

64 Orders of Discipline and Disability

Automatic Reinstatement

Thomasine Jefferson, P42872, Detroit.

The respondent was suspended from the practice of law in Michigan for 30 days with conditions, effective September 1, 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.

Reprimands (By Consent)

Bradley F. Hubbell, P65455, Toledo, Ohio, by the Attorney Discipline Board, effective October 1, 2016.

In a reciprocal discipline proceeding under MCR 9.120(C), the grievance administrator filed a certified copy of an order of the Supreme Court of Ohio, issued August 27, 2015, in the matter of *Disciplinary Counsel v Bradley Francis Hubbell*, Case No. 2015-0592. 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 Attorney Discipline Board. The stipulation contained the respondent's acknowledgment that he received a six-month stayed suspension in Ohio on August 27, 2015. The stipulation contains the parties' agreement

that MCR 9.106 outlines the types of discipline in Michigan and that a stayed suspension is not included in the types of discipline. The parties stipulated that a reprimand constitutes comparable discipline in this matter.

In accordance with the stipulation of the parties, the Board ordered that the respondent be reprimanded. Costs were assessed in the amount of \$756.46.

Kathryn A. McCarthy, P42003, Farmington Hills, by the Attorney Discipline Board, Tri-County Hearing Panel #19, effective September 14, 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. The stipulation contained the respondent's acknowledgment that she was convicted, by a plea of nolo contendere, of operating a vehicle under the influence of liquor with an occupant under the age of 16, in violation of MCL 257.625(7)(A)(1), in *People of the State of Michigan v Kathryn Ann McCarthy*, 47th District Court Case No. 12H11575-SD. Based on the respondent's conviction and her acknowledgment in the stipulation for consent order of reprimand, it was established 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. Costs were assessed in the amount of \$763.71.

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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**

Automatic Interim Suspension

Sameer Dua, P61249, Lansing, effective August 29, 2016.

On August 29, 2016, the respondent was convicted, by guilty plea, of violating 31 USC 5324(a)(3); 5324(d)(2), Structuring Transactions to Evade Reporting Requirements; and 18 USC 2, Aiding and Abetting, in the United States District Court, Eastern District of Michigan, Southern Division. 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.

Automatic Suspension for Nonpayment of Costs

Kathryn A. McCarthy, P42003, Farmington Hills, effective September 28, 2016.

In *Grievance Administrator v Kathryn A. McCarthy*, Case No. 16-57-JC, an Order of Reprimand (By Consent) was issued on August 23, 2016. Additionally, the respondent was ordered to pay costs by September 14, 2016. 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 September 28, 2016, and, pursuant to MCR 9.128, that suspension will remain in effect until costs have been paid and the respondent has complied with MCR 9.119 and 9.123(A).

Interim Suspension

Wilfred Eric Steiner, P58631, Livonia, by the Attorney Discipline Board, Tri-County Hearing Panel #22, effective September 19, 2016.

After a public hearing held on September 19, 2016, Tri-County Hearing Panel #22 determined that the respondent's license to practice law in Michigan be immediately suspended pending the issuance of the panel's report and order of discipline.

Suspension (Pending Appeal)

Mark W. Stepek, P40976, Clinton Township, by the Attorney Discipline Board, Tri-County Hearing Panel #106, for 30 days, effective September 8, 2016.

The respondent filed an answer to the formal complaint and appeared at the hearing. Based on the respondent's admissions and plea of no contest, the hearing panel found that he committed professional misconduct as the result of his improper use of an IOLTA account.

TODD A. McCONAGHY



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ATTORNEYS AND COUNSELORS AT LAW

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- Former Senior Associate Counsel — Attorney Grievance Commission
- Former District Chairperson — Character & Fitness Committee
- Fellow — Michigan State Bar Foundation
- Twenty years' experience in both public & private sectors

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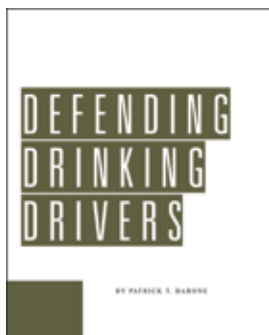
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The panel found that the respondent held funds other than client or third-person funds in his IOLTA, in violation of MRPC 1.15(a)(3); and failed to hold property of his clients or third persons separate from his own and in an IOLTA, in violation of MRPC 1.15(d). The respondent was also found to have violated MCR 9.104(2) and (3) and MRPC 8.4(a) and (b).

