FILE NO. C6-01-972

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action against STEVEN FORD SORONOW, an Attorney at Law of the State of Minnesota.	**SECOND 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 second 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 May 18, 2001, petition for disciplinary action and a June 13, 2001, supplementary petition for disciplinary action. The Director has investigated further allegations of unprofessional conduct against respondent. Based on the information the complainants provided and on the Director's additional investigation, the Director alleges that respondent has committed the following additional unprofessional conduct warranting public discipline:

SIXTH COUNT

Further Non-Cooperation

31. On June 19, 2001, the Director received a complaint from Izzat Minhas and Iftikhar Minhas alleging respondent's failure to communicate, pursue their immigration matters and to refund their retainer.

32. By notice of investigation dated June 20, 2001, the Minhas complaint was forwarded to respondent's last known address, and he was requested to respond to the Director's Office within 14 days. Exhibit 27 (Exhibits 1 - 26 are attached to the Director's May 18 petition and June 13 supplemental petition). No response has been received.

33. On June 27, 2001, the Director received a complaint from Margaret Aitkens alleging respondent's failure to promptly proceed with her matter and return her telephone calls and her retainer.

34. On June 28, 2001, the Director received a complaint against respondent from Joanne Strate alleging his non-communication and neglect.

35. By notices of investigation dated July 2, 2001, the Aitkens and Strate complaints were forwarded to respondent's last known address, and he was requested to respond to the Director's Office within 14 days. Exhibits 28 and 29. No responses were received within 14 days.

36. On July 17, 2001, the Director received a complaint from Cory Reiman alleging that respondent failed to pursue Reiman's immigration matter and failed to return telephone calls.

37. On July 18, 2001, respondent met with a representative of the Director's Office and admitted he had received the notices of investigation and complaints and then failed to respond. Respondent agreed to provide full responses to all complaints and return client files and refund retainers as appropriate. Respondent called the Director's Office on July 20, 2001, stating his first response purportedly was being mailed.

38. By notice of investigation dated July 20, 2001, the Reiman complaint was forwarded to respondent's last known address, and he was requested to respond to the Director's Office within 14 days. Exhibit 30. Respondent did not respond.

39. On July 23, 2001, the Director received a complaint against respondent from Bashir and Christine Ahmed alleging failure to appear at a hearing and failure to return telephone calls and personal papers.

40. On July 26, 2001, the Director wrote to respondent reminding respondent that he had agreed to cooperate with the disciplinary process and requesting that he provide responses to nine of the complaints then pending against respondent. Exhibit 31.

41. By notice of investigation dated July 27, 2001, the Ahmed complaint was forwarded to respondent's last known address, and he was requested to respond to the Director's Office within 14 days. Exhibit 32. Respondent failed to respond.

42. On July 27, 2001, the Director received a complaint from Bruce Rollins alleging respondent's non-communication and failure to return client papers.

43. By letter dated August 6, 2001, and received by the Director via facsimile on August 8, 2001, respondent responded to Aitkens complaint (*see* ¶¶ 33 and 35, above). Respondent has not cooperated further with the Director's Office or provided responses to any other complaint.

44. By notice of investigation dated August 7, 2001, the Rollins complaint was forwarded to respondent's last known address, and he was requested to respond to the Director's Office within 14 days. Exhibit 33. Respondent did not respond.

45. On August 14, 2001, the Director received a complaint against respondent from Bisi and Adeola Kuti alleging neglect, non-communication and failure to return client papers.

46. On August 14, 2001, the Director received a complaint from Manuel and Sheila Rivera alleging respondent's non-communication and neglect.

47. On August 21, 2001, the Director received a complaint from Susan M. Vance alleging respondent's failure to pay law related debts.

48. By notice of investigation dated August 21, 2001, the Vance complaint was forwarded to respondent's last known address, and he was requested to respond to the Director's Office within 14 days. Exhibit 34. Respondent has not yet responded.

49. By notices of investigation dated August 22, 2001, the Kuti and Rivera complaints were forwarded to respondent's last known address, and he was requested to respond to the Director's Office within 14 days. Exhibits 35 and 36. Respondent has not yet responded.

50. Respondent's conduct in failing to cooperate with the Director's disciplinary investigation violated Rule 8.1(a)(3), Minnesota Rules of Professional Conduct (MRPC), and Rule 25, RLPR.

SEVENTH COUNT

Further Non-Communication, Neglect and Failure to Return Files and Retainers

51. Respondent has continued to engage in a pattern of non-communication, neglect and failure to return files and unearned retainers as follows:

a. Izzat Minhas and Iftikhar Minhas are brothers who hired respondent on April 23, 2001, to prepare and file separate immigration petitions and together paid a $2,075 retainer. Izzat and Iftikhar state that the deadline for filing their petitions was April 30, 2001. When respondent failed to promptly proceed, they were forced to hire another attorney. On April 27, 2001, respondent orally agreed to provide verification of the termination of his representation and a full refund. He did not do so. Respondent failed to return numerous calls from the Minhases and their new attorney and refused to meet with them at his office. On June 1, 2001, respondent agreed in writing to refund $1,800 to the Minhases by June 5, 2001. He has, to date, failed to do so.

