

Disbarment

James Anthony Catipay, P63876, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #67, effective November 15, 2017.¹

The respondent was convicted of Conspiracy to Commit Securities Fraud, in violation of 18 USC 371, in the U.S. District Court for the Southern District of California. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended effective October 25, 2016, 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 be disbarred from the practice of law in Michigan. Total costs were assessed in the amount of \$1,894.26.

1. The respondent has been continuously suspended from the practice of law in Michigan since October 25, 2016. Please see Notice of Automatic Interim Suspension, issued November 2, 2016.

Disbarment and Restitution

James H. Davies, P23266, Grand Rapids, by the Attorney Discipline Board, Kent County Hearing Panel #5, effective November 16, 2017.

Based on the respondent's admissions and the panel's order granting summary disposition, the hearing panel found that the respondent committed professional misconduct in his representation of a client in litigation against builders for damages based on deficiencies in a custom built home and in his representation of another client in a delayed appeal of a criminal conviction.

The panel found that the respondent neglected legal matters, in violation of MRPC 1.1(a); failed to act with reasonable diligence and promptness when representing his clients, in violation of MRPC 1.3; failed to keep his clients reasonably informed regarding the status of their matters, in violation of MRPC 1.4; failed to refund unearned attorney fees, in violation of MRPC 1.16(d); failed to hold legal fees and expenses that have been paid in advance in a client trust account, in violation of MRPC 1.15(g); and failed to hold property of a third person in connection with representation separate from the lawyer's own property in violation of MRPC 1.15(d). The respondent was also found to have violated MCR 9.104(1)–(3) and MRPC 8.4(b).

The panel ordered that the respondent be disbarred from the practice of law in Michigan and that he pay restitution to the two complainants in the total amount of \$11,500. Costs were assessed in the amount of \$1,899.19.

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- Member, SBM Committee on Professional Ethics
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Reinstatement (With Conditions)

Eugene A. Goreta, P14207, Ecorse, by the Attorney Discipline Board, Tri-County Hearing Panel #6, effective November 27, 2017.

The petitioner has been suspended from the practice of law in Michigan since October 21, 2014. His petition for reinstatement, filed in accordance with MCR 9.123(B) and MCR 9.124, was granted by Tri-County Hearing Panel #6, which concluded that the petitioner had satisfactorily established his eligibility for reinstatement in accordance with those court rules. The panel issued an order of eligibility for reinstatement with the condition that the petitioner file written proof of payment of Bar dues in accordance with Rules 2 and 3 of the Supreme Court Rules concerning the State Bar of Michigan before the petitioner could be reinstated to the practice of law in Michigan.

The Board received written proof that the petitioner had paid dues to the State Bar of Michigan, and issued an order of reinstatement with conditions on November 28, 2017. Total costs were assessed in the amount of \$580.

Reprimand (By Consent)

Dale A. Robinson, P55522, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #23, effective November 17, 2017.

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 in a matter titled *People v Dale A. Robinson*, 44th District Court Case No. 16RO04804, of impaired driving, a misdemeanor, in violation of ORD 00515B. Based on the respondent's conviction and his admission 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); and engaged in conduct that violated 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).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$770.88.

Reprimand With Condition (By Consent)

Elizabeth J. Ollgaard, P71436, Farmington Hills, by the Attorney Discipline Board, Tri-County Hearing Panel #53, effective November 15, 2017.

The grievance administrator filed a three-count formal complaint alleging that the respondent neglected appeals to the Social Security Administration for three separate clients. The parties filed a Stipulation for Consent Order of Reprimand With Condition 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 pleas of no contest contained in the parties' stipulation, the panel found that the respondent committed professional misconduct as set forth in all three counts of the formal complaint. Specifically, the respondent neglected a legal matter entrusted to her, in violation of MRPC 1.1(c); failed to seek the lawful objectives of her clients through reasonably available means permitted by law and these rules, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness in representing her clients, in violation of MRPC 1.3; and failed to keep a client reasonably informed about the status of a matter, in violation of MRPC 1.4(a). The respondent was also found to have violated MCR 9.104(1)–(3) and MRPC 8.4(c).

