

Barry Van Sickle, Bar # 98645  
In Pro Per  
126 East Pleasant Street  
Mankato, MN 56002-996  
507-304-0996

FILED

DEC 16 2016

V.A.

STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO

STATE BAR COURT  
HEARING DEPARTMENT-SAN FRANCISCO

*Filed per Judge's order*

In the Matter of; )  
)  
BARRY L. VAN SICKLE )  
#98645 )  
Member of State Bar )

Case No. 16-N-16172

RESPONSE TO NOTICE OF DISCIPLINARY  
CHARGES

BARRY VAN SICKLE responds to the NOTICE OF DISCIPLINARY  
CHARGES as follows;

1. Respondent served and submitted his Rule 9.20 c affidavits on September 29, 2016.
2. Respondent was under the impression, based on his reading of seemingly applicable law, that he had 90 days to serve his Rule 9.20 affidavits before it became a disciplinary offense subject to suspension or disbarment.
3. Respondent served his Rule 9.20 affidavits within 90 days of the court order date and before receiving the Notice of possible charge from the State Bar.
4. Respondent thought that this was a relatively mundane matter of documents crossing in the mail or chain of communication, which would be relatively simple to resolve. matter to resolve, however, the State Bar has refused to negotiate anything less than complete disbarment for late filing documents.
5. At the time the Rule 9.02 affidavits were due, Respondent was under suspension in case 13-0-17670 and had filed a timely Rule 9.02 suspension affidavit in October, 2015. At that time, Respondent had not practiced law in California since April 2013, over two years, and had no existing clients to

1 notify or trust funds to return. That could not change as Respondent was  
2 continuously under suspension from the date the first Rule 9.02 affidavit was  
3 submitted.

- 4 6. Respondent has not practiced law in California for approximately 3 years  
5 and 9 months, has not lived in California, and has not had clients in  
6 California to notify. Respondent essentially closed his California practice in  
7 early 2013.
- 8 7. On the date the state bar claims a Rule 9.02 affidavit was due, Respondent  
9 had been absent from the state for over 3 years, had no clients or business in  
10 California, and had previously filed a Rule 9.02 affidavit in what  
11 Respondent considers to be a related case. No clients are involved in this  
12 alleged violation.
- 13 8. Respondent was admitted to practice in Minnesota in 1978 and has been  
14 attempting to find work as a law clerk or paralegal in Minnesota with limited  
15 success.
- 16 9. Under current circumstances, Respondent will be suspended from the  
17 California bar until at least October 2017, at which time Respondent will be  
18 66 years of age and absent from California since 2013.

19  
20 Wherefore, Respondent bar member requests that the State Bar's request for  
21 disbarment, additional suspension or public discipline be denied.

22 s/

23  
24 Barry Van Sickle, Bar # 98645  
25 126 Pleasant Street  
26 Mankato, MN 56001  
27 bvansicklelaw@gmail.com  
28 507-304-0996

DECLARATION OF SERVICE  
BY MAIL (Courtesy Copy by Email)

**CASE NUMBER: 16-N-16172**

**In re Matter of Barry L. Van Sickle # 98645**

I, the undersigned, am over the age of 18 years, am not a party to this action, have a business address of 126 Pleasant Street, Mankato, MN 56001, and declare that on the date shown below, I caused to be served a true copy of the within document described as follows:

**RESPONSE TO NOTICE OF DISCIPLINARY CHARGES**

by U.S. First-Class Express , or Priority, mail by causing said document to be mailed in an envelope with postage pre-paid at a U.S. Post Office in Mankato, Minnesota to:

Laura A. Huggins, Deputy Trial Counsel, 180 Howard Street, San Francisco, CA 94105-1639

I declare under penalty, under the laws of California and Minnesota, that the foregoing is true and correct. Executed in the City of Mankato, County of Blue Earth and State of Minnesota on the date shown below.

DATED: 12/14/2016

Signed: s/Kevin O'C Green

Kevin OC Green  
Declarant