FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Transfer to Disability Status of WILLIAM C. MORTENSEN, a Minnesota Attorney, Registration No. 75620.	**STIPULATION FOR TRANSFER TO DISABILITY INACTIVE STATUS**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

This stipulation is entered into by and between Kenneth L. Jorgensen, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and William C. Mortensen, attorney, hereinafter respondent.

WHEREAS, respondent has concluded that it is in his best interests to enter into this stipulation; and

WHEREAS, respondent is the subject of a pending lawyer discipline investigation and proceeding;

WHEREAS, respondent, who is of an advanced age, has been diagnosed with several medical conditions by doctors at the Minnesota Veterans Hospital in Minneapolis, Minnesota. Respondent suffers from cancer that has spread to his liver and causes extreme fatigue and abdominal pain; significant depression; degenerative arthritis; and obstructive sleep apnea; and

WHEREAS, it appears to the Director and respondent that these problems prevent respondent at this time from representing clients and participating in the pending discipline proceedings within the meaning of Rule 28, RLPR; and

WHEREAS, respondent's health problems notwithstanding, respondent understands the allegations in the disciplinary action and his procedural rights; and

WHEREAS, respondent is not currently practicing law; and

WHEREAS, respondent understands that if he denies that he is currently disabled, he would have certain procedural rights under the RLPR and respondent hereby waives any and all such rights.

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

1. Respondent understands that this stipulation will be filed with the Clerk of Appellate Courts and will be of public record, and that all further proceedings will be of public record.

2. The Director and respondent join in recommending that respondent be transferred to disability inactive status without further proceedings.

3. The Director and respondent join in recommending that the pending disciplinary proceedings be stayed until respondent petitions for reinstatement to the practice of law. *See* Rule 28(d), RLPR.

4. Respondent understands and agrees that during the period he is on disability inactive status he may not render legal advice, discuss legal matters with clients or otherwise engage in the practice of law.

5. Respondent understands and agrees that upon his filing of a petition for reinstatement, the stay of disciplinary proceedings will automatically be lifted and that, in addition to the requirements of Rules 28(d) and 18, RLPR, during the reinstatement process the pending discipline proceeding will resume to determine whether discipline is warranted.

6. The Director and respondent join in recommending that respondent need not comply with the notice requirements of Rule 26(a) – (c), RLPR, because he has already closed his practice.

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

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

9. Respondent has been and is represented herein by an attorney who has consulted with respondent about the matter, this disposition, and respondent's alternatives, and who joins in signing this stipulation on respondent's behalf.

10. Respondent acknowledges and accepts service by facsimile transmission of the petition for transfer to disability status.

WHEREFORE, the Director and respondent respectfully pray for an order of this Court transferring respondent to disability inactive status and for such other, further or different relief as may be just and proper.

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

Dated: October 24, 2005.

KENNETH L. JORGENSEN
DIRECTOR OF THE OFFICE OF
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Dated: 10/24, 2005.

THOMAS F. ASCHER
ASSISTANT DIRECTOR

Dated: October 24, 2005.

WILLIAM C. MORTENSEN
RESPONDENT
Attorney No. 78620

Dated: 10/24, 2005

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