

Disbarment

Jeffrey B. Hollander, P49306, Farmington Hills, by the Attorney Discipline Board, affirming Tri-County Hearing Panel #60's order of disbarment, effective May 1, 2010.¹

The respondent appeared at the hearing but was found to be in default for failing to file an answer to the formal complaint. Based on the respondent's default, the hearing panel found that the respondent practiced law while disbarred, in violation of MCR 9.119(E)(1); held himself out as an attorney while disbarred from the practice of law, in violation of MCR 9.119(E)(4); engaged in conduct contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3); violated an order of discipline, in violation of MCR 9.104(9); engaged in conduct that is a violation of the Michigan Rules of Professional Conduct, contrary to MRPC 8.4(a) and MCR 9.104(4); and 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).

The panel ordered that the respondent be disbarred, retroactive to May 1, 2010. The respondent filed a delayed petition for review, which was granted. Upon review, the Attorney Discipline Board affirmed the hearing panel's order of disbarment. Total costs were assessed in the amount of \$2,263.19.

1. The respondent has been continuously suspended from the practice of law in Michigan since April 15, 2009. Please see notice of revocation (by consent), issued April 15, 2009.

Disbarment (By Consent)

Kenneth A. Flaska, P28605, Grosse Pointe, by the Attorney Discipline Board, Tri-County Hearing Panel #28, effective April 14, 2014.¹

The respondent was convicted in the U.S. District Court for the Eastern District of Michigan, by plea, for the felonies of bank fraud, in violation of 18 USC 1344; and laundering monetary instruments of a value over \$10,000, in violation of 18 USC 1957(a) and (b)(1).

The grievance administrator filed a notice of judgment of conviction on March 11,

2015. In accordance with MCR 9.115(F)(5), the parties filed a stipulation for a consent order of discipline on May 7, 2015, which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based on the respondent's conviction and his admission in the stipulation, the hearing panel found that he had committed professional misconduct, in violation of MCR 9.104(5).

The hearing panel ordered that the respondent be disbarred from the practice of law in Michigan, effective April 14, 2014, the date of the court's acceptance of the respondent's guilty plea. Total costs were assessed in the amount of \$977.88.

1. The respondent has not been practicing law in Michigan since July 1, 2013, the date the State Bar of Michigan accepted his letter of resignation.

Automatic Reinstatements

Derrick N. Okonmah, P68221, Clarkston, effective May 29, 2015.

The respondent was suspended from the practice of law in Michigan for 179 days, effective June 10, 2014. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit of compliance with the Michigan Supreme Court on May 29, 2015.

Paul F. Semperger, P20214, Plymouth, effective May 18, 2015.

The respondent was suspended from the practice of law in Michigan for 179 days, effective September 23, 2014. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit of compliance with the Michigan Supreme Court on May 18, 2015.

Reprimands (By Consent)

Michael J. Golding, P30186, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #68, effective June 11, 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.

Based on the respondent's pleas, admissions, and the stipulation of the parties, the panel found that the respondent entered into a business transaction with a client without transmitting those terms to the client in writing, in violation of MRPC 1.8(a)(1); failed to obtain the client's consent to the loan in writing, in violation of MRPC 1.8(a)(3); violated or attempted to violate the Michigan Rules of Professional Conduct,

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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contrary to MRPC 8.4(a); engaged in conduct which exposed the legal profession to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and engaged in conduct which violated the standards or rules of professional responsibility adopted by the Supreme Court, in violation of MCR 9.104(4).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$936.10.

Thomas M. J. Lavigne, P58395, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #14, effective June 13, 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. Based on the respondent's admissions, the panel found that the respondent, in a criminal matter, used methods of obtaining evidence that violated the legal rights of a person, contrary to MRPC 4.4; violated or attempted to violate the Michigan Rules of Professional Conduct, contrary to MRPC 8.4(a); engaged in conduct that is prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1); and engaged in conduct that exposes the legal profession to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$765.22.

Suspension

Garner Keith Train, P30554, Clio, by the Attorney Discipline Board, affirming the hearing panel's order of suspension for 45 days, effective February 20, 2015.

The respondent appeared at the hearing but was found to be in default for failing to file an answer to the formal complaint. Based on the respondent's default, the panel found that he neglected a legal matter, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing his client, in violation of MRPC 1.3; failed to keep his client reasonably informed about the status of his

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legal matter and failed to comply promptly with reasonable requests for information, in violation of MRPC 1.4(a). The panel further found that the respondent engaged in conduct prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1); conduct that exposed the legal profession to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); conduct which violated the standards or rules of professional responsibility adopted by the Supreme Court, contrary to MCR 9.104(4); and failed to timely answer a request for investigation, in violation of MCR 9.104(7) and MCR 9.113(A) and (B)(2).

