

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

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

**PETITION FOR
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

Upon the approval of a Lawyers Professional Responsibility Board Panel Chair, the Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition pursuant to Rules 10(d) and 12(a), Rules on Lawyers Professional Responsibility. The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on October 20, 1972. Since April 1, 1995, respondent has been suspended from the practice of law for non-payment of his attorney registration. Additionally, since November 5, 1986, respondent has been on restricted status for failing to comply with Continuing Legal Education (CLE) requirements.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

A. Donald W. Beaudry Matter

1. In October 1997 Donald W. Beaudry retained respondent for assistance in having his insurance license reinstated. Beaudry paid respondent a retainer of \$700 and agreed to pay \$150 per hour for respondent's services.

2. After payment of the \$700 retainer, Beaudry called respondent numerous times, leaving messages at his home and office. Respondent failed to return the calls.

3. Respondent provided no services to Beaudry in return for the \$700 retainer paid.

4. Respondent represented to Beaudry that he was an attorney licensed to practice law in Minnesota. In fact, as noted above, respondent was not licensed to practice law.

5. Respondent's conduct in accepting a retainer from Beaudry and providing no services in return, failing to return Beaudry's calls, and holding himself out to Beaudry that he was an attorney licensed to practice law in Minnesota violated Rules 1.3, 1.4, and 5.5(a), MRPC.

SECOND COUNT

B. Non-Cooperation Matter

6. On December 16, 1998, the Director mailed a notice of investigation and a copy of the complaint of Donald W. Beaudry to respondent. The notice of investigation requested that, pursuant to Rule 25, Rules on Lawyers Professional Responsibility (RLPR), and Rule 8.1(a)(3), Minnesota Rules of Professional Conduct (MRPC), that respondent respond to the notice within 14 days.

7. Also on December 16, 1998, the Director wrote to respondent noting that he had been suspended for non-payment of his attorney registration fee since April 1, 1995, and on CLE restricted status since November 5, 1986. That letter requested that respondent submit to the Director within 14 days an affidavit concerning his practice of law since November 5, 1986.

8. On January 6, 1999, the Director wrote to respondent noting that no response to the notice of investigation or the separate December 16, 1998, letter had been received. That letter requested that respondent provide a complete response within one week.

9. On January 15, 1999, the Director wrote to respondent noting that no response had yet been received and again requesting that a response be provided within one week.

10. Respondent has failed to respond in any fashion to the notice of investigation, the December 16, 1998, letter, or the follow-up letters.

11. On February 2, 1999, the Director mailed to respondent charges of unprofessional conduct, notice of pre-hearing and notice of Panel assignment. The notice of pre-hearing scheduled a pre-hearing meeting concerning the charges of unprofessional conduct for 10:00 a.m. on February 16, 1999. Respondent failed to appear for the pre-hearing meeting or in any other fashion respond to the charges of unprofessional conduct or the notice of pre-hearing meeting.

12. Respondent's conduct in failing to respond to the Director's requests for information violated Rule 8.1(a)(3), MRPC and Rule 25, RLPR.

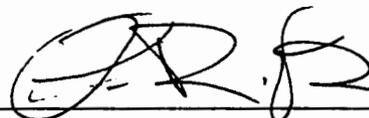
WHEREFORE, the Director respectfully prays for an order of this Court disbarring or suspending respondent or imposing otherwise appropriate discipline, awarding costs and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: March 9, 1999.



EDWARD J. CLEARY
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
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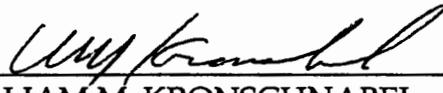
and



PATRICK R. BURNS
SENIOR ASSISTANT DIRECTOR
Attorney No. 134004

This petition is approved for filing pursuant to Rules 10(d) and 12(a), RLPR, by the undersigned Panel Chair.

Dated: 3/1/99



WILLIAM M. KRONSCHNABEL
PANEL CHAIR, LAWYERS PROFESSIONAL
RESPONSIBILITY BOARD