

ORIGINAL

FILED

03/01/2019

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: PR 06-0422

IN THE SUPREME COURT OF THE STATE OF MONTANA

IN RE:)
BRIAN A. CHOU,)
Petitioner.)

) PETITION FOR PERMISSION
) TO USE A MPRE SCORE
) OUTSIDE 3 YEARS IN APPLICATION FOR
) ADMISSION INTO BAR OF
) MONTANA BY ADMISSION ON
) MOTION AS ATTORNEY CONTINUOUSLY
) PRACTICING SINCE 2003 AND
) CURRENTLY LICENSED IN GOOD
) STANDING IN SIX STATES
)
)

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MAR 01 2019

Bowen Greenwood
Clerk of Supreme Court
State of Montana

Petitioner, Brian A. Chou, respectfully requests this Honorable Court to grant permission to use a National Conference of Bar Examiners Multistate Professional Responsibility Examination (MPRE) score from an exam outside the three years preceding application.

Pursuant to Rule V.A.9 of the Rules for Admission to the Bar of Montana, a successful application for admission into the Bar of Montana must “submit evidence of a passing scaled score on the Multistate Professional Responsibility Examination as described in Rule VII.” Rule VII of the Rules for Admission to the Bar of Montana provides in pertinent part, a successful application for admission into the Bar of Montana “must obtain a Multistate Professional Responsibility Examination scaled score of 80 or higher...no earlier than three years prior to...the date of the applicant’s submitted application for admission on motion; or...no later than nine months after...eligibility for admission on motion.”

Petitioner’s application for admission to the Bar of Montana was finalized with the National Conference of Bar Examiners on January 24, 2018. *See* Exhibit 1. Petitioner obtained a scaled score of 106 on the March 8, 2003 MPRE. *See* Exhibit 2. Petitioner continuously practiced law since 2003. Petitioner is a current member of the bar in good standing with no disciplinary activity in Iowa, Minnesota, Nebraska, North Dakota, South Dakota and Wisconsin. *See* Exhibit 3.

Petitioner respectfully requests that this Honorable Court consider the granting permission for Petitioner to use the MPRE score of 106 as attached as Exhibit 1 to satisfy the associated application for admission into the Bar of Montana. The score obtained by Petitioner is substantially higher than the minimum score required by the Bar of Montana. Through continuous practice law for more than 15 years preceding the associated application Petitioner has shown ability to fully perform required duties as an attorney admitted by the Bar of sister states. Petitioner is an attorney in good standing with active

practice of law in six other States. Petitioner is an attorney without disciplinary activity with active practice of law in six other states.

Petitioner respectfully requests that this Honorable Court consider the burden that will be placed upon Petitioner if the 2003 MPRE score of 106 can not be used for the January application for membership into the Bar of Montana. Petitioner has clients with needs of representation and the next administration of the MPRE will not take place until August 10, 2019 and then November 9, 2019. Due to calendar conflicts including travel to the Montana Law Seminar on August 1, 2019, Petitioner can not otherwise take the MPRE until November 9, 2019. The burden on Petitioner of taking a MPRE in 2019 is significant.

Petitioner fully respects and intends to abide by the Montana Rules of Professional Conduct. In support of this pledge, attached are the good standing and professional responsibility letters from Petitioner's actively licensed states. Petitioner respectfully offers a 15 year history of the practice of law, letters of compliance and statements of good standing from State Supreme Courts and State Disciplinary Boards, along with the prior MPRE score of 106 as strong support showing a history of compliance as evidence to support future compliance in the state of Montana.

WHEREFORE, Petitioner respectfully requests that this Honorable Court consider the positive ethics compliance in six other states over fifteen years together with a prior passing MPRE score, in grant Petitioner permission to use the March 2003 MPRE score of 106 in the January 2019 application for admission to the Bar of Montana by admission on Motion as attorney.

Dated this 18th day of February, 2019.



Brian A. Chou
3033 Campus Drive, Suite 250
Plymouth, MN
(763)548-7910

Jurisdiction

Application to: MONTANA
Applying As: Motion/Reciprocity

Personal Information

Applicant Information

Provide your full name, including middle name, if applicable.

All auto-filled information below reflects current information in your NCBE Account. If you need to make any changes to your first name, last name, date of birth, email address, and/or Social Security number, you must do so by updating your NCBE Account Information.

