

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary
Action against WARREN F. PLUNKETT,
an Attorney at Law of the
State of Minnesota.

STIPULATION FOR DISPENSING
WITH PANEL PROCEEDINGS, FOR
FILING PETITION FOR
DISCIPLINARY ACTION,
AND FOR DISCIPLINE

THIS STIPULATION is entered into by and between WILLIAM J. WERNZ, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and Warren F. Plunkett, 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.

Respondent states in partial mitigation and explanation that:

a. He has fully cooperated with the District Committee and Director's Office.

b. He has sincerely apologized in writing to Renee Larson and paid her the \$2,000 the District Court awarded her from his client Sharon Spiten.

c. He charged Sharon Spiten no fee because of a long family relation.

d. He used a high voice at deposition in the way that his client indicated Renee Larson spoke.

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 pursuant to Rule 15, RLPR. Respondent agrees to the imposition and payment of \$750 in costs pursuant to Rule 24(a), RLPR. The Director's reasons for recommending this disposition are stated in a memorandum attached hereto.

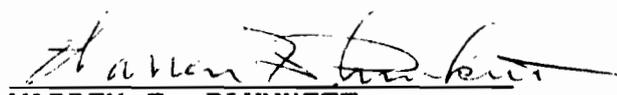
7. This stipulation is entered into by respondent freely and voluntarily, without any coercion, duress or representations by any person except as contained herein.

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

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

IN WITNESS WHEREOF, the parties to this stipulation have hereunto set their hands on the dates indicated below.

Dated: November 21, 1988 
WILLIAM J. WERNZ
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
Attorney No. 11599X
520 Lafayette Road, 1st Floor
St. Paul, MN 55155
(612) 296-3952

Dated: Nov 17, 1988 
WARREN F. PLUNKETT
RESPONDENT

Dated: 17 Nov 88 
JACK S. NORDBY
ATTORNEY FOR RESPONDENT
Attorney No. 79546
1616 Park Avenue
Minneapolis, MN 55404