

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary
Action against JOHN DOV SCOTT,
a Minnesota Attorney,
Registration No. 270635.

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

THIS STIPULATION is entered into by and between Kenneth L. Jorgensen, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and John Dov Scott, 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 admits the allegations of the petition.

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:

a. The appropriate discipline is a 30-day suspension pursuant to Rule 15, RLPR, to commence 14 days after the Court's order;

b. Respondent be required to successfully complete the professional responsibility portion of the state bar examination within one year of the date of this Court's order;

c. Respondent comply with Rule 26, RLPR;

d. Respondent pay \$900 in costs pursuant to Rule 24(a), RLPR; and

e. Respondent be reinstated following the expiration of the suspension provided that at least 15 days before the expiration of the suspension period, respondent files an affidavit with the Clerk of Appellate Courts and the Director's Office establishing that respondent is current with Continuing Legal Education, has fully complied with Rules 24 and 26, RLPR, and has satisfactorily completed all other conditions imposed by the Court in its decision.

7. The attached Director's Memorandum is made a part of this stipulation.

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

9. Respondent hereby acknowledges receipt of a copy of this stipulation, including the Memorandum.

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

IN WITNESS WHEREOF, the parties executed this stipulation on the dates indicated below.

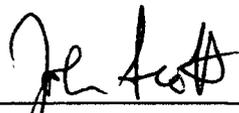
Dated: February 5, 2003.


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

Dated: February 5, 2003.


MARTIN A. COLE
FIRST ASSISTANT DIRECTOR
Attorney No. 148416

Dated: 2/4, 2003.


JOHN DOV SCOTT
RESPONDENT
Attorney No. 270635

Dated: February 4, 2003.


WILLIAM J. WERNZ
ATTORNEY FOR RESPONDENT
Attorney No. 11599X
50 South Sixth Street, Suite 500
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(612) 340-2600

DIRECTOR'S MEMORANDUM

Attorneys have been publicly disciplined for misconduct committed while *pro se* in their own marital dissolution and custody proceedings. *See, e.g., In re Edwall*, 557 N.W.2d 343 (Minn. 1997). False testimony to a court has most often resulted in suspension for periods longer than that agreed to in this instance. *See, e.g., In re Kopeska*, 638 N.W.2d 196 (Minn. 2002).

Respondent admitted his false statements to the court. Respondent has asserted various additional points concerning his conduct: he was involved in a highly emotional personal matter; he has apologized and is contrite; he has no prior discipline; and his misconduct was isolated. The Director acknowledges these points and has taken them into account in determining that a suspension shorter than other cases is appropriate in this instance.