110				
Account No. 286977491 Creditor #: 34 Universal Fidelity Corp P O Box 941829 Houston TX 77094-8829	J	Purchase of goods				\$ 39.00

Sheet no. 6 of 8 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal \$
(Total of this page)

\$ 1,307.00

Total \$

(Use only on last page and on Summary of Schedules)

In re William E. Fulbright and April D. Fulbright / Debtor

Case No. 03-62471-7-RBK
(If known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State.	C o n t i n g e n t	U n l i q u i t e d	D i s p u t e d	Amount of Claim
Account No. 546531195 Creditor #: 35 US Department of Education P O Box 4169 Greenville TX 75403-4169	H	1988 Student Loan			X	\$ 107,145.00
Account No. Representing: US Department of Education		Aman Collection Services P O Box 1149 Aberdeen SD 57402-1149				
Account No. Representing: US Department of Education		General Revenue Corporation P O Box 495999-0136 Cincinnati OH 45249				
Account No. 546531195 Creditor #: 36 US Department of Education P O Box 4169 Greenville TX 75403-4169	H	Duplicate Entry for Notice			X	\$ 0.00
Account No. Representing: US Department of Education		USA Servicing Corp P O Box 6180 Indianapolis IN 46206-6180				
Account No. Creditor #: 37 V/G Associates 16478 Beach Blvd #423 Westminster CA 92683	H	1997 Services Performed				\$ 901.00
Account No. Creditor #: 38 Valley Copy Service 4701 North Star Way Modesto CA 95356	H	Services Performed				\$ 631.00

Sheet no. 7 of 8 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal \$
(Total of this page)

\$ 108,677.00

Total \$

(Use only on last page and on Summary of Schedules)

In re William E. Fulbright and April D. Fulbright / Debtor

Case No. 03-62471-7-RBK
(if known)

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

Creditor's Name and Mailing Address including Zip Code	C o d e b t o r	Date Claim was Incurred, and Consideration for Claim. If Claim is Subject to Setoff, so State. H—Husband W—Wife J—Joint C—Community	C o n t r i b u t e	U n i q u e	D i s p u t e	Amount of Claim
Account No. 1255 Creditor #: 39 Harry Yaskus, DDS 203 Barbara St Stevensville MT 59870	J	Medical bills				\$ 554.00
Account No. Creditor #: 40 Michael Yates, DC 932 Interlaken Dr Lodi CA 95242	H	Services Performed				\$ 1,500.00
Account No.						
Account No.						
Account No.						
Account No.						
Account No.						

Sheet no. 8 of 8 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal \$
(Total of this page)

\$ 2,054.00

Total \$

(Use only on last page and on Summary of Schedules)

\$ 474,370.00

Ravalli County attorney race: Malpractice lawsuits a factor in Fulbright bankruptcy

By [PERRY BACKUS - Ravalli Republic](#) RavalliRepublic.com | Posted: Monday, September 6, 2010 10:00 pm

Ravalli County attorney candidate Bill Fulbright told supporters in August that a battle over student loan payments had forced him to file Chapter 7 bankruptcy in 2003.

He didn't tell them the bankruptcy included a \$250,392 professional malpractice claim from a lawsuit filed the year before in California.

Fulbright is running as a Republican candidate against incumbent Ravalli County Attorney George Corn. He currently serves as a deputy county attorney.

Last month, Fulbright volunteered information about the bankruptcy in a letter to supporters on his website and in an interview with the Ravalli Republic.

He said his family's decision to file bankruptcy was the result of a 10-year "running battle" with the Federal Student Loan Commission over its decision to capitalize interest on his student loans.

Bankruptcy documents filed in Butte indicate that 64 percent of the unsecured debt Fulbright asked to discharge was included in two professional liability claims.

Dee Gomez of Sacramento, Calif., secured a claim of \$250,392 in the bankruptcy filing.

Gomez sued Fulbright in 2002 for failing to "exercise reasonable care and skill in undertaking to perform legal services" when he was practicing in Lodi, Calif.

Court documents indicate that Fulbright was served court papers in November 2002 and when he failed to respond, the court entered a default judgment against him for \$250,000, plus costs in April 2003.

Gomez was eventually awarded \$4,869 on her claim in Fulbright's bankruptcy.

Monica R. Larkin sued Fulbright in 2001 for \$55,370. Larkin said he "negligently failed to serve the summons and complaint in San Joaquin County Supreme Court" and that he "did not possess the necessary expertise to handle such a case."

San Joaquin Superior Court documents showed Fulbright was served with court papers in November 2001 and March 2002 in the Larkin case.

