FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action against RUSSELL A. INGEBRITSON, a Minnesota Attorney, Registration No. 48860.	**STIPULATION FOR DISPENSING WITH PANEL PROCEEDINGS, FOR FILING PETITION FOR DISCIPLINARY ACTION, AND FOR DISCIPLINE**

THIS STIPULATION is entered into by and between Martin A. Cole, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and Russell A. Ingebritson, 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. Respondent was convicted of a misdemeanor in U.S. Federal District Court for conspiring to commit an offense against the United States in violation of 18 U.S.C. § 371 and 45 U.S.C. § 231*l*. Respondent's conduct, specifically, conspiring with a co-defendant not to inform the Railroad Retirement Board of that co-defendant's weekly purchase of feed for his wife's quarter horse operation, and conspiring with another co-defendant not to inform the Railroad Retirement Board that he worked for respondent's law practice violated Rule 8.4(b), Minnesota Rules of Professional Conduct.

b. On September 27, 2006, a judgment of conviction was entered against respondent and he was sentenced to three years probation, six months of home monitoring, payment of restitution of $261,878.17, and payment of a fine of $11,000.

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 is a public reprimand and probation pursuant to Rule 15, RLPR. Respondent agrees to the imposition and payment of $900 in costs pursuant to Rule 24, RLPR. It is

recommended that respondent's probation be for a term commensurate with his criminal probation and be subject to the following:

a. Respondent shall cooperate fully with the Director's Office in its efforts to monitor compliance with this probation and promptly respond to the Director's correspondence by the due date. Respondent shall cooperate with the Director's investigation of any allegations of unprofessional conduct which may come to the Director's attention. Upon the Director's request, respondent shall provide authorization for release of information and documentation to verify compliance with the terms of this probation.

b. Respondent shall abide by the Minnesota Rules of Professional Conduct.

c. Respondent shall fully comply with all of the terms of his criminal probation.

7. In determining to enter into this stipulation, the Director has considered (i) respondent's lack of a disciplinary history in more than 30 years of practice, (ii) respondent's extensive medical problems, including arthritis and a heart condition, which were exacerbated by the stress of the criminal proceeding and could be further exacerbated by the stress of a protracted disciplinary proceeding, (iii) respondent's payment of $261,878.17 in restitution on behalf of himself and his co-defendants; (iv) the absence of a finding of fraud in respondent's conduct; and the Court's adoption of a stipulated public reprimand and probation in a similar matter, *In re Benham,* (*See* Order dated June 30, 2005, Court File No. A05-867).

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

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

10. 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: October 4, 2007.

MARTIN A. COLE
DIRECTOR OF THE OFFICE OF LAWYERS
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Dated: October 4, 2007.

PATRICK R. BURNS
FIRST ASSISTANT DIRECTOR
Attorney No. 134004

Dated: 10-16-07, 2007.

RUSSELL A. INGEBRITSON
RESPONDENT

Dated: October 18, 2007.

WILLIAM J. WERNZ
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