

Disbarments

Timothy E. Leahy, P39087, Toronto, Ontario, by the Attorney Discipline Board, Tri-County Hearing Panel #24, effective April 12, 2016.¹

The respondent did not attend the public hearing and was in default for his failure to file an answer to the formal complaint. Based on the respondent's default, the hearing panel found that he was determined to be ungovernable within the meaning of *Law Society of Upper Canada v Ebagua*, 2014 ON LSTA 40; practiced law while suspended, in violation of Rule 6.07(3) of the Rules of Professional Conduct of the Law Society of Upper Canada; communicated with a potential client in a manner inconsistent with the proper tone of professional communication, in violation of Rule 6.03(5) of the Rules of Professional Conduct of the Law Society of Upper Canada; failed to maintain the integrity of the legal profession, in violation of Rule 6.01(1) of the Rules of Professional Conduct of the Law Society of Upper Canada; practiced law through a business entity that did not have a Certificate of Authorization from the Law Society of Upper Canada, in violation of § 61.0.7 of the Law Society Act; and, failed to cooperate with an investigation conducted by the Law Society of

Upper Canada, in violation of Rule 6.02 of the Rules of Professional Conduct of the Law Society of Upper Canada and § 49.3 of the Law Society Act.

The hearing panel ordered that the respondent be disbarred from the practice of law in Michigan. Costs were assessed in the amount of \$1,761.58.

1. On December 21, 2015, the hearing panel issued an order suspending the respondent from the practice law based on his failure to appear at the public hearing. That suspension went into effect on December 28, 2015. Please see Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued January 13, 2016.

David K. Wenger II, P23078, Grosse Pointe Park, by the Attorney Discipline Board, Tri-County Hearing Panel #4, effective August 23, 2018.¹

The respondent was convicted of corruptly influencing an official proceeding, in violation of 18 USC 1512(c), a felony, on October 20, 2015. Based on evidence presented at the hearing and the respondent's felony conviction, the hearing panel found that the respondent had violated a criminal law of the United States, contrary to MCR 9.104(5).

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

Michigan and that the effective date of his disbarment shall run consecutive to the 2½-year suspension period ordered in *Grievance Administrator v David K. Wenger II*, Case No. 15-44-GA, which was effective February 22, 2016. Costs were assessed in the amount of \$1,898.32.

1. The respondent has been continuously suspended from the practice of law in Michigan since August 26, 2015. Please see Notice of Suspension and Restitution, issued August 26, 2015.

Disbarments and Restitution (By Consent)

James C. Bowser, P40480, Fair Haven, by the Attorney Discipline Board, Tri-County Hearing Panel #105, effective March 30, 2016.

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 and the stipulation of the parties, the hearing panel found that the respondent neglected a 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 promptly pay or deliver funds that the client or third person was entitled to receive, in violation of MRPC 1.15(b)(3); and failed to hold client and third-party funds in connection with a representation separate from the lawyer's funds, failed to deposit the client or third-person funds into an IOLTA or non-IOLTA, and failed to appropriately safeguard such funds, in violation of MRPC 1.15(d). The panel also found that the respondent violated MRPC 8.4(a) and (c) and MCR 9.104(1)–(3).

The hearing panel ordered that the respondent be disbarred from the practice of law in Michigan, effective March 30, 2016, as stipulated by the parties, and that he pay restitution in the amount of \$287,023.33. Total costs were assessed in the amount of \$806.46.

John M. Macdonald, P31666, Hillsdale, by the Attorney Discipline Board, Calhoun County Hearing Panel #1, effective April 11, 2016.

