

FILE NO. A13-0520

STATE OF MINNESOTA

IN SUPREME COURT

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In Re Petition for Disciplinary  
Action against ALAN J. ALBRECHT,  
a Minnesota Attorney,  
Registration No. 191826.  
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**SUPPLEMENTARY PETITION  
FOR DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this supplementary petition for disciplinary action pursuant to Rules 10(e) and 12(a), Rules on Lawyers Professional Responsibility (RLPR).

Respondent is currently the subject of a petition for disciplinary action that was filed with the Minnesota Supreme Court on March 26, 2013. The Director has investigated further allegations of unprofessional conduct against respondent.

The Director alleges that respondent has committed the following additional unprofessional conduct warranting public discipline:

FOURTH COUNT

44. Respondent audited a law school class (LAW 9504) at Hamline Law School during the spring of 2013. Students who audit a class at Hamline do not receive an assessment/grade for the course, and are not permitted to take the final examination.

45. On March 26, 2013, the Director filed a petition for disciplinary action against respondent. Subsequently, respondent submitted an answer and the Honorable Bruce Christopherson was appointed as referee.

46. On or about April 21, 2013, respondent appeared at the office of the registrar of Hamline Law School. At that time, respondent had a conversation with Stephanie Martinez, the Student Services Coordinator at Hamline Law School, about taking the final exam in his bankruptcy class. Ms. Martinez informed respondent at that time that students who audit a course were not permitted to take exams.

47. The referee, respondent, and the Director communicated by email in an attempt to set a scheduling conference for the pending disciplinary matter. On April 30, 2013, respondent communicated to the referee and the Director as follows:

My more pressing concern is that I have been taking a bankruptcy class at Hamline Law School and I **have registered to take the final for the class on March [sic] 3, 2013**. So, if we have a scheduling conference, I would prefer to have it early next week.

(Emphasis supplied.)

48. The final examination in respondent's bankruptcy class was self-scheduled, and could be taken on any day between April 29, 2013, and May 13, 2013, inclusive. The exams were administered twice per day, at 9:00 a.m. and 1:30 p.m. If respondent had been eligible to take the exam, it would not have been necessary or possible for him to register to take the exam ahead of time.

49. By an email message dated April 30, 2013, and sent from Judge Christopherson to both litigants, the scheduling conference was subsequently set for May 7, 2013, at 9:00 a.m.

50. Respondent submitted documentation dated May 1, 2013, to the Director as part of his reinstatement petition. In that documentation, respondent stated as follows:

I registered and attended a semester long class at Hamline Law School on Bankruptcy. I attended every class except two; participated in class discussions and **took the final.**

(Emphasis supplied.)

51. On May 7, 2013, at 9:00 a.m., respondent failed to participate in the scheduling conference in his disciplinary matter. After multiple attempts to reach respondent, the scheduling conference was held at 9:30 a.m., without respondent's participation.

52. On May 7, 2013, at approximately 1:00 p.m., respondent appeared at the registrar's office and attempted to obtain and take the bankruptcy final examination. He was again instructed by registrar personnel that he was not allowed to take the final exam.

53. On May 8, 2013, respondent stated in an email message to Judge Christopherson:

I want to apologize for not being available yesterday for the apparent telephone conference. . . . I was scheduled to take the final on Friday for the bankruptcy class I was enrolled in at Hamline law school. . . . I did not feel like I . . . prepared enough to proceed with the final so **I rescheduled it to Tuesday morning.**

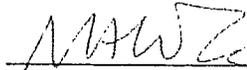
(Emphasis supplied.)

54. Respondent's conduct, in that he made knowingly false and/or misleading statements to the tribunal and to the Director in his email messages of April 30, 2013, and May 8, 2013, and made knowingly false or misleading statements to the Director in his documents dated May 1, 2013, violated Rules 3.3(a)(1), 4.1, 8.1(b), and 8.4(c) and (d), Minnesota Rules of Professional Conduct.

WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the

Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

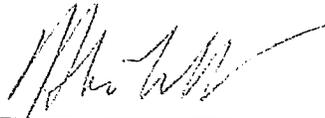
Dated: May 28, 2013.



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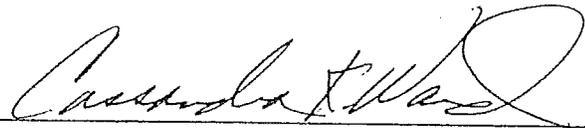
and



ROBIN J. CRABB  
SENIOR ASSISTANT DIRECTOR  
Attorney No. 387303

This supplementary petition is approved for filing pursuant to Rule 10(e), RLPR, by the undersigned.

Dated: May 28, 2013.



CASSANDRA WARD BROWN  
PANEL CHAIR, LAWYERS PROFESSIONAL  
RESPONSIBILITY BOARD