Larkin's attorney filed a motion for a default in March 2002, but no judgment was made before Fulbright filed bankruptcy in September 2003.

Both cases were stayed following the bankruptcy filing.

Fulbright said Monday he didn't know the Larkin case had been filed in superior court.

"I was never served in that case," he said.

Fulbright said he didn't remember the details of the Gomez case, except that it involved a personal injury.

"She was an unhappy client ... after practicing law for 10 years, you get people who are mad at you," Fulbright said. "It happens."

Fulbright said he and his family had already moved to Montana when the two cases were filed.

In the Gomez case, Fulbright said his family decided bankruptcy was their only option when the lawsuit was filed and he decided not to return to California to fight it.

"At that point, we knew that bankruptcy was the only option left," he said.

Fulbright told the Ravalli Republic in August that he decided to volunteer information about his bankruptcy after hearing the issue was being discussed in the local rumor mill.

"An attorney came up to me and said, 'So I heard you filed bankruptcy to get out from under your student loans,'" Fulbright told the Republic. "That was not my motivation for filing bankruptcy. That's completely off-base."

Fulbright said he disputed accounting by the Federal Student Loan Commission that capitalized interest which resulted in a doubling of the principal balance over a 10-year period.

By filing bankruptcy, Fulbright said he was able to sue the student loan commission to "stop the madness."

Fulbright filed a Chapter 7 bankruptcy, which allows a debtor to turn over all non-exempt property to a bankruptcy trustee who then converts it to cash for distribution to creditors. Other debts are wiped clean.

Court records said Fulbright listed \$474,145 in unsecured nonpriority claims, which included \$107,145 in student loans and \$305,762 in professional liability claims.

A bankruptcy judge ruled in January 2005 that Fulbright had failed to show that repaying his student loans would impose an undue hardship on his family, considering the fact he tithes \$430 a month in voluntary religious contributions to his church.

Judge Ralph Kirscher also said Fulbright had never applied for available repayment programs. The judge ordered him to repay loans of \$91,337, plus accruing interest.

"Fulbright is not entitled to equitable relief because he has not acted equitably or availed himself of available relief," Kirscher wrote.

In August, Fulbright said he continues to pay on his student loans.

Fulbright began working at the Ravalli County Attorney's Office in 2002. He was named Montana Prosecutor of the Year in 2007.

Reporter Perry Backus can be reached at 363-3300 or pbackus@ravallirepublic.com.

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County Attorney candidate addresses bankruptcy issue

By Michael Howell, Bitterroot Star October 13, 2010

Last August, candidate for County Attorney William Fulbright, who currently serves as a Deputy County Attorney, issued a statement to his followers and to the Ravalli Republic newspaper about the circumstances leading to his filing a Chapter 7 Bankruptcy Petition in 2003. He claimed to be motivated by rumors floating around the community that he intended "to address head on."

In that statement Fulbright said that his decision to file for bankruptcy had to do with a "10 year running battle with the Federal Student Loan Commission" which created a "ripple effect" culminating in the bankruptcy.

"My law practice was not involved in the bankruptcy, as all taxes, wages, overhead and other bills for my law practice were separate and apart, and paid in full," wrote Fulbright.

Fulbright also wrote that "as a result of this ripple" he also had issues with the IRS. He said subsequent to the bankruptcy filing all the secured debt, including the IRS, had been paid off and he was making payments on his student loans.

What Fulbright failed to address in his public announcement were some unsecured debts that were related to his law practice in California prior to moving to Montana in 1998. A few of these, related to malpractice lawsuits against Fulbright, were revealed in an article in a daily newspaper (Ravalli Republic, September 6, 2010). One was a default judgment of \$55,370 (March 2002) in a malpractice suit brought by Monica Larson. This debt was fully discharged in the bankruptcy. Another was \$250,392 in a default judgment to Dee Gomez, also a malpractice suit. All but \$4,869.88 of that judgment was discharged in the bankruptcy.

Fulbright readily agreed to an interview with the Bitterroot Star to address the issue and offered unreserved responses to every question asked.

Fulbright said in the interview that he practiced law in California from 1988 to 1998, primarily in San Joaquin County. He said that he and his wife decided to move to Montana in 1998 and he worked as an attorney in private practice and briefly for Missoula County before accepting his current job at the Ravalli County Attorney's office in 2002. He filed for bankruptcy about a year after taking the job with Ravalli County.

Fulbright said that he was glad to have the opportunity to be interviewed because he wanted to address the "the misimpression that a malpractice suit triggered his decision to file for bankruptcy."