In accordance with the stipulation of the parties, the panel ordered that the respondent be reprimanded and be subject to a condition relevant to the established mis-

conduct. Costs were assessed in the amount of \$757.50.

Suspension

Todd R. Branch, P61823, Grosse Pointe Farms, by the Attorney Discipline Board, Tri-County Hearing Panel #1, for 180 days, effective November 4, 2017.¹

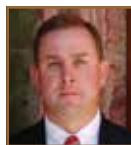
Based on the respondent's default, the hearing panel found that the respondent committed professional misconduct when he failed to answer a grievance administrator request for investigation, which alleged that the respondent had been suspended from the practice of law in Canada by the Law Society of Upper Canada for failing to respond to two separate client grievances, in violation of MCR 9.104(7), MCR 9.113(A), and MCR 9.113(B)(2); and engaged in conduct that was prejudicial to the administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1).

ATTORNEY DISCIPLINE DEFENSE

Experienced attorney (41 yrs) who handles criminal and civil cases, trial and appeal, is available for representation in defending attorneys in discipline proceedings. I can represent you in answering requests for investigations, grievances, and at hearings. I am also available for appeals, reinstatement petitions, and general consultation. References are available upon request. For further information, contact:

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The panel ordered that the respondent's license to practice law be suspended for 180 days. Costs were assessed in the amount of \$1,668.96.

1. The respondent has been continuously suspended from the practice of law in Michigan since August 9, 2017. Please see Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued August 31, 2017.

Mark E. Harder, P41104, Harrison Twp., by the Attorney Discipline Board, Tri-County Hearing Panel #103, for 180 days, effective November 18, 2017.¹

The grievance administrator filed a petition for the entry of an order to show cause on May 19, 2017, alleging that the respondent violated the panel's order by failing to comply with any of the conditions contained in the panel's September 15, 2016 order and, despite repeated correspondence from the Attorney Grievance Commission, the respondent failed to respond. The petition further alleged that the respondent violated his criminal probation in the underlying criminal matter. The respondent was requested to provide an answer to the grievance administrator's petition by June 13, 2017. When no answer was received, an order to show cause was issued by the Board and a hearing was scheduled. The respondent failed to appear at the show cause hearing held on July 25, 2017.

Based on the evidence presented, the hearing panel found that the respondent committed professional misconduct by violating the hearing panel's September 15, 2016 Order of Suspension With Conditions. The respondent was found to have engaged in conduct in violation of an order of discipline, contrary to MCR 9.104(9).

The panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days. Costs were assessed in the amount of \$1,731.95.

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. *Grievance Administrator v Mark E. Harder*, 15-114-AI; 15-138-JC.

Richard A. Meier, P38204, Novi, by the Attorney Discipline Board, Tri-County Hearing Panel #80, for two years, effective October 20, 2016.

The respondent filed an answer to the formal complaint and appeared at the hearing. Based on the evidence presented by

the parties at the hearings held in this matter, the hearing panel found that the respondent committed professional misconduct in his representation of three separate clients pursuing claims against their respective employers.

The panel found that the respondent handled two legal matters without preparation adequate in the circumstances, in violation of MRPC 1.1(b); neglected three legal matters, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness on behalf of three separate clients, in violation of MRPC 1.3; failed to keep three clients reasonably informed as to the status of their legal matters and respond promptly to reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a legal matter to three separate clients to the extent necessary for the client to make informed decisions, in violation of MRPC 1.4(b); and failed to respond to a legally proper discovery request in pretrial procedure in one matter, in violation of MRPC 3.4(d). The respondent was also found to have violated MCR 9.104(2) and (3) and MRPC 8.4(b).

