

FILE NO. \_\_\_\_\_

STATE OF MINNESOTA

IN SUPREME COURT

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In Re Petition for Disciplinary  
Action against MICHAEL J. QUINN,  
an Attorney at Law of the  
State of Minnesota.  
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**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 petition upon the parties' agreement pursuant to Rules 10(a) and 12(a), Rules on Lawyers Professional Responsibility. The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on April 19, 1973. Respondent currently practices law in Rochester, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

Practice While Suspended and on CLE Restricted Status

1. Respondent was suspended for non-payment of attorney registration fees from October 1, 1982, until July 1999. Respondent was placed on CLE restricted status by Court order dated November 20, 1985 (Exhibit 1).

2. During that time period respondent continued to practice law as corporate counsel for Carlson Companies (1982-1988), P.D.Q. Food Stores, Ltd. (1988-1989), Kahler Realty Company (1989-1997), and in the private practice of law from 1997-1999. Respondent also held himself out as authorized to practice in yellow pages and other advertising during 1998 and 1999.

3. On March 22, 1999, respondent filed a summons and complaint on behalf of Financial Management Consultants, Ltd. using an incorrect attorney registration number (Exhibit 2).

4. When the District Court Administrator called the matter to respondent's attention, respondent discovered that he had been suspended for non-payment of attorney registration fees. When respondent attempted to pay the past due fees, he discovered that he had been placed on CLE restricted status.

5. Respondent inaccurately informed the District Court Administrator that he had taken care of the matter (Exhibit 3). When he was unable to do so because of his inability to prove compliance with CLE requirements, the District Court Administrator wrote to respondent on May 19, 1999, informing him that the Court was closing the Financial Management Consultants, Ltd. file until it received written confirmation from attorney registration that he was no longer suspended (Exhibit 4).

6. During April through June 1999 respondent took 63 continuing legal education classes to complete the 90 credits he needed in order to be removed from CLE restricted status.

7. In late June or early July 1999, the Court issued an order removing respondent from CLE restricted status. Respondent was returned to active status in early July 1999 when he paid the past due attorney registration fees.

8. Respondent's conduct of practicing law while suspended for non-payment of attorney registration fees and on CLE restricted status violated Rules 5.5 and 8.4(d), Minnesota Rules of Professional Conduct (MPRC).

Dated: November 16, 1999.

  
EDWARD J. CLEARY  
DIRECTOR OF THE OFFICE OF LAWYERS  
PROFESSIONAL RESPONSIBILITY  
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and

  
BETTY M. SHAW  
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