He reiterated his claim that the real motivation to filing the bankruptcy was to "provide a forum to take on the Department of Education over the handling of his student loan debt." He said that his initial statement was aimed at explaining his "real motivation" for filing and that was why he didn't mention the debts over the lawsuits.

"It pains me to see how that was being taken," he said.

He said that in 2003, when he finally made the decision after examining every alternative and consulting with an attorney, he was advised by his attorney not to return to California to fight the Gomez case. He said he was advised to let the default judgment go down and add it to the bankruptcy. He said that he was inclined to go back and defend himself, but took his attorney's advice. He said that he was never served in the Larson case. He said the records show there were a few failed attempts at service.

However, when shown the documents indicating that he was served in that case by a process server out of Missoula on October 17, 2001, Fulbright quickly agreed, saying he obviously must have been served but he still doesn't remember.

Upon examination of Fulbright's record of practice before the Superior Court of California, County of San Joaquin, in Stockton, it becomes evident that another discharge of legal fees in his bankruptcy is also related to a malpractice lawsuit, this one filed by a man named Alan Cheney. Cheney claims that Fulbright failed to protect ownership of his farming lease in bankruptcy proceedings when he knew beforehand that retaining the lease was fundamental in Cheney's being able to successfully perform following bankruptcy.

Fulbright discharges \$2,648 in fees to the attorney who represented him against Cheney in the malpractice lawsuit. That suit, which was filed against Fulbright in 1998, asked for \$1 million in damages. It was settled out of court and dismissed in January of 2000 with Fulbright's insurance carrier paying the full limit of the policy.

Asked if he thought he had suffered from an unusual amount of major malpractice suits, Fulbright said, "For that area of practice (personal injury), in that geographic area, it's (this number of malpractice suits) not unusual. As for being major, it's like a toothache, if it's not you it might be considered minor, but if it's you it always seems major."

Aside from these three malpractice suits, there are four other "potential claims" in which Fulbright discharged other debts.

He discharged a debt of \$250 to the San Joaquin Superior Court. The court sanctioned Fulbright when he failed to appear in a case where he represented Sandra Bauer.

The other three were debts of an "unknown amount" for "potential claims." One of those, to Carol Noviskie, is related to a case that was filed in 2000 charging Fulbright for failing to bring her case to trial in time and failing to proceed with reasonable diligence. There is no record yet of any filing by the other two "potential claimants" named Julie Calhoun and Rita Lopez.

Although not listed in his bankruptcy schedule, San Joaquin Court records show that several of the cases that Fulbright was handling in California were dismissed for untimely action, failure to appear at show cause hearings, failure to respond to discovery request, or such. In some of those cases either Fulbright or his client was sanctioned by the Court.

Asked if he had left some clients in the lurch when he moved to Montana, or if this showed a pattern of failure to perform on his part, Fulbright said that in his beginning years as a private attorney dealing mainly with personal injury claims he found it hard to tell people to go away after an initial consultation.

He said that he took a lot of cases and made initial filings to protect his clients' standing only to find out after some work and time was put in that there weren't really good grounds for proceeding for one reason or another. He said that in retrospect he should probably just have said 'no' to begin with, in cases like that.

Fulbright, a Republican, is running against his boss, County Attorney George Corn, a Democrat, in the upcoming election.

MCDERMOTT, WILL & EMERY
ATTORNEYS AT LAW
LOS ANGELES

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FILED *PE*
SUPERIOR COURT - STOCKTON
00 JUL 10 AM 9:50
PAMELA HILLSAP, CLERK
Pamela Edwards

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN JOAQUIN STOCKTON BRANCH

CAROL NOVISKIE,

Plaintiff,

v.

PLAYTEX PRODUCTS, INC., a
foreign corporation; CONFAB,
INC., a foreign corporation;
PLATE TEMKIN BROKERAGE, INC.,
a California Corporation;
LONGS DRUG STORES CALIFORNIA,
INC., a California
Corporation; and DOES 1 to 25,

Defendants.

CASE NO. SV210389

[PROPOSED] JUDGMENT

PLATE TEMKIN BROKERAGE, INC.,

Cross-Complainant,

v.

PLAYTEX PRODUCTS, INC., CONFAB,
INC., LONGS DRUG STORES
CALIFORNIA, INC., CAROL
NOVISKIE,

Cross-Defendants.