The panel ordered that the respondent's license to practice law in Michigan be suspended for two years. The respondent filed a petition for review and a petition for stay on September 27, 2016. The respondent's request for a stay pending review was granted on an interim basis pending further consideration by the Board on October 7, 2016. After further consideration, the Board denied the respondent's request for stay on October 13, 2016, and the order of suspension became effective October 20, 2016. The Attorney Discipline Board has conducted review proceedings in accordance with MCR 9.118, including review of the evidentiary record before the panel, consideration of the parties' briefs, and arguments presented by the parties at the review hearing. The Board affirmed the hearing panel's order of a two-year suspension of the respondent's license to practice law.

Suspension and Restitution (By Consent)

Brian D. Figot, P33443, Farmington Hills, by the Attorney Discipline Board, Tri-County Hearing Panel #74, for three years and one day, effective November 21, 2017.

The respondent and the grievance administrator filed an amended 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 amended stipulation contained the respondent's admission that he committed acts of professional misconduct when he, as the staff executive director at the Federal Bar Association—Eastern District of Michigan Chapter (FBA), made multiple withdrawals of FBA funds, without consent or authorization, from the organization's checking account for unearned salary advances, inflated or nonexistent expenses, and unexplained cash withdrawals.

Based on the respondent's admissions and the amended stipulation of the parties, the panel found that the respondent engaged in conduct that exposed the legal profession or the court to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3); engaged in conduct that violates the standards or rules of professional conduct adopted by the Michigan Supreme Court, in violation of MCR 9.104(4); engaged in conduct that violates a criminal law of a state or of the United States, an ordinance, or tribal law, contrary to MCR 9.104(5); engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of 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 violated or attempted to violate the Michigan Rules of Professional Conduct, knowingly assisted or induced another to do so, or did so through the acts of another, contrary to MRPC 8.4(a).

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 three years and one day. The respondent was also ordered to pay restitution totaling \$20,161.23. Costs were assessed in the amount of \$750.

Automatic Interim Suspension

Steven B. Ruza, P41476, Orchard Lake, effective September 13, 2017.¹

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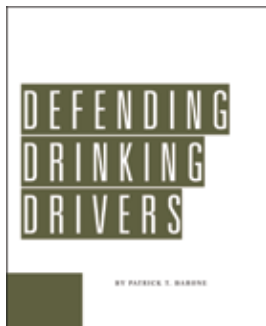
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On September 13, 2017, the respondent pled guilty to one count of intent to pass false title, in violation of MCL 257.254, a felony, and to one count of falsely certifying a driver's license, in violation of MCL 257.903, in the matter of *People of the State of Michigan v Steven Barry Ruza*, 30th Circuit Court. 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 certified 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 September 4, 2015. Please see Notice of Automatic Interim Suspension, issued September 23, 2015, in Case Nos. 15-111-AI; 16-11J-C.

Hussian Saleh, P72484, Melvindale, effective October 31, 2017.

On October 31, 2017, the respondent entered a guilty plea to a charge of conspiracy to obtain United States passport by false statement of fraud, in violation of 18 USC 371 and 1542, a felony, in the matter of *United States of America v Hussian Saleh*, U.S. District Court for the Eastern District of Michigan. Upon acceptance of the plea by the court, the respondent was convicted and, in accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended.

Upon the filing of a certified 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)

Roger Terrice, P45058, Bay City, by the Attorney Discipline Board, Tri-Valley Hearing Panel #3, for 60 days, effective November 30, 2017.

The respondent and the grievance administrator filed an amended 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 amended

stipulation contained the respondent's admission that he committed acts of professional misconduct when he neglected a client's divorce matter and failed to respond to a request for investigation.

Based on the respondent's admissions and the amended stipulation of the parties, the panel found that the respondent neglected a legal matter entrusted to him, in violation of MRPC 1.1(c); failed to seek the lawful objectives of a client through reasonably available means permitted by law, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3; and failed to answer a request for investigation, in violation of MCR 9.104(7), MCR 9.113(A) and (B)(2). The respondent was also found to have violated MCR 9.104(1)–(3) and MRPC 8.4(a) and (c).

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 60 days. Costs were assessed in the amount of \$916.09.