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**

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 and the stipulation of the parties, the hearing panel found that the respondent neglected a client matter, in violation of MRPC 1.1 (a); failed to act with diligence and promptness, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a matter and to comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to promptly pay or deliver funds which a client or third person was entitled to receive, in violation of MRPC 1.15(b)(3); failed to render an accounting of the funds upon request by a client or third person, in violation of MRPC 1.15(b)(3); failed to hold a client's property separate from the lawyer's own property, in violation of MRPC 1.15(d); failed to deposit client or third-party funds into a client trust account, in violation of MRPC 1.15(d); failed to deposit advance legal fees and expenses into a client trust account, in violation of MRPC 1.15(g); failed to withdraw advance legal fees and expenses only as earned, in violation of MRPC 1.15(g); failed to refund an advance payment of fee which had not been earned, in violation of MRPC 1.16(d); knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2); engaged in conduct which involved dishonesty, fraud, deceit, misrepresentation, or a violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, contrary to MRPC 8.4(b); and failed to answer a request for investigation, in violation of MCR 9.104(7) and MCR 9.113(A) and (B)(2). The panel also found that the respondent violated MCR 9.104(1)–(3).

The hearing panel ordered that the respondent be disbarred from the practice of law in Michigan, effective April 11, 2016, as stipulated by the parties, and that he pay restitution in the amount of \$12,466.45. Total costs were assessed in the amount of \$879.32.

Disbarment (Pending Appeal)

Audra Annette Arndt, P63341, Farmington Hills, by the Attorney Discipline Board, Tri-County Hearing Panel #61, effective March 30, 2016.

The respondent filed an answer to the formal complaint and was present at the hearings. The hearing panel found that

the respondent failed to promptly pay or deliver any funds or other property that a client or third person was entitled to receive, in violation of MRPC 1.15(b)(3); failed to hold separate funds or property of which two people claimed an interest, in violation of MRPC 1.15(c); failed to hold property of a third person in connection with representation separate from the lawyer's own

AGC Practice Pointers Can't We All Just Get Along?

By **Alan M. Gershel**, Grievance Administrator;
Stephen P. Vella, Senior Associate Counsel; and **Amanda H. Bates**, Legal Intern

Lawyers have a duty to zealously advocate for their clients. Lawyers also have a duty to treat with respect and courtesy all persons involved in the legal process.¹ In fact, as lawyers, we take an oath to conduct ourselves personally and professionally in conformity with the high standards of conduct which condition the privilege to practice law. Among those standards is the expectation that lawyers maintain the respect and professionalism owed to all with whom they work—especially opposing counsel and other lawyers in general.

Incivility between lawyers can be as minor as an inappropriate comment during a private exchange or as significant as physical violence during legal proceedings. A lawyer who loses control and physically assaults another lawyer can expect a suspended license.² A single instance of ill-chosen remarks directed at opposing counsel is less likely to call for formal discipline;³ however, lawyers should beware of comments characterized as insulting or demeaning for the purpose of gaining a tactical advantage in litigation.⁴ The facts and circumstances underlying an outburst hold significant weight in determining appropriate disciplinary action in proceedings involving lawyer-to-lawyer incivility.

The Attorney Grievance Commission has the discretion to prosecute allegations of violence or incivility between lawyers. Insulting, threatening, or belittling another lawyer is not acceptable. Incivility is a matter of degree and depends on the circumstances. When in doubt, the best course is to remain civil.

ENDNOTES

1. MRPC 6.5(a).
2. *Grievance Administrator v Golden*, 96-269-GA (ADB 2002).
3. *Grievance Administrator v Szabo*, 96-228-GA (ADB 1998).
4. *Grievance Administrator v Dib*, 02-78-GA (ADB 2007).

Practice Pointers is a continuing series of periodic reminders from the Attorney Grievance Commission for avoiding discipline. These constructive suggestions are intended to provide a useful counterpoint to the orders of discipline and disability.

property, in violation of MRPC 1.15(d); engaged in conduct involving dishonesty, fraud, deceit, and/or misrepresentation, or a violation of the criminal law, contrary to MRPC 8.4(b); engaged in conduct that exposes the legal profession to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(A)(2); and engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

The panel ordered that the respondent be disbarred from the practice law in Michigan. The respondent filed a timely petition for review, and this matter has been scheduled for hearing before the Attorney Discipline Board.

Automatic Reinstatements

Bart R. Frith, P39541, Vermontville, effective April 15, 2016.