MCDERMOTT, WILL & EMERY
ATTORNEYS AT LAW
LOS ANGELES

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 The motion of defendants and cross-defendants Playtex
3 Products, Inc., Confab, Inc. and Longs Drug Stores California,
4 Inc. (collectively "defendants") for an order dismissing this
5 action, and for a judgment of dismissal based thereon pursuant to
6 California Code of Civil Procedure sections 583.130, 583.410, and
7 583.420(a)(2), and California Rule of Court 372 and 373 was set
8 for hearing on June 13, 2000. Defendant Plate Temkin Brokerage,
9 Inc. joined in the motion. The Court having considered the
10 papers filed in support of, and having received no opposition to,
11 the motion provided a tentative ruling granting the motion in its
12 entirety on June 12, 2000. No request was made for oral argument
13 and the matter was automatically submitted on the tentative, so
14 that the tentative ruling became the final ruling of the Court.

15 ACCORDINGLY, THE COURT HEREBY ADJUDGES AND DECREES THAT
16 JUDGMENT IS GRANTED in favor of defendants Playtex Products,
17 Inc.; Confab, Inc.; Longs Drug Stores California, Inc.; and Plate
18 Temkin Brokerage, Inc. and against plaintiff Carol Noviskie on
19 all causes of action. Defendants are awarded their costs of suit
20 as follows: Defendants Playtex Products, Inc.; Confab, Inc.; and
21 Longs Drug Stores California, Inc. are awarded costs of
22 \$ TO BE DETERMINED; and defendant Plate Temkin Brokerage, Inc. is
23 awarded costs of \$ _____.

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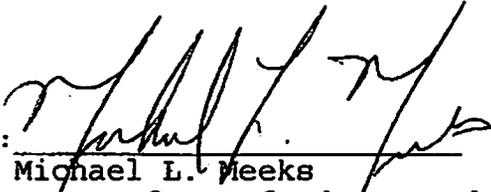
Dated: JUL 10 2000


SUPERIOR COURT JUDGE

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Presented by:

McDERMOTT, WILL & EMERY
Terese Mosher-Beluris
Michael L. Meeks

By: 
Michael L. Meeks
Attorneys for Defendants and
Cross-defendants Playtex Products,
Inc., Confab, Inc., and Longs
Drug Stores California, Inc.

McDERMOTT, WILL & EMERY
ATTORNEYS AT LAW
LOS ANGELES

1 **PROOF OF SERVICE**

2 I, Donna Christine Cupp, declare:

3 I am a resident of the State of California and over the age of eighteen years, and
4 not a party to the within action; my business address is 2049 Century Park East, 34th Floor, Los
5 Angeles, CA 90067-3208. On June 26, 2000, I served the within documents:

6 PROPOSED JUDGMENT

- 7 by transmitting via facsimile the document(s) listed above to the fax number(s) set
8 forth below on this date before 5:00 p.m.
- 9 by placing the document(s) listed above in a sealed envelope with postage thereon
10 fully prepaid, in the United States mail at Los Angeles, California addressed as set
11 forth below.
- 12 by causing personal delivery by _____ of the document(s) listed above
13 to the person(s) at the address(es) set forth below.
- 14 by placing the document(s) listed above in a sealed _____ envelope
15 and affixing a pre-paid air bill, and causing the envelope to be delivered to a
16 _____ agent for delivery
- 17 by personally delivering the document(s) listed above to the person(s) at the
18 address(es) set forth below.

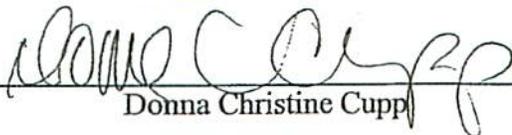
19 **William E. Fulbright, Esq.**
20 **1200 W. Tokay Street**
21 **Lodi, CA 95240**

22 Robert Amos, Esq.
23 2350 Mission College Boulevard
24 Suite 310
25 Santa Clara, CA 95054

26 I am readily familiar with the firm's practice of collection and processing
27 correspondence for mailing. Under that practice it would be deposited with the U.S. Postal
28 Service on that same day with postage thereon fully prepaid in the ordinary course of business. I
am aware that on motion of the party served, service is presumed invalid if postal cancellation
date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the
above is true and correct.

Executed on June 26, 2000, at Los Angeles, California.