First Name: Brian
Middle Name: Anthony
Last Name: Chou
NCBE Number: 10133928
Social Security Number: [REDACTED]
Date of Birth: [REDACTED]
Email Address: bchou@messerlikramer.com
Sex: MALE
City of Birth: West Allis
State of Birth: WI
Country of Birth: UNITED STATES
Country of Citizenship: United States

Names

Have you ever used or been known by a different name?

Note: Your name(s) will be used for identification in correspondence sent to schools, employers, courts, references, etc.

No

Contact Information

Please provide the mailing address and telephone numbers at which you can be reached during the next six months.

Address Type: Business
Business Name: Messerli & Kramer
Address/P.O. Box: 3033 Campus Drive
Line 2: Suite 250
City: Plymouth
State: MN
ZIP: 55441
Office Phone: 763-548-7900
Other Phone: 763-548-7910



MONTANA
Complete



02022494

Finalized: 01/24/2019



NATIONAL CONFERENCE OF BAR EXAMINERS

MULTISTATE PROFESSIONAL RESPONSIBILITY EXAMINATION

EXAMINEE'S REPORT OF SCORES

Please review carefully all information printed below. If any data are incorrect or incomplete, contact the board of bar examiners in the jurisdiction to which your scores were reported.

RAW SCORE	SCALED SCORE	TEST DATE	SOCIAL SECURITY NUMBER*
37	106	03/08/03	[REDACTED]

* If you did not indicate a Social Security number on your answer sheet, an identification number was assigned to your record for processing purposes.

CHOU, BRIAN A
 2142 ALLEN BLVD 1
 MIDDLETON, WI 53562

Your scores (shown above) were reported to the following jurisdiction as you requested in Block J of your answer sheet:

MINNESOTA

Each jurisdiction has the authority to determine its own passing score.

EXPLANATION OF SCORES

Your **RAW SCORE** is the number of test questions that you answered correctly in the examination. The lowest possible raw score is 0; the highest is 50.

SCALED SCORES are standard scores that range from 50 (low) to 150 (high). Originally, the mean (average) scaled score was established at 100. The conversion of raw scores to scaled scores involves a statistical process that adjusts for variations in difficulty of different forms of the examination so that any particular scaled score will represent the same level of proficiency from test to test. For instance, if this test were more difficult than previous forms, then your scaled score would be adjusted upward to account for this difference. If this test were easier than previous forms, then your scaled score would be adjusted downward to account for this difference. The purpose of these adjustments is to help ensure that no examinee is unfairly penalized (or rewarded) for taking a harder (or easier) form of the test.

ADDITIONAL SCORE REPORT REQUESTS

If, after the examination, you decide that you would like to have your scores sent to one or more boards of bar examiners in addition to the jurisdiction you indicated on your answer sheet, you may do so by writing to the address below. Your request should include your name, address, Social Security number, date of birth, test date, your signature, and each board of bar examiners you wish to receive a copy of your scores. Enclose \$15.00 for each board of bar examiners you request.

Duplicate score reports may also be requested by following this procedure.

REQUESTS FOR RECHECKING OF ANSWER SHEETS

A request to have your answer sheet rechecked must be received within three months of the original test date. The request must be in writing and should include your name, Social Security number, date of birth, test date, and your signature, and should be sent to the address below.

040103 10034365





Attorney Disciplinary Board

OF THE SUPREME COURT OF IOWA

Judicial Branch Building ♦ 1111 East Court Avenue ♦ Des Moines, IA 50319
515-348-4680 ♦ Fax: 515-348-4699 ♦ www.iowacourts.gov

February 4, 2019

In re: Chou, Brian Anthony

To Whom it May Concern:

This is to certify that the above lawyer was admitted to the practice of law in Iowa on 3/29/2017. The records of this office show that, as of the above date, the attorney is active and in good standing and there are no pending or prior complaints against him/her.

FOR THE IOWA SUPREME COURT
ATTORNEY DISCIPLINARY BOARD

A handwritten signature in cursive script, appearing to read "Tara van Brederode".

