

Disbarments

Peter J. Harrington, P32481, Grosse Pointe Park, by the Attorney Discipline Board, Tri-County Hearing Panel #5, effective November 22, 2013.¹

The respondent pleaded guilty to false pretenses over \$20,000, a felony, in violation of MCL 750.218(5)(a), in the Lake County Circuit Court. The respondent also pleaded guilty to embezzlement of more than \$50,000 but less than \$100,000, a felony, in violation of MCL 750.174(6), in the Wayne County Circuit Court.

Based on the respondent's convictions, the hearing panel found that he had violated MCR 9.104(5). Additionally, the panel found that the respondent violated MCR 9.120(A)(1), based on his failure to report his convictions to the grievance administrator and the Attorney Discipline Board, as required by MCR 9.120.

The panel ordered that the respondent be disbarred from the practice of law in Michigan, effective November 22, 2013, the date the grievance administrator filed the judgment of convictions. Costs were assessed in the amount of \$1,964.57.

1. The respondent has been continuously suspended from the practice of law in Michigan since January 5, 2009. Please see notice of automatic interim suspension, issued January 9, 2009.

David B. Tamsen, P32688, Allen Park, by the Attorney Discipline Board, Tri-County Hearing Panel #9, effective January 13, 2015.¹

The respondent failed to appear at the hearing and the panel suspended his license, effective September 22, 2014, pursuant to MCR 9.115(H)(1). Additionally, the respondent was found to be in default for his failure to file an answer to the formal complaint. Based on his default, the panel found that the conduct alleged in Formal Complaint 14-63-GA was deemed admitted and that the respondent had committed the professional misconduct as alleged. Specifically, the panel found that the respondent, in a probate matter, neglected the legal matter, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of the matter, in violation of MRPC 1.4(a); knowingly disobeyed an obligation under the rules of a tribunal, in violation of MRPC 3.4(c); failed to notify his client or a third person when funds in which his client or a third person had an interest were received, in violation of MRPC 1.15(b)(1); failed to promptly pay or deliver funds that his client or a third person was entitled to receive, in violation of MRPC 1.15(b)(3); knowingly made a false statement of material fact or law to a tribunal or failed to correct a false statement of material fact or law previously made to the tribunal by the lawyer, in violation of MRPC 3.3(a)(1); knowingly offered evidence that the lawyer knew to be false, in violation of MRPC 3.3(a)(3); and knowingly made a false statement of material fact or law to a third person, in the course of representing a client, in violation of MRPC 4.1; and engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of a criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b). The panel further found that the respondent violated MRPC 8.4(a) and (c), and MCR 9.104(1)-(4).

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The hearing panel ordered that the respondent be disbarred from the practice of law in Michigan. Costs were assessed in the amount of \$2,145.36.

1. The respondent has been continuously suspended from the practice of law in Michigan since September 22, 2014. Please see notice of interim suspension pursuant to MCR 9.115(H)(1), issued November 20, 2014.

Disbarment and Restitution

Nathan S. French, P55531, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #54, effective January 14, 2015.¹

The respondent failed to appear at the hearing and the panel suspended his license, effective November 18, 2014, pursuant to MCR 9.115(H)(1). Additionally, the respondent was found to be in default for his failure to file an answer to the formal complaint. Based on his default, the panel found that the respondent, in handling an insurance benefits claim, failed to keep his client reasonably informed of the status of her matter, in violation of MRPC 1.4(a); failed to explain the matter to his client to the extent necessary to permit her to make informed decisions regarding her representation, in violation of MRPC 1.4(b); failed to notify his client of the receipt of funds in which she had an interest, in violation of MRPC 1.15(b)(1); failed to promptly deliver funds that his client was entitled to receive, in violation of MRPC 1.15(b)(3); engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); failed to notify his client of his suspension, in violation of MCR 9.119(A); practiced law or held himself out as an attorney during a period of suspension, in violation of MCR 9.119(E); knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2); and failed to answer a request for investigation in conformity with MCR 9.113(A) and (B)(2); and MCR 9.104(7). The panel further found that the respondent violated MRPC 8.4(a) and (c); and MCR 9.104(1)-(4).

The panel ordered that the respondent be disbarred from the practice of law in

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DUTY TO REPORT AN ATTORNEY'S CRIMINAL CONVICTION

All Michigan attorneys are reminded of the reporting requirements of **MCR 9.120(A)** when a lawyer is convicted of a crime:

What to Report:

A lawyer's conviction of any crime, including misdemeanors. A conviction occurs upon the return of a verdict of guilty or upon the acceptance of a plea of guilty or no contest.

Who Must Report:

Notice must be given by all of the following:

1. The lawyer who was convicted;
2. The defense attorney who represented the lawyer; and
3. The prosecutor or other authority who prosecuted the lawyer.

When to Report:

Notice must be given by the lawyer, defense attorney, and prosecutor within **14 days** after the conviction.

Where to Report:

Written notice of a lawyer's conviction must be given to:

Grievance Administrator
Attorney Grievance Commission
Buhl Building, Ste. 1700
535 Griswold, Detroit, MI 48226

and

Attorney Discipline Board
211 W. Fort Street, Ste. 1410
Detroit, MI 48226

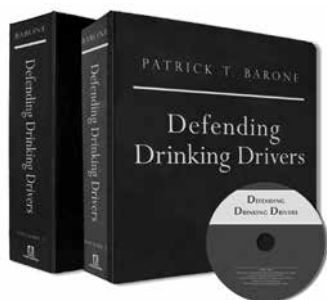
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AUTHOR: PATRICK T. BARONE

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Michigan and that he pay restitution in the amount of \$9,195.13. Costs were assessed in the amount of \$1,722.50.

