

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against EDWARD F. ROONEY,
a Minnesota Attorney,
Registration No. 9321X.

**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 October 20, 1972. Respondent currently practices law in Minneapolis, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. From at least July 1, 2003, through to the present respondent has maintained a client trust account at M&I Marshall & Ilsley Bank, account number 4534069 (the client trust account).

2. From July 7, 2003, through June 30, 2004, respondent withdrew from the client trust account a total of \$27,700 in 17 separate withdrawals ranging in amounts from \$350 to \$4,000. At the time respondent withdrew these funds from the trust account he was not entitled to the funds. Respondent misappropriated these funds and converted them to his own use.

3. On July 30, 2004, the client trust account became overdrawn due to respondent's misappropriations.

4. Respondent has restored the misappropriated funds to the client trust account by making the following four separate deposits of his own funds to the account: January 5, 2004 (\$4,850); June 15, 2004 (\$500); August 2, 2004 (\$1,000); and August 5, 2004 (\$21,350).

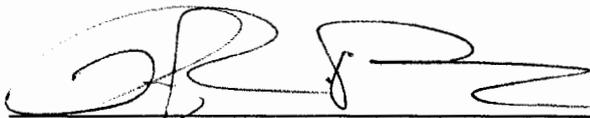
5. Respondent's conduct violated Rules 1.15 and 8.4(c), Minnesota Rules of Professional Conduct.

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: September 21, 2004.


KENNETH L. JORGENSEN
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
Attorney No. 159463
1500 Landmark Towers
345 St. Peter Street
St. Paul, MN 55102-1218
(651) 296-3952

and


PATRICK R. BURNS
SENIOR ASSISTANT DIRECTOR
Attorney No. 134004