

FILE NO. \_\_\_\_\_

STATE OF MINNESOTA

IN SUPREME COURT

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In Re Petition for Disciplinary Action  
against STUART E. GALE,  
a Minnesota Attorney,  
Registration No. 33054.  
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**PETITION FOR  
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

At the direction of a Lawyers Professional Responsibility Board Panel, the Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition.

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on October 4, 1957. Respondent currently practices law in Bloomington, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

DISCIPLINARY HISTORY

Respondent was publicly reprimanded by Minnesota Supreme Court order dated December 17, 1985, for engaging in a conflict of interest and violation of trust account rules in a real estate transaction. *See In re Gale*, 377 N.W.2d 926 (Minn. 1985) (Exhibit 1).

FIRST COUNT

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1. On or about September 21, 1999, Steven Gale, respondent's son who is also a lawyer, brought a mortgage document to respondent for notarization.
2. Steven Gale told respondent that he had discussed the loan with Lezli Gale (Steven's wife) and that she had told him he should do whatever he had to do to complete the

loan transaction. Steven Gale told respondent that he had signed business documents for his wife in the past and that she had authorized him to complete the refinancing.

3. Knowing that the signature on the mortgage document was not Lezli Gale's signature, respondent nevertheless notarized the signatures on the mortgage document (Exhibit 2).

4. Respondent's conduct in falsely notarizing a signature on a mortgage document violated Rule 8.4(c), Minnesota Rules of Professional Conduct (MRPC).

WHEREFORE, the Director respectfully prays for an order of this Court imposing 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: January 28, 2003.

  
KENNETH L. JORGENSEN  
DIRECTOR OF THE OFFICE OF LAWYERS  
PROFESSIONAL RESPONSIBILITY  
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and

  
BETTY M. SHAW  
SENIOR ASSISTANT DIRECTOR  
Attorney No. 130904