

FILE NO. CX-81-1120

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary
Action against HARRY N. RAY,
an Attorney at Law of the
State of Minnesota.

**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 a January 27, 1999, petition for disciplinary action. That matter has been assigned to the Honorable Lawrence T. Collins as referee, whose return date for filing findings, conclusions and recommendation is July 30, 1999. The Director has now investigated further allegations of unprofessional conduct against respondent and alleges that respondent has committed the following additional unprofessional conduct warranting public discipline:

SECOND COUNT

15. Respondent represented L.C. and her deceased husband J.C. for many years on both personal and business matters. Respondent had represented L.C. and J.C. prior to his suspension from the practice of law in 1985, and continued to do so afterwards. L.C. was not aware that respondent was no longer licensed after 1985.

16. Among the legal service respondent provided to L.C. and/or J.C. was to draft an October 23, 1991, family trust agreement, to draft a February 7, 1998, power of attorney, and to participate in a personal injury matter in 1997-98. At a minimum in the personal injury matter, respondent obtained medical records of L.C. which were mailed

to respondent's home address in a letter addressed to "Harry N. Ray Attorney at Law." On information and belief, respondent performed other services for L.C. in that matter as well. Respondent's conduct constituted the unauthorized practice of law by a suspended lawyer.

17. In November 1998, L.C. sent a certified letter to respondent requesting that he send L.C.'s complete files to an attorney in St. Paul. Respondent received the letter, but did not provide the files nor any response. In April 1999, L.C.'s nieces sent a certified letter to respondent again asking for their aunt's files. Respondent received the letter, but again took no action. L.C.'s new attorney has attempted to call respondent, and has left messages for respondent, but to date the calls have not been returned. To date, respondent has not returned L.C.'s files nor contacted her nieces or her new attorney.

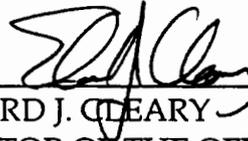
18. By notice of investigation dated June 9, 1999, a copy of a complaint containing the above facts was forwarded to respondent and his complete written response was requested within fourteen days. Respondent did not respond. By letter dated June 24, 1999, respondent was again requested to provide immediately a complete written response to the complaint. On July 9, respondent contacted the Director's representative and promised to respond by July 12. To date, respondent has not responded or again contacted the Director's Office concerning this matter. Respondent's failure to respond constitutes non-cooperation with the disciplinary investigation.

19. Respondent's unauthorized practice of law, failure to return documents and non-cooperation with the disciplinary investigation violated Rules 5.5(a), 8.4(d), 1.16(d) and 8.1(a)(3), Minnesota Rules of Professional Conduct, and Rule 25, RLPR,

WHEREFORE, the Director respectfully prays for an order of this Court disbarring respondent from the practice of law, awarding costs and disbursements

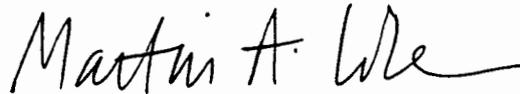
pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: July 15, 1999.



EDWARD J. CLEARY
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
Attorney No. 17267
25 Constitution Avenue, Suite 105
St. Paul, MN 55155-1500
(651) 296-3952

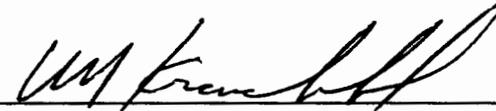
and



MARTIN A. COLE
SENIOR ASSISTANT DIRECTOR
Attorney No. 148416

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

Dated: July 19, 1999



WILLIAM M. KRONSCHNABEL
PANEL CHAIR, LAWYERS PROFESSIONAL
RESPONSIBILITY BOARD