The respondent was suspended from the practice of law in Michigan for 30 days, effective March 12, 2016. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit with the clerk of the Michigan Supreme Court.

Carolyn J. Jackson, P53018, Berkley, effective April 27, 2016.

The respondent was suspended from the practice of law in Michigan for 60 days, effective February 24, 2016. In accordance with

MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit with the clerk of the Michigan Supreme Court.

Thomas H. Stidham, P56504, Detroit, effective April 20, 2016.

The respondent was suspended from the practice of law in Michigan for 30 days, effective March 19, 2016. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit with the clerk of the Michigan Supreme Court.

Paige L. Timmer, P77842, Grand Rapids, effective April 11, 2016.

The respondent was suspended from the practice of law in Michigan for 179 days, effective September 28, 2015. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit and the required proofs of compliance with the discipline order.

Reprimands (By Consent)

Matthew Brian Chaiken, P74538, Ann Arbor, by the Attorney Discipline Board, Washtenaw County Hearing Panel #3, effective April 28, 2016.

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 conviction in the 16th District Court of driving while visibly impaired and his acknowledgment in the Stipulation for Consent Order of Reprimand, it has been established that the respondent engaged in conduct that violated the criminal laws of the state of Michigan, contrary to MCR 9.104(A)(5).

In accordance with the stipulation of the parties, the hearing panel ordered that be reprimanded. Costs were assessed in the amount of \$763.70.

Robert M. Craig, P35139, Northville, by the Attorney Discipline Board, Tri-County Hearing Panel #76, effective April 27, 2016.

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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 conviction of operating while visibly impaired by liquor, and his acknowledgment in the Stipulation for Consent Order of Reprimand, the panel found that the respondent engaged in conduct that violated the criminal laws of the state of Michigan, contrary to MCR 9.104(A)(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 \$778.95.

Reprimands With Conditions (By Consent)

Christine M. Brzezinski, P35405, Grayling, by the Attorney Discipline Board, Grand Traverse Hearing Panel #2, effective April 28, 2016.

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 and admissions and the stipulation of the parties, the panel found that the respondent held funds other than client or third-person funds in an IOLTA, in violation of MRPC 1.15(a)(3); engaged in conduct in violation of the Michigan Rules of Professional Conduct, contrary to MRPC 8.4(a); engaged in conduct that exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

In finding misconduct, the panel acknowledges paragraph six of the stipulation filed March 1, 2016, which states:

6. The parties further agree that during the period in question, no client trust check was dishonored, nor were any funds received on behalf of a client ever withheld from a client.

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded and subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$811.51.

Teriann M. Schmidt, P67497, Birmingham, by the Attorney Discipline Board, Tri-County Hearing Panel #68, effective April 28, 2016.

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 and her misdemeanor convictions for operating while intoxicated, in violation of MCL 257.6251, and operating while intoxicated, in violation of MCL 257.6251-A, the hearing panel found that the respondent 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 and subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$773.41.

Suspension and Restitution (By Consent)

Andrew J. Kozyra, P38309, Dryden, by the Attorney Discipline Board, Tri-County Hearing Panel #62, for 180 days, effective April 5, 2016.

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 and the stipulation of the parties, the panel found that the respondent neglected his clients' matters, in violation of MRPC 1.1(c) and MRPC 1.3; failed to maintain reasonable communications with his clients, in violation of MRPC 1.4(a); failed to refund unearned fees upon the termination of his representation, in violation of

MRPC 1.16(d); engaged in conduct that violated the standards or rules of professional conduct adopted by the Michigan Supreme Court, contrary to MCR 9.104(4) and MRPC 8.4(a); engaged in conduct that was prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1); and failed to timely answer a request for investigation, in violation of MCR 9.104(7), MCR 9.113(A), and MCR 9.113(B)(2).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days. The panel also ordered that the respondent shall pay restitution in the aggregate amount of \$4,500. Costs were assessed in the amount of \$806.78.