The panel ordered that the respondent's license to practice law in Michigan be suspended for 30 days. Costs were assessed in the amount of \$2,072.99. The grievance administrator filed a petition for review on September 6, 2016, seeking an increase in discipline. Therefore, this matter will be scheduled for hearing before the Attorney Discipline Board.

Suspensions (With Conditions)

Mark E. Harder, P41104, Harrison Township, by the Attorney Discipline Board, Tri-County Hearing Panel #103, for 179 days, effective September 8, 2015.¹

The respondent pleaded guilty to operating while intoxicated/impaired with presence of a controlled substance, third offense, a felony, in violation of MCL 257.6256D, and for failure to stop after a collision, a misdemeanor, in violation of MCL 257.620, in a matter titled *People of the State of Michigan v Mark E. Harder*, Macomb County Circuit Court Case No. 2015-3142-FH. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on September 8, 2015, the date of the respondent's felony conviction.

Based on the respondent's conviction, the panel found that he committed professional misconduct that violated a criminal law of a state or of the United States, contrary to MCR 9.104(5).

The panel ordered that the respondent's license to practice law in Michigan be suspended for 179 days, retroactive to the date of his interim suspension. The panel also ordered that the respondent be subject to conditions relevant to the established misconduct. Total costs were assessed in the amount of \$1,817.85.

1. The respondent has been continuously suspended from the practice of law in Michigan since September 8, 2015. Please see Notice of Automatic Interim Suspension, issued September 28, 2015.

Trevor Russell Johnson, P73344, Shelby Township, by the Attorney Discipline Board, Tri-County Hearing Panel #108, for 180 days, effective September 28, 2016.¹

The respondent pleaded guilty to operating while intoxicated, a misdemeanor, in the 52-3 District Court. Based on the respondent's conviction, the panel found that he committed professional misconduct that violated a criminal law of a state or of the United States, contrary to MCR 9.104(5).

The panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days. The panel also ordered that, before petitioning for reinstatement, the respondent shall submit an evaluation from the State Bar of Michigan Lawyers and Judges Assistance Program. Total costs were assessed in the amount of \$1,703.83.

1. The respondent has been continuously suspended from the practice of law in Michigan since January 13, 2016. Please see Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued January 13, 2016.

Suspensions With Conditions (By Consent)

Danielle R. Havenstein, P69414, Grand Rapids, by the Attorney Discipline Board, Kent County Hearing Panel #2, for 179 days, effective September 17, 2016.¹

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 she was convicted, by guilty plea, of operating a vehicle under the influence of liquor, third offense, a felony, in violation of MCL 257.625(6)(D), in *People of the State of Michigan v Danielle Rene Havenstein*, Ionia County Circuit Court Case No. 2015-16613-FH. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on December 17, 2015, the date of her conviction.

Based on the respondent's conviction and her admission in the stipulation, it was established 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's license to practice law in Michigan be suspended for 179 days. Additionally, the panel ordered that the respondent be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$779.25.

1. The respondent has been continuously suspended from the practice of law in Michigan since December 17, 2015. Please see Notice of Automatic Interim Suspension, issued April 20, 2016.

Kelly D. Watson, P58080, Redford, by the Attorney Discipline Board, Tri-County Hearing Panel #24, for 179 days, effective March 3, 2016.¹

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 acknowledgment that he was convicted, by a plea of no contest, to one felony count of assaulting/resisting/obstructing a police officer and two misdemeanor counts of attempted assaulting/resisting/obstructing a police officer, in *People of the State of Michigan v Kelly David Watson*, Washtenaw County Trial Court Case No. 15-000760-FH. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on March 3, 2016, the date of his conviction.

Based on the respondent's conviction and his acknowledgment in the stipulation, it was established 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's license to practice law in Michigan be suspended for 179 days. Additionally, the panel ordered that the respondent be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$831.96.

1. The respondent has been continuously suspended from the practice of law in Michigan since March 3, 2016. Please see Notice of Automatic Interim Suspension, issued March 23, 2016.



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