

FILE NO. \_\_\_\_\_

STATE OF MINNESOTA

IN SUPREME COURT

-----  
In Re Petition for Disciplinary  
Action against SU YANG,  
a Minnesota Attorney,  
Registration No. 316003.  
-----

**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 December 20, 2001. Respondent currently practices law in Minneapolis, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. In August 2004, P.T. retained respondent to represent him in a dissolution of his marriage to S.T. P.T. and S.T. were married in Laos in 1986. P.T. and S.T. have five children who, in August 2004, ranged in age from two to sixteen years old.
2. At P.T.'s request, respondent prepared a joint summons and petition for dissolution of marriage, a marital termination agreement, and a proposed judgment and decree of dissolution of marriage. S.T. and P.T. were designated as "co-petitioners" in the petition.
3. During a meeting with P.T. and S.T. in August 2004, respondent informed S.T. that he could only represent P.T., and could not also represent S.T. Respondent

offered to contact an attorney named Blong Yang (“Blong”) to represent her. Blong, whose law office is not far from respondent’s, is not related to respondent. Respondent and Blong were acquainted with each other from previously having served as opposing counsel in two dissolution of marriage cases.

4. Respondent arranged with P.T. to meet, along with S.T., in respondent’s office on September 11, 2004, to review the joint petition and MTA. Sometime before the meeting respondent contacted Blong, who agreed to appear and represent S.T. at the meeting.

5. Despite the fact that Blong did not appear for the meeting on September 11, 2004, respondent proceeded with the meeting. Respondent presented and reviewed the terms of the joint petition and MTA with P.T. and S.T. P.T. and S.T. signed the documents.

6. P.T.’s and S.T.’s signatures on both the joint petition and MTA appear to have been notarized by “Sarah A. Yang,” who is respondent’s sister. Sarah Yang was not, however, present during any portion of respondent’s September 11, 2004, meeting with P.T. and S.T. The signature of Sarah Yang and her notary seal were placed on the documents by either respondent or his wife, Chao Thao (“Chao”), without Sarah Yang’s authorization or knowledge.

7. Sometime after September 11, 2004, Blong went to respondent’s office to review the joint petition and MTA. Blong signed the petition and MTA at respondent’s office.

8. On or about October 12, 2004, respondent filed the petition, MTA, and a proposed judgment and decree with the Anoka County District Court. Shortly after that date, a law clerk for Judge Roith, the assigned judge, contacted respondent to indicate that Judge Roith required changes to documents concerning physical custody, visitation, and child support.

9. Respondent attempted, without success, to contact Blong about revisions to the pleadings that were required by Judge Roith. Respondent learned from a relative

of Blong's wife that Blong had left the country and was not expected to return until January or February 2005.

10. After learning that Blong was out of the country, respondent prepared an amended joint petition and an MTA with revisions regarding child custody/parenting time and child support. Respondent did not attempt to send the amended joint petition and revised MTA to Blong for review. Instead, respondent arranged with P.T. and S.T. to sign the revised documents in respondent's office on December 18, 2004, in Blong's absence.

11. S.T.'s purported signature on the amended joint petition and revised MTA, along with that of P.T., appear to have been notarized on December 18, 2004, by Sarah Yang. Sarah Yang was not, however, present during any portion of respondent's December 18, 2004, meeting with P.T. and S.T. The signature of Sarah Yang and her notary seal were placed on the documents by respondent, without Sarah Yang's authorization or knowledge.

12. Respondent attempted to file the amended joint petition and revised MTA with the court, but they were not accepted by Judge Roith because additional changes were needed.

13. Respondent prepared another joint petition and MTA that each appear to have been signed and dated by S.T. and Blong on February 10, 2005. The signatures of S.T. and Blong are not authentic, however, and were placed on the documents by respondent without S.T.'s or Blong's authorization or knowledge.

14. The February 10, 2005, joint petition and MTA also appear to have been notarized by Chao. The purported notarization is false, however, because Chao was not present when the documents were signed. The signature of Chao and her notary seal were placed on the documents by respondent without Chao's authorization or knowledge. Respondent submitted the documents to the court, knowing they contained forged signatures and a false notarization.

15. On February 15, 2005, respondent submitted another proposed judgment and decree to the court that contained the initials of the parties at the court's request. It was accepted for filing and approved and signed by Judge Roith on February 15, 2005.

16. Respondent's conduct in participating in the signing of S.T.'s and Blong's signatures on several documents in the P.T. and S.T. divorce matter without their knowledge or consent violated Rules 8.4(c) and 8.4(d), Minnesota Rules of Professional Conduct (MRPC).

17. Respondent's conduct in obtaining false notarizations on several documents in the P.T. and S. T. divorce matter violated Rule 8.4(c) and (d), MRPC.

18. Respondent's conduct in submitting false documents to the court violated Rules 3.3(a)(3), 8.4(c) and (d), MRPC.

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: February 25, 2008.



---

MARTIN A. COLE  
DIRECTOR OF THE OFFICE OF LAWYERS  
PROFESSIONAL RESPONSIBILITY  
Attorney No. 148416  
1500 Landmark Towers  
345 St. Peter Street  
St. Paul, MN 55102-1218  
(651) 296-3952

and



---

KEVIN T. SLATOR  
ASSISTANT DIRECTOR  
Attorney No. 204584