

## Disbarment and Restitution

**Robert E. Slameka**, P20567, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #19, effective May 16, 2018.<sup>1</sup>

The respondent filed an answer and an amended answer to the formal complaint and appeared at the hearings. Based on the exhibits offered and witness testimony presented by the grievance administrator, the hearing panel found that the respondent committed professional misconduct in his representation of a client in a direct appeal of his criminal conviction.

The panel found that the respondent failed to provide competent representation, in violation of MRPC 1.1(a); failed to provide

diligent representation, in violation of MRPC 1.3; failed to communicate the status of the representation to his client, in violation of MRPC 1.4(a); failed to explain the matter to his client to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); knowingly made false statements of fact to a tribunal, in violation of MRPC 3.3(a)(1); knowingly made false statements of material fact to third parties while representing a client, in violation of MRPC 4.1; and failed to notify the opposing attorney and tribunals of his suspension, in violation of MCR 9.119(C). The respondent was also found to have violated MCR 9.104(1)–(4); and MRPC 8.4(a)–(c).

The panel ordered that the respondent be disbarred from the practice of law in Michigan and that he be required to pay restitution to Effie Vann in the amount of \$7,500 with interest at the rate of 7 percent per annum, retroactive to May 1, 2012 (the date Ms. Vann paid the respondent's retainer in full). Costs were assessed in the amount of \$1,834.59.

1. The respondent has been continuously suspended from the practice of law in Michigan since May 1, 2015. Please see Notice of Suspension and Restitution (By Consent), *Grievance Administrator v Robert E. Slameka*, 14-107-JC, issued April 14, 2015.

## Reprimand (By Consent)

**Gary D. Quesada**, P48268, Royal Oak, by the Attorney Discipline Board, Tri-County Hearing Panel #64, effective May 22, 2018.

The respondent and the grievance administrator filed a stipulation for a consent order of reprimand, 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 of the City of Auburn Hills v Gary David Quesada*, 523 District Court Case No. 17005079OD, of operating while impaired by liquor, a misdemeanor, in violation of MCL 257.625(3). Based on the respondent's conviction and his admission in the stipulation, it was established that the respondent engaged in conduct that violated a criminal law of a state or of the United States, an ordinance, or tribal law pursuant to MCR 2.615, 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 \$764.42.

## Amended<sup>1</sup> Reprimand (By Consent)

**David W. Jones**, P57103, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #27, effective May 30, 2018.

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

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accepted by the hearing panel. The stipulation contained the respondent's admissions to the allegations that he committed acts of professional misconduct as the result of his improper use of an IOLTA account from July 2015 through May 2016. Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent deposited his own funds in a client trust account in excess of an amount reasonably necessary to pay financial institution service charges or fees or to obtain a waiver of service charges or fees, in violation of MRPC 1.15(f); and held funds other than client or third-person funds in an IOLTA, in violation of MRPC 1.15(a)(3). The respondent was also found to have violated MCR 9.104(3) and (4); and MRPC 8.4(a).

In entering its finding of misconduct, the panel acknowledged the parties' agreement that the respondent's mental state was negligent and, specifically, paragraph 3 of the stipulation, which stated "during the period in question, no client funds were deposited into or distributed from the trust account at issue in the Formal Complaint. Thus, there was no commingling of Respondent's personal funds in the account with funds belonging to a client."

In accordance with the stipulation of the parties, the panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$758.20.

1. Added the hearing panel's acknowledgment of paragraph 3 of the parties' stipulation for a consent order of discipline.

### Reprimand With Conditions (By Consent)

**Nabih H. Ayad**, P59518, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #15, effective May 2, 2018.

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 admissions to the allegations that he committed acts of professional misconduct as the result of his improper use of an IOLTA account.

Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent entered into a business transaction with a client, in violation of MRPC 1.8(a), which did not satisfy the exceptions of MRPC 1.8(a)(3) because the terms were not transmitted in writing to the client; failed to preserve complete records of funds in his IOLTA account for a period of five years after termination of representation, in violation of MRPC 1.15(b)(2); failed to hold property of clients and third persons in connection with a representation separate from the lawyer's own property, in violation of MRPC 1.15(d); deposited his own funds in a client trust account in an amount greater than reasonably necessary to pay financial institution service charges or fees, in violation of MRPC 1.15(f); and failed to make reasonable efforts to ensure that a nonlawyer employee's conduct was compatible with the professional obligations of the lawyer, in violation of MRPC 5.3(b). The respondent was also found to have violated MRPC 8.4(a) and MCR 9.104(2).

