FILE NO. C4-99-1889

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action against RICHARD E. BOSSE, an Attorney at Law of the State of Minnesota.

STIPULATION FOR DISCIPLINE

THIS STIPULATION is entered into by and between Edward J. Cleary, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and Richard E. Bosse, 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. The Director withdraws the allegations in paragraphs 25 and 26 of the petition for disciplinary action and the allegation in the third count of the petition that

respondent failed to timely produce books and records, but allegations of non-cooperation with regard to other documents and information remain.

5. Respondent withdraws the answer filed herein and unconditionally admits the allegations of the petition, as modified by paragraph 4 herein.

6. 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.

7. Respondent brings to the Court's attention the mitigating circumstances recited in the Report of Referee in the second Florida disciplinary proceeding, Case No. 93, 142, attached hereto as Exhibit A.

8. The Director and respondent join in recommending that the appropriate discipline pursuant to Rule 15, RLPR, is a public reprimand and unsupervised probation for a period of two years upon the following conditions:

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 authorizations 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 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.

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

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

10. Respondent hereby acknowledges receipt of a copy of this stipulation.

11. 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: Jan 28, 2000.

EDWARD J. CLEARY
DIRECTOR OF THE OFFICE OF LAWYERS PROFESSIONAL RESPONSIBILITY
Attorney No. 17267
25 Constitution Avenue, Suite 105
St. Paul, MN 55155-1500
(651) 296-3952

Dated: 1/28, 2000.

CANDICE M. HOJAN
SENIOR ASSISTANT DIRECTOR
~~Attorney No. 125982~~

Dated: 2/3, 2000.

RICHARD E. BOSSE
RESPONDENT
Attorney No. 245501

Dated: 1/28, 2000.

MICHAEL J. HOOVER
ATTORNEY FOR RESPONDENT
Attorney No. 47053
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