

FILE NO. A14-0804

STATE OF MINNESOTA

IN SUPREME COURT

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In Re Petition for Disciplinary Action  
against PAUL ROLAND RAMBOW,  
a Minnesota Attorney,  
Registration No. 169389.  
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**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 Rules 10(e) and 12(a), Rules on Lawyers Professional Responsibility (RLPR).

Respondent is currently the subject of an April 23, 2014, petition for disciplinary action. The Director has investigated further allegations of unprofessional conduct against respondent.

The Director alleges that respondent has committed the following additional unprofessional conduct warranting public discipline:

FIFTH COUNT

Additional Failure to Cooperate

**Trust Account Overdraft Matter**

243. On March 5, 2013, respondent's Western Bank trust account became overdrawn. Pursuant to Rule 1.15(j)-(o), Minnesota Rules of Professional Conduct (MRPC), Western Bank reported the overdraft to the Director.

244. On March 14, 2013, the Director wrote to respondent to request an explanation for the overdraft and copies of respondent's January through March 2013

trust account bank statements, check register, client subsidiary ledgers, trial balances and reconciliations.<sup>1</sup>

245. On April 2, 2013, the Director received from respondent a March 29, 2013, letter, in which he explained that the overdraft in his trust account had been “the result of an automatic withdrawal from American Express-Merchant Financial the company that processes credit card payments to the law firm.” Respondent failed to enclose any of the trust account books and records requested in the Director’s March 14, 2013, letter.

246. On April 3, 2013, the Director wrote to respondent and again requested him to provide the January through March 2013 trust account books and records that had been requested in the Director’s March 14, 2013, letter.

247. On April 10, 2013, at respondent’s request, the Director granted respondent an extension to April 18, 2013, to respond to the Director’s April 3, 2013, letter. Respondent failed to respond by April 18, 2013.

248. On April 23, 2013, the Director wrote to respondent and again requested him to provide the trust account books and records that had been requested in the Director’s March 14, 2013, letter.

249. On May 6, 2013, the Director received from respondent an April 30, 2013, letter, with which he enclosed copies of his December 2012 through February 2013 trust account bank statements and the checks reflected on those bank statements. Respondent failed to enclose copies of any of the check registers, client subsidiary ledgers, trial balances or reconciliations that had been requested in the Director’s March 14, 2013, letter.

250. The Director converted the informal overdraft inquiry into a formal disciplinary investigation. On May 20, 2013, the Director sent respondent a notice of investigation that requested his complete trust account books and records for the period

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<sup>1</sup> The Director directed the March 14, 2013, letter—and all letters sent to respondent in the trust account overdraft, B.K., and J.G. and T.G. matters during the period through August 2013—to 7935 West Bush Lake Road, Bloomington, MN 55438. This was the address that appeared on the overdraft notice and in the records of the lawyer registration office.

through May 31, 2013, and an explanation for his failure to respond to the Director's March 14, April 3 and April 23, 2013, letters. The notice requested respondent's response within 21 days. Respondent failed to respond.

251. On August 9, 2013, the Director received notice of another overdraft on respondent's Western Bank trust account.<sup>2</sup> On August 14, 2013, the Director wrote to respondent and requested (a) his response to the Director's May 20, 2013, notice of investigation; (b) an explanation for the recent overdraft; and (c) copies of various trust account books and records related to that overdraft.

252. On September 3, 2013, the Director received from respondent an August 30, 2013, letter in which he stated that he had received the Director's August 14, 2013, letter, but had not previously received the Director's May 20, 2013, notice of investigation. Respondent informed the Director that his address had changed to 4901 Excelsior Boulevard, Minneapolis, MN 55416.<sup>3</sup> Finally, respondent stated that he would "make every effort" to provide the information and documents requested by the Director "as soon as possible."

253. On September 5, 2013, the Director wrote to respondent and requested that he respond to both the May 20, 2013, notice of investigation and the August 14, 2013, letter within two weeks. Respondent failed to do so.

254. On September 16, 2013, the Director received notice of a September 10, 2013, overdraft on respondent's Western Bank trust account. The overdraft reflected that an electronic withdrawal had created a negative \$54.46 balance in the account.

255. On September 18, 2013, the Director wrote to respondent and requested his explanation for, and various trust account books and records related to, the September 10, 2013, overdraft.

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<sup>2</sup> The overdraft notice reflected that a series of electronic withdrawals caused a \$73.10 overdraft in the account, but did not reflect the date of the overdraft.

<sup>3</sup> The Director directed all letters sent to respondent during the period September 2013 to March 2014 in the trust account overdraft, B.K., J.G. and T.G., A.I., M.B., R.B. and lawyer registration fee and CLE restricted status matters to this address.

256. On October 14, 2013, the Director received from respondent a letter dated October 10, 2013, in which he stated that he was "working with Western Bank to obtain the requested information regarding Rambow Law Trust account." Respondent requested a letter "setting forth the exact documents I need to request for the boards [sic] review."

