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8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE CEMETERY AND FUNERAL BUREAU**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. A1 2013 270

13 **SUTTER STREET MEMORIAL**
14 **CHAPEL, INC.**
15 **520 N. SUTTER STREET**
STOCKTON, CA 95202
16 **FRANK BORGES, PRES.**
MICHAEL HERRING, VP., MANAGER
17 **Funeral Establishment License No. FD 2006**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

18 **MICHAEL CHARLES HERRING**
19 **299 S. Bern Avenue**
Stockton, CA 95215
20 **Funeral Director License No. FDR 2266**

21 Respondents.

22 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
23 entitled proceedings that the following matters are true:

24 PARTIES

25 1. Lisa M. Moore (Complainant) is the Bureau Chief of the Cemetery and Funeral
26 Bureau. She brought this action solely in her official capacity and is represented in this matter by
27 Kamala D. Harris, Attorney General of the State of California, by Elena L. Almanzo, Deputy
28 Attorney General.

1 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
2 copies of this Stipulated Surrender of License and Order, including Portable Document Format
3 (PDF) and facsimile signatures thereto, shall have the same force and effect as the originals.

4 15. This Stipulated Surrender of License and Order is intended by the parties to be an
5 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
6 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
7 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
8 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
9 executed by an authorized representative of each of the parties.

10 16. In consideration of the foregoing admissions and stipulations, the parties agree that
11 the Director may, without further notice or formal proceeding, issue and enter the following
12 Order:

13 **ORDER**

14 IT IS HEREBY ORDERED that Funeral Establishment License No. FD 2006, and Funeral
15 Director License No. FDR 2266 issued to Respondent Sutter Street Memorial Chapel, and
16 Michael Charles Herring, are surrendered and accepted by the Director of Consumer Affairs.

17 1. The surrender of Respondents' Funeral Establishment License and Funeral Director
18 License and the acceptance of the surrendered license by the Bureau shall constitute the
19 imposition of discipline against Respondents. This stipulation constitutes a record of the
20 discipline and shall become a part of Respondents' license history with the Cemetery and Funeral
21 Bureau.

22 2. Respondent shall lose all rights and privileges as a Funeral Establishment and Funeral
23 Director in California as of the effective date of the Director's Decision and Order.

24 3. Respondents shall cause to be delivered to the Bureau their original wall licenses and
25 all renewal licenses on or before the effective date of the Decision and Order.

26 4. If they ever apply for licensure or petition for reinstatement in the State of California,
27 the Bureau shall treat it as a new application for licensure. Respondents must comply with all the
28 laws, regulations and procedures for licensure in effect at the time the application or petition is

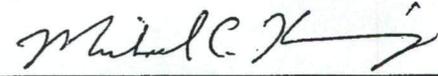
1 filed, and all of the charges and allegations contained in Accusation No. A1 2013 270 shall be
2 deemed to be true, correct and admitted by Respondents when the Director determines whether to
3 grant or deny the application or petition.

4 5. Respondent shall pay the agency its costs of investigation and enforcement in the
5 amount of \$4,097.50 prior to issuance of a new or reinstated license.

6 ACCEPTANCE

7 I have carefully read the Stipulated Surrender of License and Order. I understand the
8 stipulation and the effect it will have on my Funeral Establishment License, and Funeral Director
9 License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and
10 intelligently, and agree to be bound by the Decision and Order of the Director of Consumer
11 Affairs.

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13 DATED: 06/01/2015



14 SUTTER STREET MEMORIAL CHAPEL
15 and MICHAEL, CHARLES HERRING
16 Respondents
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**BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
FOR THE CEMETERY AND FUNERAL BUREAU
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**SUTTER STREET MEMORIAL
CHAPEL, INC.**
520 N. Sutter Street
Stockton, CA 95202
FRANK BORGES, PRES.
MICHAEL HERRING, VP., MANAGER
Funeral Establishment License No. FD 2006

MICHAEL CHARLES HERRING
299 S. Bern Avenue
Stockton, CA 95215
Funeral Director License No. FDR 2266

Case No. A1 2013 270

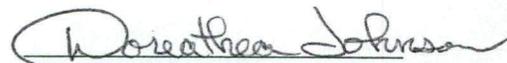
Respondents.

DECISION AND ORDER

The attached Stipulated Surrender of Licenses and Order is hereby adopted by the Director of Consumer Affairs and the Cemetery and Funeral Bureau as the Decision and Order in the above entitled matter.

This Decision shall become effective July 20, 2015.

IT IS SO ORDERED July 8, 2015.



DOREATHEA JOHNSON
Deputy Director, Legal Affairs
Department of Consumer Affairs

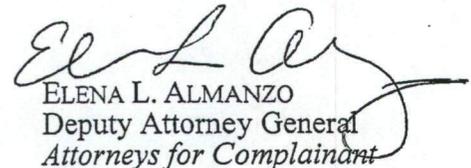
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ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Director of Consumer Affairs.

Dated: 6/8/15

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
KENT D. HARRIS
Supervising Deputy Attorney General


ELENA L. ALMANZO
Deputy Attorney General
Attorneys for Complainant

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