

FILE NO. A14-0273

STATE OF MINNESOTA

IN SUPREME COURT

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In Re Petition for Disciplinary Action  
against BRIAN T. HARDWICK,  
a Minnesota Attorney,  
Registration No. 41208.  
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**STIPULATION FOR  
RECIPROCAL DISCIPLINE**

THIS STIPULATION is entered into by and between Martin A. Cole, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and Brian T. Hardwick, 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 certain rights pursuant to Rule 12(d), Rules on Lawyers Professional Responsibility (RLPR). Respondent waives those rights and agrees to the Court's immediate issuance of an order for reciprocal discipline consistent with this stipulation. Respondent hereby admits service of the petition for disciplinary action.

2. Respondent unconditionally admits the allegations of the petition which may be summarized as follows: misappropriating \$1,671 in law firm funds, practicing law while fee-suspended, collecting attorney's fees for work performed while fee-suspended and failing to adequately communicate with a client about his fee-suspension in violation of Rules 1.4(a), 1.15(d), 1.16(e), 5.5(a), and 8.4(c), North

Dakota Rules of Professional Conduct, and Rules 1.4(a), 1.15(c)(1) and (4), 1.16(d), 5.5(a) and 8.4(c), Minnesota Rules of Professional Conduct.

3. Respondent understands that by entering into this stipulation, the Director is not making any representations as to the sanction the Court will impose.

4. The Director and respondent join in recommending that the Court impose reciprocal discipline in the form of a 60-day suspension from the practice of law, with the suspension stayed, and probation for one year under the following conditions:

a. Respondent must have no further disciplinary complaints found to be meritorious during the period of probation.

b. Respondent must comply with all terms and conditions of the North Dakota Supreme Court's March 13, 2013, Order, as amended on May 10, 2013 (copies attached).

c. Respondent must refund \$120 in unearned fees to Doris Emler.

d. If respondent violates the conditions of probation, he will be subject to revocation of probation, lifting of the stay and active suspension from the practice of law for 60 days, without credit for any probationary period served.

5. Respondent agrees to the imposition and payment of \$900 in costs pursuant to Rule 24) RLPR.

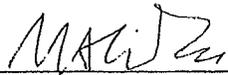
6. This stipulation is entered into by respondent freely and voluntarily, without any coercion, duress or representations by any person except as contained herein.

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

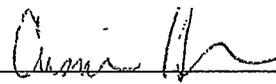
8. Respondent has been advised by the undersigned counsel concerning this stipulation and these proceedings generally.

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

Dated: April 29, 2014.

  
MARTIN A. COLE  
DIRECTOR OF THE OFFICE OF LAWYERS  
PROFESSIONAL RESPONSIBILITY  
Attorney No. 148416  
1500 Landmark Towers  
345 St. Peter Street  
St. Paul, MN 55102-1218  
(651) 296-3952

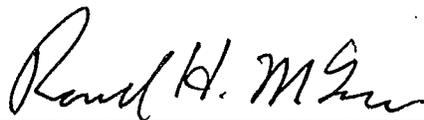
Dated: April 29, 2014.

  
CASSIE HANSON  
SENIOR ASSISTANT DIRECTOR  
Attorney No. 303422

Dated: MAY 1, 2014.

  
BRIAN T. HARDWICK  
RESPONDENT  
Attorney No. 41208

Dated: May 5, 2014.

  
RONALD H. McLEAN,  
ATTORNEY FOR RESPONDENT  
Attorney No. 148076  
10 Roberts Street  
P.O. Box 6017  
Fargo, ND 58108-6017  
(701) 232-8957