

FILE NO. A10-1394

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against WAYDE RUSSELL BROOKS,
a Minnesota Attorney,
Registration No. 335654.

**STIPULATION
FOR DISCIPLINE**

WHEREAS, a hearing on the Director's July 28, 2010, Petition for Disciplinary Action was held before Supreme Court Referee John J. Weyrens on December 17, 2010, in St. Paul, Minnesota,

WHEREAS, Referee Weyrens filed with this Court the Findings of Fact, Conclusions of Law, and Recommendation for Discipline dated February 16, 2011,

WHEREAS, the Director and respondent desire to resolve this matter without further process,

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

1. The Director and respondent hereby waive briefing and oral argument to the Supreme Court.
2. The Director and respondent hereby stipulate that the Referee's findings of fact and conclusions of law are conclusive.
3. Respondent understands that based upon this stipulation, this Court may impose any of the sanctions set forth in Rule 15(a)(1) - (9), Rules on Lawyers Professional Responsibility (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.
4. The Director recommends that the appropriate discipline is a 90-day suspension pursuant to Rule 15, RLPR. Respondent agrees to the Director's

recommendation for suspension in lieu of briefing and oral argument before the Supreme Court. The suspension shall be effective on the date of the Court's order. The reinstatement hearing provided for in Rule 18, RLPR, is waived. Reinstatement is conditioned upon: (1) payment of costs in the amount of \$900 plus interest pursuant to Rule 24(d), RLPR; (2) compliance with Rule 26, RLPR; (3) successful completion of the professional responsibility examination pursuant to Rule 18(e), RLPR, within one year of the Court's order; and (4) satisfaction of the continuing legal education requirements pursuant to Rule 18(e), RLPR.

5. Respondent shall be reinstated following the expiration of the suspension provided that at least 15 days before the expiration of the suspension period, respondent files an affidavit with the Clerk of Appellate Courts and the Director's Office establishing that respondent is current with Continuing Legal Education, has fully complied with Rules 24 and 26, RLPR, and has satisfactorily completed all other conditions imposed by the Court in its decision.

6. Upon reinstatement, respondent shall be placed on probation for a period of one year on the following terms and 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 provide to the Director a current mailing address and shall immediately notify the Director of any change of address. 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 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.

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

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

9. Respondent has been advised of the right to be represented herein by an attorney but has freely chosen to appear *pro se*.

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

Dated: March 14, 2011.


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

Dated: March 14, 2011.


SIAMA Y. CHAUDHARY
ASSISTANT DIRECTOR
Attorney No. 350291

Dated: March 14, 2011.


WAYDE RUSSELL BROOKS
RESPONDENT
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