29 
30 _____
31 Donna Christine Cupp

ORIGINAL

1 TERESE A. MOSHER-BELURIS (#108746)
2 MICHAEL L. MEEKS (#17200)
3 McDERMOTT, WILL & EMERY
4 2049 Century Park East, 34th Floor
5 Los Angeles, CA 90067-3208
6 Telephone: 310-277-4110
7 Facsimile: 310-277-4730

FILED
SUPERIOR COURT-STOCKTON
00 APR 28 PM 3:25

CLERK
Kathy Talone
BY _____
DEPUTY

8 Attorneys for Defendants and Cross-
9 Defendants PLAYTEX PRODUCTS, INC.,
10 CONFAB, INC. and LONGS DRUG STORES
11 CALIFORNIA, INC.

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 FOR THE COUNTY OF SAN JOAQUIN STOCKTON BRANCH

14 CAROL NOVISKIE,

15 Plaintiff,

16 v.

17 PLAYTEX PRODUCTS, INC., a
18 foreign corporation; CONFAB,
19 INC., a foreign corporation;
20 PLATE TEMKIN BROKERAGE, INC.,
21 a California Corporation;
22 LONGS DRUG STORES CALIFORNIA,
23 INC., a California
24 Corporation; and DOES 1 to 25,

25 Defendants.

26 PLATE TEMKIN BROKERAGE, INC.,

27 Cross-Complainant,

28 v.

PLAYTEX PRODUCTS, INC., CONFAB,
INC., LONGS DRUG STORES
CALIFORNIA, INC., CAROL
NOVISKIE,

Cross-Defendants.

CASE NO. SV210389

NOTICE OF MOTION AND MOTION TO
DISMISS FOR DELAY IN
PROSECUTION; MEMORANDUM OF
POINTS AND AUTHORITIES;
DECLARATION OF TERESE A.
MOSHER-BELURIS

DATE: June 13, 2000
TIME: 9:00 a.m.
DEPT: 11

JBS/S

DATE ACTION FILED: 2/6/97

DATE SET FOR TRIAL: NONE

McDERMOTT, WILL & EMERY
ATTORNEYS AT LAW
LOS ANGELES

McDERMOTT, WILL & EMERY
ATTORNEYS AT LAW
LOS ANGELES

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

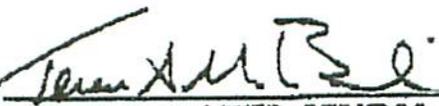
YOU ARE HEREBY NOTIFIED that on June 13, 2000 at 9:00 a.m. in Department No. 11 of this Court, located at 222 East Weber Avenue, Room 303, Stockton, California, defendants and cross-defendants Playtex Products, Inc., Confab, Inc. and Longs Drug Stores California, Inc. (collectively "defendants") will and hereby do move the court for an order dismissing this action, and for a judgment of dismissal based thereon pursuant to California Code of Civil Procedure sections 583.130, 583.410, and 583.420(a)(2), and California Rule of Court 372 and 373.

Dismissal is appropriate because plaintiff and cross-defendant Carol Noviskie ("plaintiff") has failed to bring this action to trial within two (2) years of filing and has failed to proceed with reasonable diligence in prosecuting this action.

This motion will be based on this Notice of Motion and Motion, the Memorandum of Points and Authorities in support hereof, the declaration of Terese A. Mosher-Beluris, the complete files and records of this case, and such other pleadings, evidence, and oral argument as may be presented at the hearing of this motion.

Dated: April 27, 2000

McDERMOTT, WILL & EMERY

By 
TERESE A. MOSHER-BELURIS
Attorneys for Defendants and
Cross-Defendants PLAYTEX
PRODUCTS, INC., CONFAB, INC.
and LONGS DRUG STORES
CALIFORNIA, INC.

THE STATE BAR OF CALIFORNIA

William Emerson Fulbright - #137660

Current Status: Not eligible to practice law (Not Entitled)

See below for more details

Profile Information

Bar Number	137660	Phone Number	(406) 375-6222
Address	Ravalli County Atty's Ofc 205 Bedford St #C Hamilton, MT 59840	Fax Number	Not Available
		e-mail	Not Available
District	Outside California	Undergraduate School	California St Univ Chico; Chico CA
County	Non-California	Law School	Willamette Univ COL; Salem OR
Sections	None		

Status History

Effective Date	Status Change
<i>Present</i>	Not Eligible To Practice Law
7/1/2009	Not Eligible To Practice Law
1/1/2000	Inactive
5/7/1993	Active
1/1/1993	Inactive
12/7/1988	Admitted to The State Bar of California

Evolution of member status

Actions Affecting Eligibility to Practice Law

Effective Date Description Case Number Reporting Status

Disciplinary and Related Actions

This member has no public record of discipline.

Administrative Actions

7/1/2009	Suspended, failed to pay Bar membr. fees	Not Eligible To Practice Law
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