b. Margaret Aitkens retained respondent on May 9, 2001, to investigate and proceed with two claims against her son's school district and paid a $1,000 retainer. Respondent states he exhausted Aitkens' retainer researching her claims and departed on a two-week trip on May 22, 2001. When respondent failed to respond to Aitkens' inquiries after their initial meeting or initiate any action, she terminated the representation on June 6, 2001, and requested respondent refund her retainer. Respondent failed to provide the requested refund or respond to Aitkens' numerous communications.

c. Joanne Strate retained respondent on April 13, 2001, to negotiate a bill on her brother's behalf and paid respondent a $200 flat fee. Respondent informed Strate the representation would probably involve a phone call and a

letter and he would provide her with copies of any correspondence. When Strate did not receive any correspondence, she tried to call respondent to inquire about the status of her matter. After Strate failed to receive any response from respondent to her eight telephone calls, she wrote to him on June 12, 2001, requesting a refund of her $200 and an explanation. Respondent did not provide the refund or any explanation.

d. On June 20, 2001, Cory Reiman retained respondent in an immigration matter and paid respondent's $500 fee. Thereafter, respondent ceased communication with Reiman. There is no evidence that respondent completed any work on the matter. Reiman retained a different attorney, but respondent did not return Reiman's file as requested.

e. Bashir Ahmed retained respondent during June 2001 for representation in an immigration matter and paid a $500 fee. On June 16, 2001, respondent failed to appear with Bashir at a hearing before the immigration court. Respondent failed to return numerous calls from Bashir or his wife and failed to return their original documents and fee as requested

f. On June 21, 2001, Bruce Rollins retained respondent to review some court documents and paid respondent a $200 fee. Rollins states he wrote, visited respondent's office and telephoned respondent requesting return of his documents. Respondent failed to return Rollins' documents as requested.

g. During May 2001, Bisi Kuti and her daughter, Adeola Kuti, retained respondent in separate immigration matters and together paid respondent $650. When respondent failed to return their calls and was unavailable at his office, the Kutis terminated the representation via facsimile and requested respondent return their money and papers. Respondent did not respond. On July 26, 2001, the Kutis sent a second letter by certified mail. Respondent's secretary signed for the certified letter on July 27, 2001, but respondent failed to respond.

h. Manuel and Sheila Rivera retained respondent in an immigration matter and paid respondent a $1,000 fee. The Riveras have left over 25 messages for respondent, but he has failed to provide any information concerning the representation, copies of any documents or evidence of any work completed on their behalf. On August 3, 2001, they wrote to respondent requesting proof their matter had been filed. Respondent provided what he purported to be an Immigration and Naturalization Service (INS) receipt number as evidence of his work. When the Riveras checked with the INS, there was no record of any filing by respondent for Manuel A. Rivera.

52. Respondent's conduct in engaging in a pattern of neglecting clients, failing to communicate with clients in a timely manner, and failing to return client papers and unearned retainers violated Rules 1.3, 1.4(a) and 1.16(d), MRPC. Respondent's false statement to the Riveras violated Rules 4.1 and 8.4(c), MRPC.

EIGHTH COUNT

Failure to Pay Law Related Debt

53. During July 2000, respondent entered into a written month-to-month lease with Larson Properties, L.L.C., to rent space for a law office in the Flour Exchange Building in Minneapolis for $300 per month. Respondent paid $300 by check toward his first month's rent. Respondent's check was returned by his bank for non-sufficient funds. When contacted by Susan Vance, attorney for Larson Properties, respondent agreed to replace the check, but failed to do so.

54. Respondent continued to occupy the office space without payment of any rent until his October 13, 2000, eviction hearing. Respondent did not appear at the hearing. The housing court entered immediate judgment by default against respondent. He was evicted and he cleaned out his office that day.

55. Larson Properties brought an action against respondent in conciliation court to collect their past due rent and costs. On December 6, 2000, the conciliation court entered a default judgment against respondent for $1,142.19.

56. Respondent removed the conciliation court judgment to district court. Respondent failed to appear at the first pretrial/settlement conference. Respondent's check to the court for his filing fee was returned for non-sufficient funds and the court was unable to locate respondent.

57. On August 16, 2001, respondent telephoned Vance, and offered to settle their claim for $1,000. When Vance declined respondent's offer, she states that respondent stated, "O.K., chase me!" and terminated the conversation. Respondent has not, to date, paid the December 6, 2000, judgment against him.

58. Respondent's conduct in failing to pay a valid law related judgment violated Rule 8.4(d), MRPC.

WHEREFORE, the Director respectfully prays for an order of this Court suspending respondent or imposing otherwise 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 11, 2001.

EDWARD J. CLEARY
DIRECTOR OF THE OFFICE OF LAWYERS
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and

MARTIN A. COLE
SENIOR ASSISTANT DIRECTOR
Attorney No. 148416.

This petition is approved for filing pursuant to Rules 10(e) and 12(a), RLPR, by the undersigned Panel Chair.

Dated: Sept 12, 2001.

CHARLES E. LUNDBERG
BOARD CHAIR, LAWYERS PROFESSIONAL
RESPONSIBILITY BOARD