Tara van Brederode
Assistant Director for Attorney Discipline

TvB/mk



OFFICE OF
LAWYERS PROFESSIONAL RESPONSIBILITY

1500 LANDMARK TOWERS
345 ST. PETER STREET
ST. PAUL, MINNESOTA 55102-1218

TELEPHONE (651) 296-3952
TOLL-FREE 1-800-657-3601

FAX (651) 297-5801

February 7, 2019

Mr. Brian Anthony Chou
3033 Campus Drive, Suite 250
Plymouth, MN 55441

Re: Request for Open Disciplinary Investigations
Minnesota Lawyers Registration No. 0332124

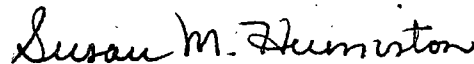
Dear Mr. Chou:

This is in response to your request and authorization for release of information. You have requested a letter stating that there are no open investigations in this Office.

Our records show that there are currently no open disciplinary investigations in this Office.

If you need additional information or have further questions, please do not hesitate to contact me.

Very truly yours,



Susan M. Humiston
Director

amh

Supreme Court of North Dakota

OFFICE OF THE CLERK

600 E BOULEVARD AVE
BISMARCK ND 58505-0530
(701) 328-2221
supclerkofcourt@ndcourts.gov

CLERK OF THE SUPREME COURT
PENNY MILLER

CHIEF DEPUTY CLERK
PETRA H. MANDIGO HULM

IN THE SUPREME COURT)
STATE OF NORTH DAKOTA)

I, Penny Miller, Clerk of the Supreme Court within and for the State of North Dakota, do hereby certify that according to the records maintained in this office, Brian Anthony Chou, North Dakota Bar Id. #08287, was duly admitted as an attorney and counselor of the Supreme Court of the State of North Dakota, the highest court of record in the State of North Dakota, on the 4th day of September, 2015; and is currently licensed to practice law, and as such authorized to appear in said Court and all State Courts of North Dakota; and that he has not been nor is currently the subject of any disciplinary proceedings, and, therefore, is a member in good standing.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said Court, at the City of Bismarck, this 1st day of February, 2019.



A handwritten signature in black ink, appearing to read "Penny Miller".

Penny Miller
Clerk
North Dakota Supreme Court

DISCIPLINARY BOARD OF THE SUPREME COURT

PENNY MILLER
SECRETARY

STATE OF NORTH DAKOTA
JUDICIAL WING, FIRST FLOOR
600 EAST BOULEVARD AVENUE
BISMARCK, ND 58505-0530

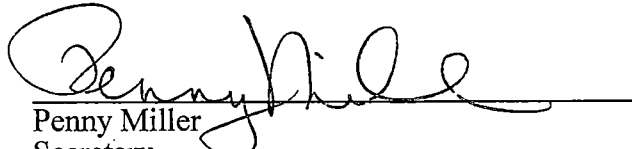
(701) 328-2221 (Voice)

CERTIFICATE

I, Penny Miller, Secretary of the Disciplinary Board of the Supreme Court within and for the State of North Dakota, do hereby certify that according to the records of the Disciplinary Board, Brian Anthony Chou, an attorney admitted and licensed to practice law in the State of North Dakota, has not been nor is currently the subject of any disciplinary proceedings (public or private), therefore, is a member in good standing.

The above information is provided pursuant to the provisions of Rule 6.1 of the North Dakota Rules for Lawyer Discipline.

Dated this 1st day of February, 2019.


Penny Miller
Secretary
Disciplinary Board of the Supreme Court





Sheila T. Reiff
Clerk

WISCONSIN SUPREME COURT

OFFICE OF THE CLERK

110 E. Main Street, Suite 215

P.O. Box 1688

Madison, WI 53701-1688

Telephone: 608-266-1880

TTY: 800-947-3529

Fax: 608-267-0640

<http://www.wicourts.gov>

CERTIFICATE OF GOOD STANDING

I, Sheila T. Reiff, Clerk of the Supreme Court of Wisconsin certify that the records of this office show that:

BRIAN ANTHONY CHOU

was admitted to practice as an attorney within this state on June 23, 2003 and is presently in good standing in this court.

Dated: February 1, 2019

A handwritten signature in black ink, appearing to read "Sheila T. Reiff".

SHEILA T. REIFF
Clerk of Supreme Court

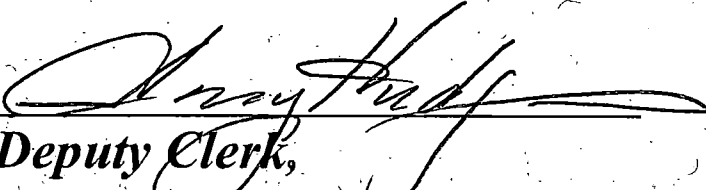
***STATE OF
SOUTH DAKOTA***

IN THE SUPREME COURT

I Hereby Certify that Brian A. Chou was on the 12th day of
May in the year two thousand fifteen admitted to practice as an Attorney
and Counselor at Law in all the Courts of South Dakota and since that
date he has remained on active status in good standing.

