

FILE NO. C9-00-373

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against TRACY R. EICHHORN-HICKS,
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 Tracy R. Eichhorn-Hicks, attorney, hereinafter respondent.

WHEREAS, the Supreme Court appointed Honorable Lawrence T. Collins as referee in this matter, and

WHEREAS, a hearing in this matter was scheduled for June 19, 2000, and

WHEREAS, at the hearing, the parties agreed to the following stipulation which was read into the record, and

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

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE as follows:

1. Respondent understands he 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. 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.

2. Respondent withdraws the answer he previously filed in this matter and unconditionally admits the allegations of the February 23, 2000, Petition for Disciplinary Action.

3. Respondent agrees that by committing the misconduct stated in paragraphs 1 through 14 of the petition, respondent violated Rules 1.15(a), (c), (h), and (i), 8.1(a)(1), and 8.4(c) and (d) of the Minnesota Rules of Professional Conduct and Lawyers Professional Responsibility Board Opinion Nos. 9 and 15.

2. The Director and respondent agree that respondent's misconduct is mitigated by the absence of a client complaint regarding this matter and that there was no lasting harm to a client as a result of respondent's actions. The transcript of respondent's statement to the court is attached and incorporated into this stipulation.

3. 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.

4. The Director and respondent join in recommending that the appropriate discipline is a 12-month suspension pursuant to Rule 15, RLPR. The reinstatement hearing provided for in Rule 18, RLPR, is not waived. Reinstatement is conditioned upon: (1) payment of costs in the amount of \$900 pursuant to Rule 24(d), RLPR; (2) compliance with Rule 26, RLPR; and (3) successful completion of the professional responsibility examination and satisfaction of the continuing legal education requirements, both pursuant to Rule 18(e), RLPR.

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

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

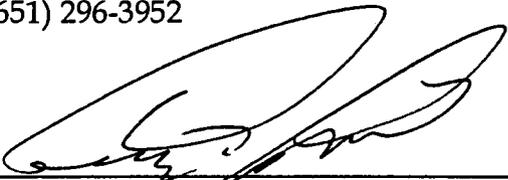
7. Respondent has been advised by the undersigned counsel concerning this stipulation and these proceedings generally.

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

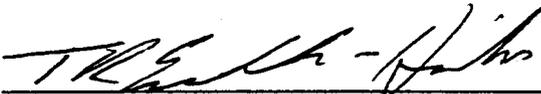
Dated: June 21, 2000.


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

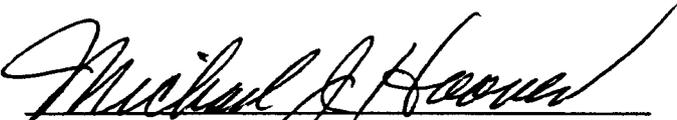
Dated: June 22, 2000.


ERIC T. COOPERSTEIN
SENIOR ASSISTANT DIRECTOR
Attorney No. 210201

Dated: June 30, 2000.


TRACY R. EICHHORN-HICKS
RESPONDENT
Attorney No. 26128

Dated: 6/30, 2000.


MICHAEL J. HOOVER
ATTORNEY FOR RESPONDENT
Attorney No. 47053
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Minneapolis, MN 55403-3508
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