257. On October 15, 2013, the Director wrote to respondent with a list of the items requested in the Director's May 20, 2013, notice of investigation and August 14 and September 18, 2013, letters that respondent had not yet provided. The Director noted that most of the requested items, *e.g.*, check register, client subsidiary ledgers, trial balances and reconciliations, could not be obtained from his bank. The Director requested respondent to provide the listed materials within two weeks. Respondent failed to respond.

258. On November 5, 2013, the Director wrote to respondent to again request the materials listed in the Director's October 15, 2013, letter.

259. On November 15, 2013, respondent informed the Director that he had obtained documents from Western Bank and would provide them to the Director "by the end of next week." Respondent failed to do so.

260. On December 17, 2013, the Director wrote to respondent to again request the materials listed in the Director's October 15, 2013, letter. Respondent failed to respond.

261. On January 6, 2014, the Director wrote to respondent to again request the materials listed in the Director's October 15, 2013, letter. Respondent failed to respond.

262. To date, respondent has failed to provide the trust account books, records and information requested in the Director's May 20, 2013, notice of investigation and August 14 and September 18, 2013, letters.

#### **Koch Matter**

263. On May 22, 2013, the Director received a complaint against respondent from his client Brenda Koch (Koch). On June 3, 2013, the Director sent respondent a

notice of investigation of Koch's complaint, which requested his written response to the complaint within 14 days. Respondent failed to respond.

264. On July 25, 2013, the Director wrote to respondent and again requested his written response to Koch's complaint. Respondent again failed to respond.

265. On September 4, 2013, the Director wrote to respondent for a third time to request his written response to Koch's complaint. On September 23, 2013, the Director received from respondent a letter dated September 18, 2013, which constituted his response to Koch's complaint.

266. On October 15, 2013, the Director wrote to respondent to request a copy of the complete file he maintained in the Koch matter, a copy of his retainer agreement with Koch and the contact information for opposing counsel and/or the insurance adjuster involved in the Koch matter. Respondent failed to respond.

267. On November 5, 2013, the Director wrote again to respondent to request the materials that had been requested in the Director's October 15, 2013, letter. Respondent failed to respond.

268. On December 17, 2013, the Director wrote again to respondent to request the materials that had been requested in the Director's October 15, 2013, letter. Respondent failed to respond.

269. On January 6, 2014, the Director wrote again to respondent to request the materials that had been requested in the Director's October 15, 2013, letter. Respondent failed to respond.

270. To date, respondent has not provided the Koch file or any of the other information requested in the Director's October 15, 2013, letter.

#### **J.G. and T.G. Matter**

271. Respondent represented J.G. and T.G. as plaintiffs in a civil lawsuit. The Director received a complaint from opposing counsel in that matter alleging that, upon settlement of the lawsuit, respondent had failed to provide the required release and

stipulation for dismissal and had forged opposing counsel's endorsement on the settlement draft.

272. On June 20, 2013, the Director sent to respondent a notice of investigation of the complaint arising from the J.G. and T.G. matter. The notice requested respondent's written response to the complaint within two weeks. Respondent failed to respond.

273. On July 25, 2013, the Director wrote to respondent and again requested his written response to the complaint arising from the J.G. and T.G. matter. Respondent again failed to respond.

274. On September 4, 2013, the Director wrote to respondent for a third time to request his written response to the complaint arising from the J.G. and T.G. matter. On September 23, 2013, the Director received from respondent a letter dated September 18, 2013, which constituted his response to that complaint.

275. On October 15, 2013, the Director wrote to respondent to request additional documents and information relative to the complaint arising from the J.G. and T.G. matter. Respondent failed to respond.

276. On November 5, 2013, the Director wrote again to respondent to request the materials that had been requested in the Director's October 15, 2013, letter. Respondent failed to respond.

277. On December 17, 2013, the Director wrote again to respondent to request the materials that had been requested in the Director's October 15, 2013, letter. Respondent failed to respond.

278. On January 6, 2014, the Director wrote again to respondent to request the materials that had been requested in the Director's October 15, 2013, letter. Respondent failed to respond.

279. To date, respondent has not provided the documents and information requested in the Director's October 15, 2013, letter.

### **Isse Matter**

280. On November 4, 2013, the Director received a complaint against respondent from his client Abdikarim Isse (Isse). On November 19, 2013, the Director sent respondent a notice of investigation which requested respondent's written response to Isse's complaint within 14 days. Respondent failed to respond.

281. On December 17, 2013, the Director wrote again to respondent and requested his written response to Isse's complaint. Respondent failed to respond.

282. On January 6, 2014, the Director wrote to respondent for a third time and requested his written response to Isse's complaint. Respondent failed to respond.

283. To date, respondent has not provided any response to Isse's complaint.

### **Balm Matter**

284. On January 31, 2014, the Director received a complaint against respondent from his client Mila Balm (Balm). On February 11, 2014, the Director sent respondent a notice of investigation, which requested respondent's written response to Balm's complaint within 14 days. Respondent failed to respond.

