

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against MELANIE ANNE FLORES,
a Minnesota Attorney,
Registration No. 290865.

**STIPULATION FOR DISPENSING
WITH PANEL PROCEEDINGS,
FOR FILING PETITION FOR
DISCIPLINARY ACTION,
AND FOR DISCIPLINE**

THIS STIPULATION is entered into by and between Kenneth L. Jorgensen, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and Melanie Anne Flores, 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. It is understood that respondent has the right to have charges of unprofessional conduct heard by a Lawyers Professional Responsibility Board Panel prior to the filing of a petition for disciplinary action, as set forth in the Rules on Lawyers Professional Responsibility (RLPR). Pursuant to Rule 10(a), RLPR, the parties agree to dispense with Panel proceedings under Rule 9, RLPR, and respondent agrees to the immediate filing of a petition for disciplinary action, hereinafter petition, in the Minnesota Supreme Court.

2. Respondent understands that upon the filing of this stipulation and the petition, this matter 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. Respondent hereby admits service of the petition.

4. Respondent waives the right to answer and unconditionally admits the allegations of the petition which may be summarized as follows:

a. In December 2001 respondent was employed full-time by Smith, Paulson and O'Donnell & Associates (SPO). Dianne O'Neill retained respondent to obtain Qualified Domestic Relations Orders (QDROs) to transfer interests in pension assets previously awarded to her in a decree of dissolution of marriage.

b. O'Neill and respondent signed an SPO retainer agreement establishing a flat fee of \$1,000 for preparation of the QDROs. O'Neill's husband John Sjolander gave respondent a check for the \$1,000 fee.

c. Respondent deposited the \$1,000 into her personal checking account.

d. In July 2002 respondent sent SPO a cashier's check for the \$1,000 she had misappropriated.

e. Respondent's conduct in misappropriating the O'Neill retainer violated Rules 1.15(a) and 8.4(c) and (d), Minnesota Rules of Professional Conduct (MRPC).

f. In an effort to conceal her misappropriation of the retainer, respondent made a series of false statements to the disciplinary investigators in violation of Rules 8.1(a) and 8.4(c) and (d), MRPC.

5. 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 sanction the Court will impose.

6. The Director and respondent join in recommending that the appropriate discipline pursuant to Rule 15, RLPR, is a 30-day suspension. Respondent agrees to the imposition and payment of \$900 in costs and disbursements pursuant to Rule 24, RLPR.

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 by the undersigned counsel concerning this stipulation and these proceedings generally.

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

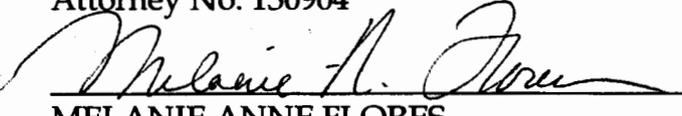
Dated: May 11, 2004


KENNETH L. JORGENSEN
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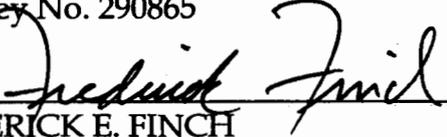
Dated: May 11, 2004


BETTY M. SHAW
SENIOR ASSISTANT DIRECTOR
Attorney No. 130904

Dated: May 10, 2004


MELANIE ANNE FLORES
RESPONDENT
Attorney No. 290865

Dated: May 10, 2004


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