

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against MARK JONATHAN PADGETT,
a Minnesota Attorney,
Registration No. 207962.

**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 Mark Jonathan Padgett, 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, despite having been previously disciplined for similar misconduct, entered false timekeeping entries into his employer's billing system in violation of Rule 8.4(c), MRPC.

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.

7. The Director and respondent further join in recommending that respondent's probation shall be for a term of two years and shall be subject to the following conditions

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 is not currently engaged in the private practice of law such that it is necessary for him to maintain time records for billing purposes. If, at any time during the term of his probation, respondent engages in the private practice of law under circumstances such that maintenance of time records for billing purposes is required, respondent shall be supervised by a licensed Minnesota attorney, appointed by the Director to monitor compliance with the terms of this probation. Upon engaging in the practice of law, respondent shall notify the Director and respondent shall provide to the Director the names of four attorneys who have agreed to be nominated as respondent's supervisor. If, after diligent effort, respondent is unable to locate a supervisor acceptable to the Director, the Director will seek to appoint a supervisor.

d. If, at any time during the term of his probation, respondent engages in the private practice of law under circumstances such that maintenance of time records for billing purposes is required, respondent shall: (1) maintain accurate time and billing records; (2) maintain an accurate calendar of appointments, hearings, conferences and other events for which he will be claiming attorneys fees; and (3) maintain accurate telephone logs detailing the date, time, and duration of telephone conferences. Respondent shall make these records available to his probation supervisor as requested and shall provide the supervisor with any additional information requested so that the supervisor may confirm the accuracy of respondent's time records. Respondent's supervisor shall file written reports regarding respondent's compliance with the terms of his probation with the Director at least quarterly, or at such more frequent intervals as may reasonably be requested by the Director.

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.

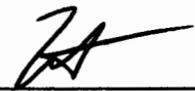
Dated: April 25, 2006.


MARTIN A. COLE
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PROFESSIONAL RESPONSIBILITY
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Dated: April 25, 2006.


PATRICK R. BURNS
SENIOR ASSISTANT DIRECTOR
Attorney No. 134004

Dated: May 10, 2006, 2006.


MARK JONATHAN PADGETT
RESPONDENT

Dated: May 11, 2006.


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