285. On March 11, 2014, the Director wrote again to respondent and requested his written response to Balm's complaint.

286. On April 1, 2014, the postal service returned the Director's March 11, 2014, letter as undeliverable. The postal service's markings on the envelope indicated that respondent had moved from 4901 Excelsior Boulevard, Minneapolis, MN 55416, without providing a forwarding address.

287. To date, respondent has not provided any response to Balm's complaint and has not informed the Director of his current mailing address.

### **Black Matter**

288. On February 21, 2014, the Director received a complaint against respondent from his client Raye Black (Black). On March 4, 2014, the Director sent to respondent a notice of investigation, which requested his written response to Black's complaint within 14 days.

289. On March 12, 2014, the postal service returned the Director's March 4, 2014, notice of investigation as undeliverable. The postal service's markings on the envelope indicated that respondent had moved from 4901 Excelsior Boulevard, Minneapolis, MN 55416, without providing a forwarding address.

290. On March 20, 2014, after finding a possible new address for respondent, the Director wrote to respondent at that address and requested his written response to Black's complaint.

291. On March 31, 2014, the postal service returned the Director's March 20, 2014, letter as undeliverable. The postal service's markings on the envelope indicated that respondent had moved from the address without providing a forwarding address.

292. To date, respondent has not provided any response to the Black complaint and has not informed the Director of his current mailing address.

#### **Lawyer Registration Fee and CLE Restricted Status Matters**

293. On November 19, 2013, after discovering that respondent had not timely paid his lawyer registration fee due on October 1, 2013, the Director wrote to respondent and requested proof of payment of the fee and an affidavit concerning his practice of law during the period of his fee suspension.<sup>4</sup> Respondent failed to respond.

294. On December 17, 2013, the Director wrote again to respondent and requested his response to the Director's November 19, 2013, letter. Respondent failed to respond.

295. On January 6, 2014, the Director wrote to respondent for a third time to request his response to the Director's November 19, 2013, letter. Respondent failed to respond.

296. To date, respondent has not provided the affidavit concerning his practice of law during the period of his fee suspension that was requested in the Director's November 19, 2013, letter.

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<sup>4</sup> The Director subsequently learned that respondent paid his lawyer registration fee on November 14, 2013.

297. On March 11, 2014, after discovering that since February 21, 2014, respondent had been on restricted status for failing to comply with his Continuing Legal Education (CLE) requirements, the Director wrote to respondent. The Director requested respondent to provide proof of compliance with all CLE reinstatement requirements and an affidavit concerning his practice of law during the period of time in which his status was restricted.

298. On March 18, 2014, the postal service returned the Director's March 11, 2014, letter as undeliverable. The postal service's markings on the envelope indicated that respondent had moved from 4901 Excelsior Boulevard, Minneapolis, MN 55416, without providing a forwarding address.

299. On March 20, 2014, after finding a possible new address for respondent, the Director wrote to respondent at that address and requested proof of compliance with all CLE reinstatement requirements and an affidavit concerning his practice of law during the period of time in which his status was restricted.

300. By Supreme Court order dated March 20, 2014, respondent was reinstated to active status after having provided proof of compliance with the CLE requirements. Respondent did not, at that time, provide the lawyer registration office with his current address.

301. On March 27, 2014, the postal service returned the Director's March 20, 2014, letter as undeliverable. The postal service's markings on the envelope indicated that respondent had moved from the address without providing a forwarding address.

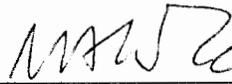
302. To date, respondent has not provided the affidavit concerning his practice of law during the period of his CLE restricted status that was requested in the Director's March 11, 2014, letter and has not informed the Director of his current mailing address.

303. Respondent's conduct violated Rule 8.1(b), MRPC, 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.

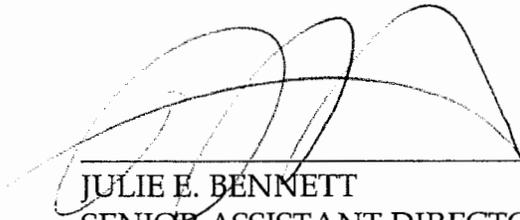
Dated: June 4, 2014.



MARTIN A. COLE  
DIRECTOR OF THE OFFICE OF LAWYERS  
PROFESSIONAL RESPONSIBILITY

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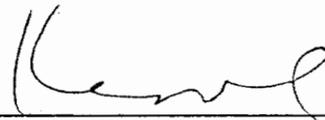
and



JULIE E. BENNETT  
SENIOR ASSISTANT DIRECTOR  
Attorney No. 289474

This supplementary petition is approved for filing pursuant to Rule 10(e), RLPR, by the undersigned.

Dated: June 6, 2014.



KENNETH S. ENGEL  
PANEL CHAIR, LAWYERS PROFESSIONAL  
RESPONSIBILITY BOARD