I further Certify that no disciplinary action is presently
pending against him nor has any discipline heretofore been imposed
upon him.

DATED at Pierre, South Dakota, this 5th day of February, 2019.


**Deputy Clerk,
South Dakota Supreme Court**

**STATE OF MINNESOTA
IN SUPREME COURT**

Certificate of Good Standing

This is to certify that the following lawyer is in good standing.

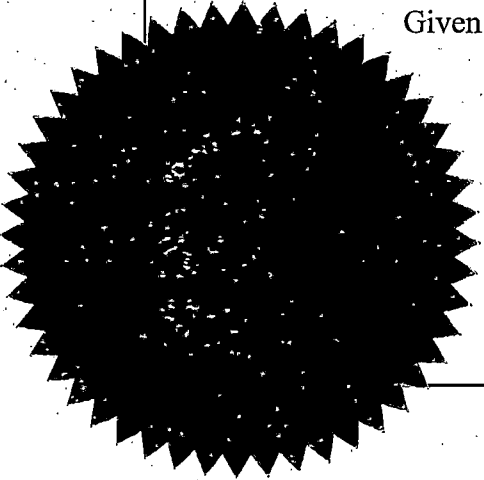
BRIAN ANTHONY CHOU

was duly admitted to practice as a lawyer and counselor at law in all the courts of this state on

October 31, 2003

Given under my hand and seal of this court on

January 31, 2019



Emily J. Eschweiler

Emily J. Eschweiler, Director
Office of Lawyer Registration



STATE OF
NEBRASKA
JUDICIAL BRANCH

Counsel for
Discipline

Office of the Counsel for Discipline

Mark A. Weber
Counsel for Discipline

John W. Steele
Assistant Counsel for Discipline

Kent L. Frobish
Assistant Counsel for Discipline

Julie L. Agena
Assistant Counsel for Discipline

February 5, 2019

Brian Anthony Chou
Messerli & Kramer
3033 Campus Drive, Suite 250
Plymouth, MN 55441-2662

RE: Brian Anthony Chou, NSBA #25713

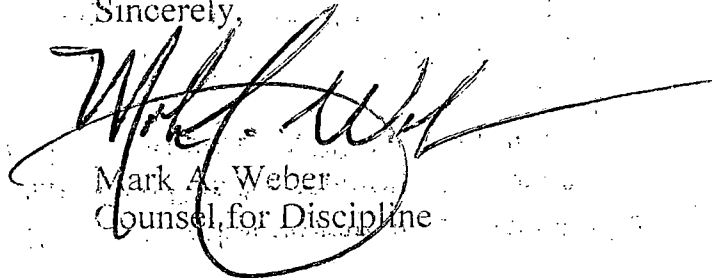
Dear Mr. Chou:

This is a response to your disciplinary history statement request.

The records of this office reflect that you are an active member in good standing of the Nebraska State Bar Association and were admitted to the practice of law in Nebraska on August 10, 2015 by Motion.

The records of this office also reflect that no complaints/grievances have been filed against you. You are not currently under disciplinary investigation, and no disciplinary sanctions have been imposed against you.

Sincerely,



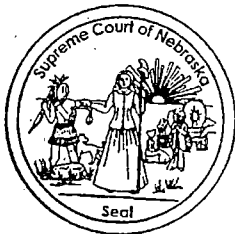
Mark A. Weber
Counsel for Discipline

MAW:jmm

**SUPREME COURT
STATE OF NEBRASKA**

CERTIFICATE OF GOOD STANDING

I certify that I am Clerk of the Supreme Court of the State of Nebraska, the highest court of the State, and that on August 10, 2015, Brian Anthony Chou was admitted to practice as an Attorney and Counselor at Law by the Supreme Court. I further certify that the attorney is now in good standing in the Courts of Nebraska, and there is not now pending in this court any disciplinary action. The attorney's private and professional character appears to be good.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of this Court, in the City of Lincoln, on January 31, 2019.

Wendy A. Wussow

Wendy A. Wussow, Clerk