

FILE NO. A05-1923
STATE OF MINNESOTA
IN SUPREME COURT

In Re Petition for Disciplinary
Action against C. ANDREW JOHNSON,
a Minnesota Attorney,
Registration No. 50507.

**STIPULATION
FOR DISCIPLINE**

WHEREAS, a hearing on the Director's September 22, 2005, Petition for Disciplinary Action was held before Supreme Court Referee Charles A. Flinn, Jr. on December 13, 2005, in St. Paul, Minnesota,

WHEREAS, Referee Flinn filed with this Court the Findings of Fact, Conclusions of Law, and Recommendation for Discipline dated January 30, 2006,

WHEREAS, neither the Director nor the respondent has ordered a transcript of the hearing,

WHEREAS, the Director and respondent agree that the Referee's recommendation for discipline is appropriate,

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned as follows:

1. The Director and respondent hereby waive briefing and oral argument to the Supreme Court.
2. The Director and respondent hereby stipulate that the Referee's findings of fact and conclusions of law are conclusive, with the exception of Finding 14. The Director does not stipulate that a respondent's lack of prior public discipline (which is factually true) is a mitigating factor if the attorney has prior private discipline. The Director does not stipulate to and the parties agree that although respondent made a full and free disclosure to the Office of Lawyers Professional Responsibility, as stated in Finding 14, respondent did not in fact self-report the second violation (*see* Finding 6).
3. Respondent understands that based upon this stipulation, this Court may impose any of the sanctions set forth in Rule 15(a)(1) - (9), Rules on Lawyers Professional

Responsibility (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 sanctions the Court will impose.

4. The Director and respondent join in recommending the discipline recommended by Referee Flinn, namely that respondent be suspended for sixty (60) days, stayed on the following conditions:

a. Respondent be publicly reprimanded;

b. Respondent be placed on probation for a period of two years, subject to the following conditions:

(1) Respondent shall cooperate fully with the Director's Office in its efforts to monitor compliance of respondent's 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;

(2) Respondent shall abide by the Minnesota Rules of Professional Conduct; and

(3) Respondent shall maintain, or retain an accountant to maintain, law office and trust account books and records in compliance with Rule 1.15(h), Minnesota Rules of Professional Conduct, as amended effective October 1, 2005. These books and records include the following: client subsidiary ledger, checkbook register, monthly trial balances, monthly trust account reconciliation, bank statements, canceled checks, duplicate deposit slips and bank reports of interest, service charges and interest payments to the Lawyer Trust Account Board. Such books and records shall be made available to the Director within 30 days of the approval of this stipulation and

thereafter shall be made available to the Director at such intervals as he deems necessary to determine compliance.

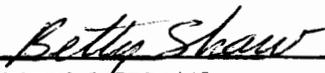
5. This stipulation is entered into by respondent freely and voluntarily, without any coercion, duress or representations by any person except as contained herein.

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

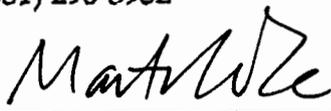
7. Respondent has been advised by the undersigned counsel concerning this stipulation and these proceedings generally.

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

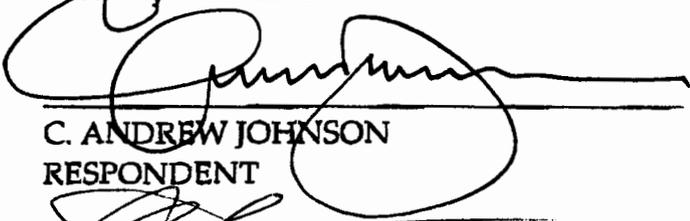
Dated: February 28, 2006.


BETTY M. SHAW
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Dated: February 28, 2006.


MARTIN A. COLE
FIRST ASSISTANT DIRECTOR
Attorney No. 148416

Dated: February 18, 2006.


C. ANDREW JOHNSON
RESPONDENT

Dated: 2/24, 2006.


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