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JUN 27 1986

Lawyers Prof. Resp. Board

STATE OF MINNESOTA

IN SUPREME COURT

C9-86-270

In the Matter of the Application for the
Discipline of Gary L. Marshall, an
Attorney at Law of the State of Minnesota.

ORDER

On February 4, the Director of Lawyers Professional Responsibility filed with the court a petition for disciplinary action against the respondent Gary L. Marshall. On April 9, 1986, the Director filed a supplementary petition for disciplinary action. On May 6, 1986, the Director filed a petition for temporary suspension. The allegations of those various petitions include charges of misappropriation of client funds, loans from clients without disclosure, issuance of non-sufficient fund checks from trust account, general office account and personal account to clients and third parties, failure to account for bankruptcy retainers, improper trust account withdrawals, failure to maintain trust account books and records, false certification to the court on the annual attorney registration statement, neglect and misrepresentation, and noncooperation with the disciplinary proceeding. By stipulation signed by the respondent on May 29, 1986, and by his attorney on May 20, 1986, the respondent has unconditionally admitted the allegations of those petitions. The respondent has likewise joined with the Director in recommending the respondent's disbarment pursuant to Rule 15 of the Rules on Lawyers Professional Responsibility (RLPR) with the condition that the respondent be permitted to complete four bankruptcy cases.

The court, having read the petitions, stipulation, and being advised in the premises,

NOW ORDERS:

1. The respondent is hereby disbarred from the practice of law in the State of Minnesota.

2. Notwithstanding this disbarment, the respondent may complete four bankruptcy cases involving Aaron and Donna Revering, James and Lorene Drewelow, Kenneth and Katherine Erickson, and Norman and Donna Snyder.

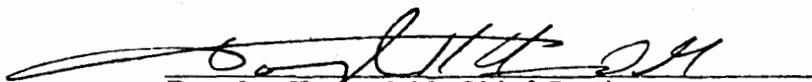
Dated this 26th day of June, 1986.

BY THE COURT:

OFFICE OF
APPELLATE COURTS
FILED

JUN 26 1986

WAYNE TSCHIMPERLE
CLERK


Douglas K. Amdahl, Chief Justice

MEMORANDUM

Respondent has accepted bankruptcy retainers from the four bankruptcy debtors named in the attached order. These bankruptcy proceedings are nearly concluded. The debtors are without further available funds or means to hire another attorney to assist them in concluding those bankruptcy proceedings. Moreover, heretofore respondent has accepted retainers from these four debtors and is unable to refund any of the retainers to the debtors. The presiding judge in a bankruptcy proceeding has filed with this court an affidavit indicating that these four debtors will be substantially disadvantaged if respondent is not permitted to assist them in concluding their bankruptcies. Likewise, the United States Trustee concurs with the presiding judge's assessment of the situation. The four debtors have been advised of respondent's disbarment and have consented in writing to respondent's continued representation of them in their bankruptcy proceedings. Those affidavits have been filed with this court. Based upon those affidavits, the court concludes that the proposed stipulation and order allowing completion of these bankruptcies will best serve the interest of all persons affected by these disciplinary proceedings.

