FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against LISA MARIE AMUNDSON,
a Minnesota Attorney,
Registration No. 18035X.

STIPULATION FOR DISCIPLINE

THIS STIPULATION is entered into by and between Martin A. Cole, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and Lisa Marie Amundson, attorney, hereinafter respondent.

WHEREAS, respondent has concluded it is in respondent's best interest to enter into this stipulation,

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned as follows:

1. Pursuant to the Rules on Lawyers Professional Responsibility (RLPR), the parties agree to dispense with further proceedings under Rule 14, RLPR, and respondent agrees to the immediate disposition of this matter by the Minnesota Supreme Court under Rule 15, RLPR.

2. Respondent understands this stipulation, when filed, will be of public record.

3. It is understood that respondent has certain rights pursuant to Rule 14, RLPR. Respondent waives these rights, which include the right to a hearing before a

referee on the petition; to have the referee make findings and conclusions and a recommended disposition; to contest such findings and conclusions; and to a hearing before the Supreme Court upon the record, briefs and arguments.

4. Respondent unconditionally admits the allegations of the petition.

5. Respondent understands that based upon these admissions, this Court may impose any of the sanctions set forth in Rule 15(a)(1) - (9), RLPR, including making any disposition it deems appropriate. Respondent understands that by entering into this stipulation, the Director is not making any representations as to the sanctions the Court will impose.

6. The Director and respondent join in recommending that:

a. The appropriate discipline is a public reprimand pursuant to Rule 15(a)(5), RLPR; and

b. Respondent pay $900 in costs pursuant to Rule 24(a), RLPR.

7. The attached memorandum is made a part hereto.

8. This stipulation is entered into by respondent freely and voluntarily, without any coercion, duress or representations by any person except as contained herein.

9. Respondent hereby acknowledges receipt of a copy of this stipulation and admits service of the petition.

10. Respondent has been advised by the undersigned counsel concerning this stipulation and these proceedings generally.

IN WITNESS WHEREOF, the parties executed this stipulation on the dates indicated below.

Dated: Sept. 16, 2014.

MARTIN A. COLE
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
Attorney No. 148416
1500 Landmark Towers
345 St. Peter Street
St. Paul, MN 55102-1218
(651) 296-3952

Dated: September 16, 2014.

CASSIE HANSON
SENIOR ASSISTANT DIRECTOR
Attorney No. 303422

Dated: September 18, 2014.

LISA MARIE AMUNDSON
RESPONDENT
Attorney No. 18035X

Dated: Sept. 19, 2014.

ERIC T. COOPERSTEIN
ATTORNEY FOR RESPONDENT
Attorney No. 210201
800 Nicollet Mall, Suite 2600
Minneapolis, MN 55402
(612) 436-2299

MEMORANDUM

There is no question that respondent misrepresented to the court and opposing counsel the reason she needed a continuance in the underlying marital dissolution action. Respondent acknowledges that the misconduct was intentional, and acknowledges that an intentional misrepresentation to the court could warrant discipline more severe than a reprimand. *See In re Scott*, 657 N.W.2d 567 (Minn. 2003).

There are several mitigating factors that make a public reprimand appropriate in this matter. First, respondent has demonstrated sincere remorse for her misconduct, which can be considered as mitigation under certain conditions. *See In re Fairbairn*, 802 N.W.2d 734, 746 (Minn. 2011) ("Whether an attorney is remorseful for [her] misconduct is an important issue in an attorney discipline case . . . because remorse can be a mitigating factor in certain circumstances"). Respondent submitted a letter, dated September 15, 2014, to the Director wherein she stated:

> I deeply regret my actions in this case. I have always had the highest respect for the Court and my actions and words and the manner in which I conducted myself did not reflect that to the Court. My lack of candor with the Court and Ms. Schorbahn [opposing counsel] was unacceptable. Not a day has gone by in the last year without my thinking about the consequences of my actions: the time commitment to all of those involved with this Petition, the embarrassment to my law firm, the potential harm to my clients and most importantly the loss of credibility and integrity I had with the Court the past 27 years. For that I am truly remorseful and I will be until the end of my legal career.

Respondent's expression of remorse and acknowledgement of the seriousness of her misconduct is sincere. Imposition of a sanction greater than a public reprimand does not appear necessary under these circumstances in order to protect the public. "Because one purpose of attorney discipline is to protect the public, an attorney's remorse or lack of it is an important factor." *In re Nora*, 450 N.W.2d 328, 330 (Minn. 1990).

Second, respondent's misconduct also resulted in less harm than other cases in which the Court has imposed a sanction greater than a public reprimand. The Director notes that the delay caused by the continuance was less than a week and that there is no outstanding financial harm caused by the misconduct. The district court sanctioned respondent $1500 to be paid to the opposing party and counsel for any costs incurred due to the delay. Respondent has provided documentation that the $1500 has been paid in full. When respondent paid the sanction, she also sent a letter to the district court apologizing for her misconduct. The Director is by no means minimizing the negative impact of respondent's conduct upon the court and opposing counsel, but rather acknowledging that respondent has fully complied with the district court order for sanctions, that the opposing party received compensation for any financial harm, and that respondent apologized to the district court.

An attorney's discipline may be mitigated by evidence that she did not attempt to conceal the misconduct, has taken actions to ameliorate the problems, and shows that she appreciates the harm her actions caused. Under these circumstances, a public reprimand is the appropriate disposition. *See also,* In re Novak, No. A14-1334 (Minn. Sept. 15, 2014) (evidence of mitigating circumstances made public reprimand of attorney, who made a false statement to the court to obtain a continuance, appropriate); *In re Dinneen,* 849 N.W.2d 69 (Minn. 2014) (public reprimand of attorney, who made a false statement to the court and engaged in other misconduct, appropriate); *In re Clark,* 848 N.W.2d 236 (Minn. 2014) (public reprimand for attorney who made false statements to the court in an appellate brief and expert affidavit).