Suspension (Pending Appeal)

Mark A. Chaban, P57799, Plymouth, by the Attorney Discipline Board, Tri-County Hearing Panel #21, for one year, effective October 31, 2017.

As alleged in the formal complaint and established by the evidence and testimony submitted, the hearing panel found that the respondent committed professional misconduct while representing the client-tenant in a landlord-tenant matter.

The hearing panel found that the respondent brought or defended a proceeding, or asserted or controverted an issue therein, without a basis for doing so that was not frivolous, in violation of MRPC 3.1; failed to make reasonable efforts to expedite litigation consistent with the interests of the client, in violation of MRPC 3.2; made knowingly false statements of material fact to a tribunal, in violation of MRPC 3.3(a); and knowingly made a false statement of material fact or law to a third person, in violation of MRPC 4.1. The respondent was also found to have violated MCR 9.104(1)–(3) and MRPC 8.4(b) and (c).

The panel ordered that the respondent's license to practice law in Michigan be suspended for one year. The respondent filed a timely petition for review, and this matter has been scheduled for hearing before the Attorney Discipline Board. The respondent also filed a request for a stay of discipline, which is pending before the Board.

John P. Lozano, P52862, Saginaw, by the Attorney Discipline Board, Tri-Valley Hearing Panel #1, for 90 days, effective November 28, 2017.

Based on the respondent's default, the panel found that he committed professional misconduct during his handling of a civil lawsuit and by failing to respond to a request for investigation.

Specifically, the hearing panel found that the respondent neglected a legal matter entrusted to him, in violation of MRPC 1.1(c); failed to seek the client's lawful objectives through reasonably available means permitted by law, in violation of MRPC 1.2(a); failed to notify his client of all settlement offers, in violation of MRPC 1.4(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); in the course of representing a client, knowingly made a false statement of material fact to a third person, in violation of MRPC 4.1; and failed to answer a request for investigation, in violation of MCR 9.104(7), MCR 9.113(A), and (B)(2). The respondent was also found to have violated MCR 9.104(1)–(3) and MRPC 8.4(a)–(c).

The panel ordered that the respondent's license to practice law in Michigan be suspended for 90 days. The grievance administrator filed a timely petition for review, and this matter has been scheduled for hearing before the Attorney Discipline Board.

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

Robert A. Switzer, P74724, Lincoln Park, by the Attorney Discipline Board, Tri-County Hearing Panel #3, effective November 4, 2017.

The respondent failed to appear at the October 27, 2017 hearing. On October 27, 2017, the hearing panel, in accordance with MCR 9.115(H)(1), issued an order of suspension effective November 4, 2017, and until further order of the panel or the Board.

Suspension With Condition (By Consent)

Doris Marie Day-Winters, P56828, Lake Isabella, by the Attorney Discipline Board, Tri-Valley Hearing Panel #2, for 180 days, effective November 15, 2017.

The grievance administrator filed a three-count formal complaint alleging that the respondent committed professional misconduct from 2013 through May 2015 by misusing her IOLTA account when, on multiple occasions, she deposited personal and/or business funds, and used her IOLTA to pay personal and/or business expenses. The respondent and the grievance administrator filed an amended 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 parties' stipulation, the panel found that the respondent held funds other than client or third-party funds in an IOLTA, in violation of MRPC 1.15(a)(3), and (d); failed to hold property of clients or third persons in connection with a representation separate from her own property, in violation of MRPC 1.15(d); deposited her own funds in an IOLTA in an amount more than reasonably necessary to pay financial institution charges or fees, in violation of MRPC 1.15(f); maintained funds in an IOLTA which were not being held in trust, in violation of MRPC 1.15A; and misused her IOLTA to directly pay her personal and/or business expenses, in violation of MRPC 1.15(a). The respondent was also found to have violated MRPC 8.4(a) and MCR 9.104(2)–(4).

In accordance with the stipulation of the parties, the panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days with a condition relevant to the established misconduct. Costs were assessed in the amount of \$1,274.71.