

FILE NO. A09-1861

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against DENNIS R. LETOURNEAU,
a Minnesota Attorney,
Registration No. 62443.

**SUPPLEMENTARY PETITION
FOR DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this supplementary petition for disciplinary action pursuant to the authorization of the Honorable Michael F. Fetsch, the referee appointed by the Court to hear this matter after telephonic hearings conducted on March 19 and 24, 2010, and Rule 12(a), Rules on Lawyers Professional Responsibility (RLPR).

Respondent is currently the subject of a September 22, 2009, petition for disciplinary action. In light of respondent's failure to timely comply with discovery requests served upon him during the pendency of these proceedings, as more fully set forth below, and pursuant to the authorization of the Court's referee, the Director alleges that respondent has committed the following additional unprofessional conduct warranting public discipline:

SECOND COUNT

87. On November 24, 2009, the Director served upon respondent interrogatories and a request for production of documents in these proceedings (the discovery requests). A response to the discovery requests was due in 30 days, pursuant to Rules 33.01 and 34.03, Minnesota Rules of Civil Procedure.

88. Respondent failed to respond to the discovery requests within the time called for under the Rules of Civil Procedure.

89. The Director sent to respondent's counsel written follow up requests for a response to the discovery requests on January 11, February 4, and February 19, 2010. In addition, the Director had telephone conversations with respondent's counsel requesting a response to the discovery requests on February 1 and February 18, 2010.

90. Respondent did not provide a response to the discovery requests to the Director until March 19, 2010.

91. Respondent's additional misconduct in failing to timely respond to the Director's discovery requests in this matter violated Rules 3.4(d) and 8.1(b), Minnesota Rules of Professional Conduct, and Rule 25, RLPR.

WHEREFORE, the Director respectfully prays for an order of this Court imposing 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 29, 2010.



FOR MARTIN A. COLE
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