Suspension and Restitution With Conditions (By Consent)

Mary S. Hickey, P36942, Grosse Pointe Farms, by the Attorney Discipline Board,

Mediations, Arbitrations & Special Master



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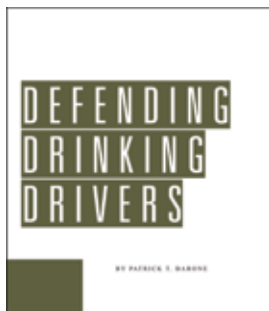
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Tri-County Hearing Panel #25, for 90 days, effective March 23, 2016.

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 stipulation of the parties and the respondent's admissions, the panel finds that the respondent neglected two legal matters, in violation of MRPC 1.1(c); failed to keep her clients reasonably informed regarding the status of their legal matters and respond promptly to reasonable requests for information, in violation of MRPC 1.4(a); and failed to refund an unearned attorney fee paid in advance in two matters, in violation of MRPC 1.16(d).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 90 days and that she pay restitution in the aggregate amount of \$9,500. The panel also ordered that the respondent be subject to a condition relevant to the admitted misconduct. Costs were assessed in the amount of \$793.71.

Automatic Interim Suspensions

Susan G. Graham, P55509, Harbor Springs, effective March 3, 2016.¹

On March 3, 2016, the respondent pleaded guilty to Operating—OUIL/Per Se—3rd Offense, a felony, in violation of MCL 257.6251-A. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on the date of her felony conviction.

Upon the filing of a judgment of conviction, this matter will be 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.

1. The respondent has been continuously suspended from the practice of law in Michigan since December 28, 2013. Please see Notice of Suspension with Conditions (By Consent), issued January 9, 2014.

Danielle R. Havenstein, P69414, Grand Rapids, effective December 17, 2015.

On December 17, 2015, the respondent pleaded guilty to OWI 3rd, a felony. In

accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on the date of her felony conviction.

Upon the filing of a judgment of conviction, this matter will be 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.

Kelly D. Watson, P58080, Redford, effective March 3, 2016.

On March 3, 2016, the respondent was convicted of one count of Resisting and Obstructing, a felony, and two misdemeanor counts of Attempted Resisting and Obstructing. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on the date of his felony conviction.

Upon the filing of a judgment of conviction, this matter will be 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.

Suspension (By Consent)

Christopher Shea Berry, P68580, Holland, by the Attorney Discipline Board, Kent County Hearing Panel #5, for one year, effective March 31, 2016.

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. Based on the respondent's admissions to the factual allegations and allegations of professional misconduct contained in the formal complaint, the hearing panel found that the respondent failed to keep clients reasonably informed about the status of matters, in violation of MRPC 1.1(a); failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); charged a clearly excessive fee, in violation of MRPC 1.5(a); knowingly made a false statement of material fact or law to a third person during the course of

representing a client, in violation of MRPC 4.1; and engaged in conduct that involved 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, contrary to MRPC 8.4(b). The panel also found that the respondent violated MRPC 8.4(c) and MCR 9.104(1)-(3).

The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for one year, effective March 31, 2016, as stipulated by the parties. Costs were assessed in the amount of \$1,836.34.

Final Suspension

David D. Patton, P22846, Bloomfield Hills, by the Attorney Discipline Board,

affirming Tri-County Hearing Panel #58's order of suspension for 180 days, effective October 28, 2014.¹

Based on the respondent's default for his failure to file an answer to the formal complaint, the hearing panel found that he failed to respond to the lawful demands of the grievance administrator, in violation of MRPC 8.1(a)(2); failed to answer the request for investigation, in violation of MCR 9.104(7), MCR 9.113(A), and MCR 9.113(8)(2); violated or attempted to violate the Michigan Rules of Professional Conduct, contrary to MRPC 8.4(a); engaged in conduct prejudicial to the administration of justice, in violation of MCR 9.104(1); engaged in conduct which exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); engaged in conduct that was contrary to

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justice, ethics, honesty, or good morals, in violation of MCR 9.104(3); and violated the standards or rules of professional responsibility adopted by the Supreme Court, contrary to MCR 9.104(4).