1. The respondent has been continuously suspended from the practice of law in Michigan since June 7, 2012. Please see notice of interim suspension pursuant to MCR 9.115(H)(1), issued June 8, 2012.

Automatic Reinstatement

Joseph H. McKoan IV, P55642, Algonac, effective January 2, 2015.

The respondent was suspended from the practice of law in Michigan for 179 days, effective July 1, 2014. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit of compliance with the clerk of the Michigan Supreme Court.

Reprimand (By Consent)

Dale J. McLellan, P26791, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #77, effective January 6, 2015.

The respondent and the grievance administrator filed a stipulation for a consent order of discipline, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The respondent was convicted of OWI, 2nd offense, a misdemeanor, in violation of MCL 257.6251-A, in the 52nd District Court.

Based on the respondent's conviction and his admission in the stipulation for consent order of discipline, the panel found that he engaged in conduct that violated the criminal laws of the state of Michigan, contrary to MCR 9.104(5).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$813.56.

Reprimand With Condition (By Consent)

Scott W. Gross, P43094, Macomb, by the Attorney Discipline Board, Tri-County Hearing Panel #101, effective December 30, 2014.

The respondent and the grievance administrator filed a stipulation for a consent order of discipline, in accordance with MCR

9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based on the respondent's plea of no contest to the factual allegations and the allegations of professional misconduct contained in the formal complaint, the panel found that the respondent had held funds other than client or third-person funds in an IOLTA account, in violation of MRPC 1.15(a)(3); deposited his own funds into an IOLTA account in an amount more than reasonably necessary to pay financial institution charges or fees, in violation of MRPC 1.15(f); and violated or attempted to violate the Michigan Rules of Professional Conduct, in violation of MRPC 8.4(a). The panel acknowledged that the grievance administrator had no evidence that the respondent improperly used, commingled, or misappropriated client funds.

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded and that he be subject to a condition relevant to the alleged misconduct. Costs were assessed in the amount of \$757.61.

Automatic Interim Suspensions

David J. Duthie, P23265, Grand Rapids, effective August 14, 2014.

The respondent was convicted by guilty plea of OWI, 3rd, a felony, in violation of MCL 257.6256D, in the Kent County Circuit Court. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on August 14, 2014, the date the respondent was convicted.

This matter has been assigned to a hearing panel for further proceedings. The interim suspension will remain in effect until the effective date of an order filed by a hearing panel.

Peter W. Macuga II, P28114, Grosse Pointe Shores, effective August 27, 2014.

The respondent was convicted by guilty plea of obstruction of justice, a felony, in violation of MCL 750-505, in the Wayne County Circuit Court. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on August 27, 2014, the date of his felony conviction.



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This matter has been assigned to a hearing panel for further proceedings. The interim suspension will remain in effect until the effective date of an order filed by a hearing panel.

Ronald Zajac, P22682, Northville, effective December 8, 2014.

The respondent was convicted by a jury of one count of conspiracy to commit honest services mail and wire fraud, a felony, in violation of 18 USC 1349, in the United States District Court, Eastern District of Michigan (Detroit). In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on December 8, 2014, the date the jury returned its verdict.

This matter has been assigned to a hearing panel for further proceedings. The

interim suspension will remain in effect until the effective date of an order filed by a hearing panel.

Automatic Suspension for Nonpayment of Costs

Susan M. Eifler, P57222, Battle Creek, effective December 16, 2014.

The respondent was ordered to pay costs by Calhoun County Hearing Panel #1, in *Grievance Administrator v Susan M. Eifler*, Case No. 14-54-GA. The respondent has failed to pay the costs as ordered.

In accordance with MCR 9.128(D), the respondent's license to practice law in Michigan was automatically suspended on December 16, 2014, and will remain suspended until the costs have been paid and the respondent has complied with MCR 9.119 and MCR 9.123(A).

Final Suspension With Conditions (By Consent)

Nader W. Nassif, P72557, Royal Oak, by the Attorney Discipline Board, Tri-County Hearing Panel #53, for 180 days, effective January 6, 2015.¹

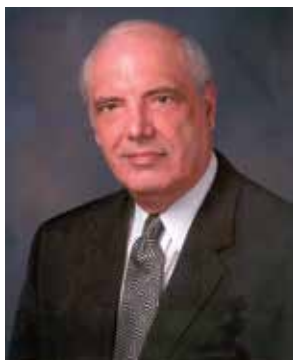
The respondent pleaded no contest, in the Washtenaw County Circuit Court, to the charge of felonious assault, a felony, in violation of MCL 750.82. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended May 23, 2014, the date of his conviction.

The grievance administrator filed a judgment of conviction on August 12, 2014, and, on October 31, 2014, the parties filed a stipulation for a consent order of discipline, in accordance with MCR 9.115(F)(5). The stipulation contained the respondent's acknowledgment of his conviction. Based on the respondent's conviction, the panel found that he violated the criminal laws of the state of Michigan, contrary to MCR 9.104(A)(5).

In accordance with the stipulation, the hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days, effective January 6, 2015. The panel also ordered that the respondent be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$841.25.

1. The respondent has been continuously suspended from the practice of law in Michigan since May 23, 2014, the date of his felony conviction. Please see notice of automatic interim suspension, issued June 11, 2014.

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