

JAMES S. LINK
COUNSELOR & ADVOCATE AT LAW
215 N. MARENGO, 3RD FLOOR
PASADENA, CA 91101-1504
(626) 793-9570

CERTIFIED SPECIALIST:
APPELLATE LAW

FAX (626) 356-7414

January 27, 2006

Hon. Kathleen E. O'Leary, Acting Presiding Justice
Hon. Eileen C. Moore, Associate Justice
Raymond J. Ikola, Associate Justice
Division Three
925 North Spurgeon Street
Santa Ana CA 92701

Via fax and Mail

Re: *Charles Benninghoff v. The Superior Court of Orange County, Respondent; The State Bar of California, Real Party in Interest* (Case No. G035923)

Petitioner's Request for Temporary Stay Pending Final Resolution

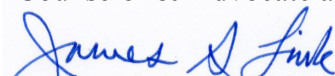
Honorable Presiding and Associate Justices:

At the oral argument on January 23, 2006, the State Bar of California admitted that it had "made a mistake" when it wrongfully confiscated Mr. & Mrs. Benninghoff's federal administrative procedure business. Further, Mr. Torres-Gil stated that the Bar never had jurisdiction in the first place over this matter. Mr. Torres-Gil is the **second** attorney from the Bar to make these statements, the first being Mr. Zanassi in the opposition to the application for temporary stay that we filed with this Court.

By this letter, I am requesting that Your Honors issue an immediate temporary partial stay of the June 17, 2005 Order For The Assumption Of The Law Practice Of Charles F. Benninghoff, pending final resolution of these proceedings, ordering the return of Mr. and Mrs. Benninghoff's federal administrative procedure business, their files and property pertaining to the same and the telephone numbers 949-240-3000 and 949-240-9300.

My clients are small business owners and, as indicated in Mr. Benninghoff's declaration filed in opposition to the request for the State Bar to continue the oral argument, they now have no business. With the twice admitted lack of jurisdiction by the Bar there is no support of that portion of the June 17, 2005 Order seizing the federal practice and the telephone numbers associated with it. To mitigate the harm to the Benninghoffs caused by the State Bar, the immediate release of the federal practice pending final resolution of this matter is appropriate.

Respectfully submitted,
Counselor & Advocate at Law



James Link
Attorney for Petitioner
Charles F. Benninghoff III

Proof Of Service

I, James S. Link, am an attorney licensed to practice law in California, having State Bar No. 94280. I am not a party to this action. My business address is 215 N Marengo, 3rd Floor, Pasadena, California, 91101.

On the date set forth below, I served the within **Letter Date January 27, 2006** on the interested parties in said action by personally placing a true and correct copy thereof, enclosed in a sealed envelope with the postage thereon fully prepaid, in the United States Postal Service Box at 215 N. Marengo, Pasadena, California, addressed as follows:

William John Cox
State Bar Of California
Office of the Chief Trial Counsel
1149 S Hill Street
Los Angeles, CA 90015-2299

Counsel for Real Parties In Interest

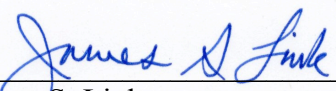
Mark Torres-Gil (Via fax and mail)
State Bar Of California
Office of General Counsel
180 Howard Street
San Francisco, CA 94105-1639

Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

I am aware that on motion of any party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in the declaration.

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

DATED: January 27, 2006



James S. Link