The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days, retroactive to October 28, 2014, the date of the sanction hearing. Costs were assessed in the amount of \$2,579.74.

1. On May 15, 2014, the hearing panel issued an order suspending the respondent from the practice of law based on his failure to appear at the first public hearing. That suspension went into effect on May 22, 2014. Please see Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued May 22, 2014.

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

Debbie G. Williams, P44772, Laguna Hills, California, by the Attorney Discipline Board, Tri-County Hearing Panel #8, effective March 28, 2016.

The panel issued an order of interim suspension of the respondent's license, effective March 28, 2016, based on her failure to appear at a hearing scheduled for March 21, 2016.

After being properly served with the formal complaint and the notice of hearing, the respondent failed to personally appear at the March 21, 2016 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 March 21, 2016, the panel issued an order of suspension pursuant to MCR 9.115(H)(1), effective March 28, 2016, and until further order of the panel or the Board.

Suspensions (With Conditions)

Cynthia Marie-Martinovich Lardner, P37000, Troy, by the Attorney Discipline Board, Tri-County Hearing Panel #71, for 180 days, effective April 27, 2016.

The respondent did not appear at the hearing and was found to be in default for

her failure to file an answer to the formal complaint. Based on the respondent's default, the hearing panel found that she engaged in undignified or discourteous conduct toward the tribunal, in violation of MRPC 3.5(d); failed to treat others in the legal process with courtesy and respect, in violation of MRPC 6.5(a); engaged in conduct that is a violation of the criminal law, where such conduct reflects adversely on the lawyer's fitness to practice law, contrary to MRPC 8.4(b); and engaged in conduct that violates the criminal law of a state, contrary to MCR 9.105(5). The panel also found that the respondent violated MRPC 8.4(a) and (c) and MCR 9.104(1)-(4).

The panel ordered that the respondent's license to practice law be suspended for 180 days and that she be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$2,047.88.

Nathaniel H. Simpson, P41722, Bloomfield Hills, by the Attorney Discipline Board, Tri-County Hearing Panel #52, for 179 days, effective April 15, 2016.

The respondent filed an answer to the formal complaint and appeared at the hearings. The hearing panel found that the respondent committed professional misconduct when he held funds other than client or third-person funds in an IOLTA, in violation of MRPC 1.15(a)(3); deposited his own funds in the IOLTA account in excess of an amount reasonably necessary to pay financial institution service charges or fees, in violation of MRPC 1.15(f); 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, contrary to MRPC 8.4(b); engaged in conduct which exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3); and engaged in conduct that violated the standards or rules of professional conduct adopted by the Supreme Court, contrary to MRPC 8.4(a) and MCR 9.104(4).

The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 179 days and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$2,818.14.

Thomas H. Stidham, P56504, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #16, for 30 days, effective March 19, 2016.

The respondent filed an answer to the formal complaint and appeared at the hearings. Based on the testimony and evidence submitted, the hearing panel found that the respondent, in his representation of a client in a civil action, committed the following professional misconduct: neglected his client's legal matter, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness on his client's behalf, in violation of MRPC 1.3; failed to deposit a legal fee paid in advance into a client trust account, in violation of MRPC 1.15(g); failed to refund an unearned attorney fee paid in advance, in violation of MRPC 1.16(d); engaged in conduct which exposed the legal profession to obloquy, contempt, censure, and/or reproach, in violation of MCR 9.104(2); and engaged in conduct which was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 90 days. The respondent filed a timely petition for review and stay of discipline. The Attorney Discipline Board granted the stay of discipline, and the matter was scheduled for review. On December 7, 2015, the Board issued its order vacating the panel's finding that the respondent violated MRPC 1.1(c) and affirmed the panel's findings that the respondent violated MRPC 1.3, 1.15(h), and 1.16(d); and MCR 9.104(2) and (3). The Board also reduced the discipline from a 90-day suspension to a 30-day suspension and added a condition relevant to the established misconduct. The respondent filed a motion for reconsideration, which was denied by the Board on February 19, 2016. Total costs were assessed in the amount of \$2,924.53.