

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 June 27, 2007, 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).

By order dated November 28, 2005, respondent was reinstated to the practice of law and placed on supervised probation for a period of two years. On April 3, 2007, the

Director filed a petition for revocation of probation and for further disciplinary action based upon respondent's failure to comply with the terms of his supervised probation and the Director's efforts to monitor respondent's supervised probation.

The parties subsequently signed a stipulation for discipline and respondent admitted his failure to comply with the terms of court ordered supervised probation and the Director's efforts to monitor therewith in violation of Rules 8.1(b) and 8.4(d), MRPC. The Court issued an order dated June 27, 2007, approving the parties' stipulation for discipline and extending respondent's supervised probation for another two years. A copy of the Court's order is attached as Exhibit 2. Among the conditions of respondent's supervised probation were:

a. Respondent shall cooperate fully with the Director's Office in its efforts to monitor compliance with this probation and promptly respond to the Director's correspondence by the due date. Respondent shall cooperate with the Director's investigation of any allegations of unprofessional conduct which may come to the Director's attention. Upon the Director's request, respondent shall provide authorization for release of information and documentation to verify compliance with the terms of this probation.

b. Respondent shall abide by the Minnesota Rules of Professional Conduct.

c. Respondent shall be supervised by a licensed Minnesota attorney, appointed by the Director to monitor compliance with the terms of this probation. Respondent shall provide to the Director the names of four attorneys who have agreed to be nominated as respondent's supervisor within two weeks from the date this stipulation is executed. If, after diligent effort, respondent is unable to locate a supervisor acceptable to the Director, the Director will seek to appoint a supervisor. Until a

supervisor has signed a consent to supervise, the respondent shall on the first day of each month provide the Director with an inventory of active client files described in paragraph d. below. Respondent shall make active client files available to the Director upon request.

d. Respondent shall cooperate fully with the supervisor in his/her efforts to monitor compliance with this probation. Respondent shall contact the supervisor and schedule a minimum of one in-person meeting per calendar quarter. Respondent shall submit to the supervisor an inventory of all active client files by the first day of each month during the probation. With respect to each active file, the inventory shall disclose the client name, type of representation, date opened, most recent activity, next anticipated action, and anticipated closing date. Respondent's supervisor shall file written reports with the Director at least quarterly, or at such more frequent intervals as may reasonably be requested by the Director.

e. Respondent shall initiate and maintain office procedures which ensure that there are prompt responses to correspondence, telephone calls, and other important communications from clients, courts and other persons interested in matters which respondent is handling, and which will ensure that respondent regularly reviews each and every file and completes legal matters on a timely basis.

f. Respondent shall maintain law office and trust account books and records in compliance with Rule 1.15, MRPC, and Appendix 1 to the MRPC. These books and records include the following: client subsidiary ledger, checkbook register, monthly trial balances, monthly trust account reconciliation, bank statements, canceled checks, duplicate deposit slips and bank reports of interest, service charges and interest

payments to the Lawyer Trust Account Board. Such books and records shall be made available to the Director within 30 days of the approval of this stipulation and thereafter shall be made available to the Director at such intervals as he deems necessary to determine compliance.

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

FIRST COUNT

1. On July 17, 2007, the Director sent respondent a letter setting forth the conditions of his supervised probation. The Director asked respondent to provide the names of four attorneys who had agreed to be nominated to act as his supervisor. The Director also requested an inventory of respondent's current files and complete trust account books and records for the period of December 1, 2005, through June 30, 2007. Respondent failed to respond.

2. On September 7, 2007, the Director sent respondent a follow up letter again requesting the names of four potential supervisors, a client inventory list and trust account books and records. The Director scheduled a meeting for 1:30 p.m. on September 26, 2007. Respondent failed to provide any of the requested documentation and failed to appear at the meeting.

3. On September 27, 2007, the Director opened a disciplinary file based upon respondent's non-cooperation and sent respondent a third letter again requesting the documentation and the names of four potential supervisors. The Director gave respondent nine business days in which to respond or else warned that the Director would have no choice but to seek a revocation of respondent's supervised probation. Respondent failed to respond.

4. Respondent's failure to comply with the terms of his supervised 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 June 27, 2007, supervised probation order.

SECOND COUNT

5. On June 14, 2007, Jesse Jones Jr. filed a complaint against respondent with the Director. Jones Jr. alleged that respondent had failed to return his telephone calls regarding the status of his client matter, that respondent had neglected his case, and that respondent had lost his client file. On June 21, 2007, the Director mailed respondent a notice of investigation. Respondent failed to respond.

6. On July 18, 2007, the Director sent respondent a follow-up letter requesting his response by no later than July 27, 2007. Respondent failed to respond. The Director sent respondent a third request for a response on August 3, 2007. Again respondent failed to respond.

7. On September 7, 2007, the Director sent respondent a fourth letter reminding him of his obligation to cooperate with the Director under the terms of his supervised probation. The Director requested that respondent bring his response to the Jones Jr. complaint to the meeting with the Director scheduled for September 26, 2007. Respondent failed to attend the meeting and failed to respond to the notice of investigation.

8. Respondent's failure to respond to the Director's investigation violated Rules 8.1(b) and 8.4(d), MRPC, and Rule 25, RLPR.

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

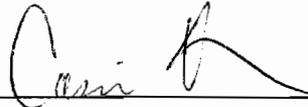
Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: October 31, 2007.



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