FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action against JOHN T. ANDERSON, a Minnesota Attorney, Registration No. 2549.	**PETITION FOR REVOCATION OF PROBATION AND FOR FURTHER DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition pursuant to Rule 12(a), Rules on Lawyers Professional Responsibility, and pursuant to this Court's August 11, 2005, order in the matter.

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on January 1, 2008. Respondent currently practices law in Minneapolis, Minnesota.

INTRODUCTION

On August 11, 2005, this Court suspended respondent from the practice of law for 60 days and ordered respondent be placed on probation for two years upon reinstatement. *In re Anderson*, 702 N.W.2d 217 (Minn. 2005). A copy of the Court's order is attached as Exhibit 1.

Respondent's discipline was based upon his neglect and non-communication in a client matter, making misrepresentations to the client in order to conceal the neglect, and non-cooperation in the disciplinary investigation, in violation of Rules 1.3, 1.4, 3.2, 8.1(a)(3) and 8.4(c) and (d), Minnesota Rules of Professional Conduct (MPRC).

Among the conditions of respondent's probation was the following:

a. Respondent be supervised by a lawyer appointed by the Director, to review and monitor respondent's office practices and procedures, including respondent's books and records.

On November 28, 2005, respondent was reinstated to the practice of law. *In re Anderson*, 706 N.W.2d 58 (Minn. 2005). The order reinstating respondent to the practice of law placed respondent on supervised probation for a period of two years under the conditions set forth in the Court's August 11, 2005, order. Exhibit 2.

Respondent has committed the following unprofessional conduct warranting revocation of probation and further public discipline:

FIRST COUNT

1. On December 22, 2005, respondent sent the Director a letter inquiring whether he was required to submit trust account books and records for review. On January 6, 2006, the Director wrote respondent informing him that the Court's order required him to submit books and records for review. The Director requested that respondent provide his complete trust account books and records for the period of August 1 through November 30, 2005.

2. On January 24, 2006, respondent sent the Director incomplete trust account books and records. On May 11, 2006, the Director sent respondent a letter requesting subsidiary ledgers, which respondent had failed to previously include, along with respondent's December through April 2006 trust account books and records.

3. On May 23, 2006, respondent sent the Director a reconciliation for the month of August 2005. On June 21, 2006, the Director sent respondent a letter indicating that he had failed to provide any of the records previously requested. The Director again requested respondent's complete December through April 2006 trust account books and records; bank statements for August, September, October and November 2005; and client subsidiary ledgers and check register for August 2005. Respondent failed to respond.

4. On July 11, 2006, the Director sent respondent a third request for trust account books and records. The Director also informed respondent of his failure to pay his attorney registration fee and requested an affidavit of his practice of law along with proof of payment. On July 31, 2006, respondent sent the Director a letter stating that he did not receive notice that his attorney registration was due because he had recently moved his office. Respondent did not provide any books or records, an affidavit concerning his practice of law while fee suspended, or proof of payment.

5. On August 8, 2006, the Director sent respondent a fourth request for trust account books and records and again requested an affidavit regarding respondent's practice during his fee suspension. Respondent failed to respond. On September 12, 2006, the Director sent respondent a fifth request for his books and records. The Director informed respondent that the terms of his probation required submission of books and records for review and that if he failed to bring his trust account into compliance, the Director would move for an extension of his probation. Respondent failed to respond.

6. On October 25, 2006, the Director sent respondent a letter scheduling a meeting for November 15, 2006. Respondent was directed to bring all previously requested trust account books and records to the meeting. Respondent failed to attend.

7. On December 20, 2006, respondent sent the Director a letter stating that he would provide the requested trust account books and records by December 26, 2006. When respondent failed to provide his books and records by this date, the Director wrote respondent again on February 16, 2007, and gave him seven days to produce the books and records. Respondent failed to respond.

8. Due to respondent's non-cooperation and failure to comply with the terms of his probation, the Director opened a disciplinary file and sent respondent a notice of investigation on March 9, 2007. The Director again requested various trust account

books and records in addition to an explanation for respondent's non-cooperation. Respondent failed to respond to the notice of investigation.

9. Respondent's failure to comply with the terms of his probation and the Director's efforts to monitor his compliance therewith violated Rules 8.1(b) and 8.4(d), MRPC, and the Court's probation order.

WHEREFORE, the Director respectfully prays for an order of this Court revoking respondent's probation, suspending respondent's license to practice law or imposing otherwise 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: April 2, 2007.

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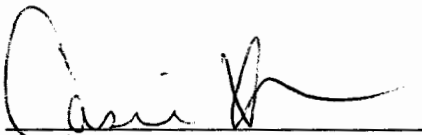

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