

PETITIONER

BRIAN R. WUTZ

Notice is given that **Brian R. Wutz**, P66897, has filed a petition in the Michigan Supreme Court and with the Attorney Grievance Commission seeking reinstatement as a member of the State Bar and restoration of his license to practice law.

Effective May 14, 2016, the petitioner was in default for failing to file an answer to the formal complaint and failed to appear at the first hearing. The petitioner's counsel filed a motion to set aside the default, which was denied. The petitioner did appear at the sanction hearing.

Based on the petitioner's default, the hearing panel found that he failed to seek the lawful objectives of his clients through reasonably available means permitted by law and the rules of professional conduct, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness in representing his clients, in violation of MRPC 1.3; failed to communicate with his clients regarding the status of their legal matters, in violation of MRPC 1.4(a); failed to communicate with his clients to the extent reasonably necessary to permit his clients to make informed decision regarding their representation, in violation of MRPC 1.4(b); failed to communicate the basis or rate of the fee to his clients, in violation of MRPC 1.5(b); failed to deposit the advance payment of fees in a client trust account, in violation of MRPC 1.15(g); failed to promptly render a full accounting upon his clients' requests, in violation of MRPC 1.15(b)(3); failed to maintain the advance payment of fees in a client trust account until the fees were earned or expenses were incurred, in violation of MRPC 1.15(g); failed to refund the unearned portion of the advance payment of fees and surrender papers and property to which his clients were entitled, in violation of MRPC 1.16(d); failed to answer requests for investigation, in violation of MCR 9.104(7), MCR 9.113(A), and MCR 9.113(B)(2); and engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation, in violation of MRPC 8.4(b). The panel further found that the petitioner violated MRPC 8.4(c) and MCR 9.104(1)-(3).

The hearing panel ordered that the petitioner's license to practice law in Michigan be suspended for 180 days and that he pay restitution in the aggregate amount of \$11,500.

A hearing is scheduled for Tuesday, May 16, 2017, beginning at 9:30 a.m., at the office

of the Attorney Discipline Board, 211 W. Fort St., Ste. 1410, Detroit, MI 48226.

In the interest of maintaining the high standards imposed on the legal profession as conditions for the privilege to practice law in this state, and of protecting the public, the judiciary, and the legal profession against conduct contrary to such standards, the petitioner will be required to establish his eligibility for reinstatement by clear and convincing evidence.

Any interested person may appear at the hearing and be heard in support of or in opposition to the petition for reinstatement. Any person having information bearing on the petitioner's eligibility for reinstatement should contact:

Nathan C. Pitluk
Associate Counsel
Attorney Grievance Commission
535 Griswold, Ste. 1700
Detroit, MI 48226
(313) 961-6585

REQUIREMENTS OF THE PETITIONER

The petitioner is required to establish the following by clear and convincing evidence:

1. He desires in good faith to be restored to the privilege to practice law in this state.
2. The term of the suspension ordered has elapsed or five years have elapsed since revocation of the license.
3. He has not practiced or attempted to practice law contrary to the requirement of his suspension or revocation.
4. He has complied fully with the terms of the order of discipline.
5. His conduct since the discipline has been exemplary and above reproach.
6. He has a proper understanding of and attitude toward the standards that are imposed on members of the Bar and will conduct himself in conformity with those standards.
7. He can safely be recommended to the public, the courts, and the legal profession as a person fit to be consulted by others and to represent them and otherwise act in matters of trust and confidence, and, in general, to aid in the administration of justice as a member of the Bar and as an officer of the court.
8. If he has been suspended for three years or more, he has been recertified by the Board of Law Examiners.
9. He has reimbursed or has agreed to reimburse the Client Protection Fund any

money paid from the fund as a result of his conduct. Failure to fully reimburse as agreed is grounds for revocation of a reinstatement.

PETITIONER

DAVID G. MAPLEY

Notice is given that **David G. Mapley**, P47918, has filed a petition in the Michigan Supreme Court and with the Attorney Grievance Commission seeking reinstatement as a member of the State Bar and restoration of his license to practice law.

Effective July 24, 2014, based on a stipulation signed by the petitioner and counsel for the grievance administrator, a hearing panel of the Attorney Discipline Board ordered that the petitioner's license to practice law be transferred to inactive status pursuant to MCR 9.121(B) for a minimum period of one year, and until further order of the Board. The petitioner was also subject to several conditions relevant to the disability and was ordered to pay costs in the amount of \$241.74.

The petitioner is ineligible to resume the practice of law until such time as he has complied with the requirements of MCR 9.121(E). In the interest of maintaining the high standards imposed on the legal profession as conditions for the privilege to practice law in this state, and of protecting the public, the judiciary, and the legal profession against conduct contrary to such standards, the petitioner will be required to establish his eligibility for reinstatement. A petition for reinstatement filed under MCR 9.121(E) must be granted by the panel upon a showing that the disability has been removed and that the petitioner is fit to resume the practice of law.

A hearing is scheduled for Tuesday, June 20, 2017, beginning at 9:30 a.m. at the office of hearing panel Chairperson David F. Zuppke, 25892 Woodward Ave., Royal Oak, MI 48067.

Any interested person may appear at the hearing and be heard in support of or in opposition to the petition for reinstatement. Any person having information bearing on the petitioner's eligibility for reinstatement should contact:

Rhonda Spencer Pozehl
Senior Associate Counsel
Attorney Grievance Commission
535 Griswold, Ste. 1700
Detroit, MI 48226
(313) 961-6585