The hearing panel ordered that the respondent's license to practice law be suspended for 45 days. The respondent filed a petition for review and stay of discipline. The stay of discipline was automatically granted and, upon review, the Attorney Discipline Board affirmed the hearing panel's order of suspension. Total costs were assessed in the amount of \$2,309.24.

Suspensions (By Consent)

David J. Duthie, P23265, Grand Rapids, by the Attorney Discipline Board, Tri-County Hearing Panel #74, for 180 days, effective August 14, 2014.¹

The respondent and the grievance administrator filed a stipulation for a consent order of discipline, which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contained the respondent's admission that he was convicted, by guilty plea, of operating while intoxicated/impaired—3rd offense, a felony, in violation of MCL 257.6256D. Based on the respondent's convictions and his admissions, the panel found that he engaged in conduct that violated the criminal laws of the state of Michigan, contrary to MCR 9.104(5).

The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days, effective August 14, 2014, as stipulated by the parties. Total costs were assessed in the amount of \$774.76.

1. The respondent has been continuously suspended from the practice of law in Michigan since August 14, 2014. Please see notice of automatic interim suspension, issued January 14, 2015.

Peter W. Macuga II, P28114, Grosse Pointe Shores, by the Attorney Discipline Board, Tri-County Hearing Panel #7, for 4 years and 11 months, effective August 28, 2014.¹

The respondent and the grievance administrator filed a stipulation for a consent order of discipline, which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contained the respondent's admission that he was convicted, by plea, for obstruction of justice, a felony, in violation of MCL 750.505; and for impaired driving, a misdemeanor, in violation of MCL 257.6251. Based on the respondent's convictions and his admissions, the panel found that the respondent engaged in conduct that violated the criminal laws of the state of Michigan, contrary to MCR 9.104(5).

The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for four years and eleven months, effective August 28, 2014, as stipulated by the parties. Total costs were assessed in the amount of \$770.07.

1. The respondent has been continuously suspended from the practice of law in Michigan since August 27, 2014. Please see notice of automatic interim suspension, issued January 2, 2015.

Interim Suspensions Pursuant to MCR 9.115(H)(1)

Evan A. Dixon, P45738, Hancock, by the Attorney Discipline Board, Upper Peninsula Hearing Panel #2, effective May 19, 2015.

After being properly served with the formal complaint and the notice of hearing, the respondent failed to personally appear at the May 11, 2015 hearing. After satisfactory proofs were entered that the respondent possessed actual notice of the proceedings, the hearing panel, in accordance with MCR 9.115(H)(1), determined that the respondent's failure to appear warranted an interim suspension from the practice of law until further order of the panel.

On May 12, 2015, the panel issued an order of suspension pursuant to MCR 9.115(H)(1), effective May 19, 2015, and until further order of the panel or the Board.

Ali S. Zaidi, P71435, Addison, Texas, by the Attorney Discipline Board, Tri-County Hearing Panel #3, effective February 19, 2015.

After being properly served with the formal complaint and notice of hearing, the respondent failed to personally appear at the February 12, 2015 hearing. After satisfactory proofs were entered that the respondent possessed actual notice of the proceedings, the hearing panel, in accordance with MCR 9.115(H)(1), determined that the respondent's failure to appear warranted an interim suspension from the practice of law until further order of the panel.

On February 12, 2015, the panel issued an order of suspension pursuant to MCR 9.115(H)(1), effective February 19, 2015, and until further order of the panel or the Board.

Final Suspension With Conditions (By Consent)

Paul F. Semperger, P20214, Plymouth, by the Attorney Discipline Board, Tri-County Hearing Panel #4, for 179 days, effective September 23, 2014.¹

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 stipulation contained the respondent's admission that he was convicted of operating while intoxicated, third, a felony, in violation of MCL 257.6256D. Based on the respondent's conviction and his admission, the panel found that the respondent engaged in conduct that violated the criminal laws of the state of Michigan, contrary to MCR 9.104(5).

The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 179 days, effective September 23, 2014, as stipulated by the parties. Additionally, the panel ordered that the respondent be subject to conditions relevant to the admitted misconduct. Total costs were assessed in the amount of \$756.69.

1. The respondent was automatically reinstated to the practice of law on May 18, 2015. Please see notice of automatic reinstatement, issued May 20, 2015.

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