

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

STATE OF MINNESOTA

IN SUPREME COURT

---

In Re Petition for Disciplinary  
Action against KENNETH M. HOLKER,  
an Attorney at Law of the  
State of Minnesota.

---

STIPULATION FOR DISPENSING  
WITH PANEL PROCEEDINGS  
AND FOR FILING PETITION  
FOR DISCIPLINARY ACTION

THIS STIPULATION is entered into by and between Edward J. Cleary, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and Kenneth M. Holker, 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. The respondent hereby agrees that the petition may be served by mailing the petition to respondent's counsel Michael J. Hoover at 201 Ridgewood Avenue, Minneapolis, MN 55403-3508.

4. Except as otherwise provided herein, respondent expressly preserves each and every other right under the RLPR to contest the allegations of the petition. Nothing herein shall be construed as an admission by respondent of any allegation contained in said petition.

5. Respondent understands that the Director reserves the right to recommend the imposition of any sanction, either to a referee appointed by the Court or to the Court itself, or both, in these disciplinary proceedings. Respondent also understands that pursuant to Rule 10(e), RLPR, the Director at any time may amend the petition to include additional charges based upon conduct committed before or after the petition is filed.

6. Respondent hereby acknowledges receipt of copies of this stipulation.

7. This stipulation is entered into by respondent freely and voluntarily, without any coercion or duress, and with no commitment on the part of any court, board, committee or other persons concerning the right to practice law in Minnesota.

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: May 20, 1999.

EDWARD J. CLEARY  
DIRECTOR OF THE OFFICE OF LAWYERS  
PROFESSIONAL RESPONSIBILITY  
Attorney No. 17267

By Candice M. Hojan  
CANDICE M. HOJAN  
SENIOR ASSISTANT DIRECTOR  
Attorney No. 125982  
25 Constitution Avenue, Suite 105  
St. Paul, MN 55155-1500  
(651) 296-3952

Dated: May 24, 1999

Kenneth M. Holker  
KENNETH M. HOLKER  
RESPONDENT  
Attorney No. 46267

Dated: June 21, 1999

Michael J. Hoover  
MICHAEL J. HOOVER  
ATTORNEY FOR RESPONDENT  
Attorney No. 47053  
201 Ridgewood Avenue  
Minneapolis, MN 55403-3508  
(612) 870-4000