In accordance with the stipulation of the parties, the panel ordered that the respondent be reprimanded, that the respondent and his administrative assistant attend a lawyer trust accounts seminar offered by the State Bar of Michigan, and that the re-

spondent submit copies of bank statements for his trust account(s) to the grievance administrator on a monthly basis, for a period of two years. Costs were assessed in the amount of \$1,118.40.

### Suspension

**Richard J. Doud**, P23271, Mackinac Island, by the Attorney Discipline Board, for 90 days, effective May 15, 2018.

In a reciprocal discipline proceeding under MCR 9.120(C), the grievance administrator filed a certified copy of an order suspending the respondent's license to practice law for a period of 90 days, entered by the United States District Court for the Eastern District of Michigan Southern Division, on June 23, 2017, *In Re Richard J. Doud and Andrew M. Ferguson*, Case No. 15mc50494.

An order regarding imposition of reciprocal discipline was served upon the respondent on March 15, 2018. The 21-day period referenced in MCR 9.120(C)(2)(b) expired without objection by either party and the respondent was deemed to be in default. Based on that default, the Attorney Discipline Board ordered that the respondent's license to practice law in Michigan be suspended for 90 days. Costs were assessed in the amount of \$1,560.04.

## 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:

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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**

### Suspension and Restitution (Pending Appeal)

**Carolyn J. Jackson**, P53018, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #66, for 180 days, effective May 17, 2018.

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After proceedings in accordance with MCR 9.115, the hearing panel found that the respondent committed professional misconduct in her handling of her client's mother's estate; failing to notify a client of her suspension from the practice of law; failing to withdraw from a matter or otherwise notify the court that she was disqualified from representing a client on a motion; maintaining a website and telephone recording through which she continued to hold herself out to the public as an attorney during the period of her suspension from the practice of law; making materially false statements in affidavits filed with the Board; failing to answer requests for investigation; and failing to appear pursuant to subpoenas.

The panel found that the respondent neglected a legal matter entrusted to her, in violation of MRPC 1.1(c); failed to seek the lawful objectives of a client, 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; failed to keep a client reasonably informed about the status of a matter and failed to comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to hold client property separate from her own property, in violation of MRPC 1.15(d); failed to deposit legal fees and expenses paid in advance into a client trust account, in violation of MRPC 1.15(g); failed to refund the unearned portion of an advance fee, in violation of MRPC 1.16(d); failed to surrender papers and property to which the client was entitled, 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); failed to answer a request for investigation within 21 days, in violation of MCR 9.113(A) and (B)(2) and MCR 9.104(7); failed to notify all active clients of her suspension in writing by registered or certified mail, in violation of MCR 9.119(A); failed to file with the tribunal and all parties a notice of her disqualification from the practice of law in a matter in which she represented a client in litigation, in violation of MCR 9.119(B); held herself out as an attorney, in violation of MCR 9.119(E)(4); and filed an affidavit of compliance which contained a materially false statement, in violation of MCR 9.123(A). The

respondent was also found to have violated MCR 9.104(1)–(3); and MRPC 8.4(b).

The panel ordered that the respondent's license to practice law be suspended for 180 days and that she be required to pay restitution to Roy Harp in the amount of \$200. The respondent filed a timely petition for review and petition for a stay of discipline. The Board denied the respondent's request for stay on May 25, 2018. The review hearing in this matter is scheduled for August 15, 2018.

### Suspension and Restitution (Pending Review)

**Lawrence B. Shulman**, P45075, Birmingham, by the Attorney Discipline Board, Tri-County Hearing Panel #69, for 90 days, effective May 4, 2018.<sup>1</sup>

After proceedings in accordance with MCR 9.115 and 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 a client in an appeal of a federal criminal conviction, in which the respondent failed to prepare and file the brief on appeal, resulting in dismissal of the appeal. The respondent then failed to refund any portion of the fee paid by the client and his wife. The panel also found that the respondent failed to answer the request for investigation filed by the client.

The panel found that the respondent neglected a legal matter, in violation of MRPC 1.1(c); failed to seek the lawful objectives of his client through reasonably available means, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3; failed to keep his client reasonably informed about the status of the matter and comply promptly with reasonable requests for information, 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); failed to refund an unearned fee upon termination of the representation, in violation of MRPC 1.16(d); knowingly made a false statement of material fact or law to a third person in the

course of representing a client, in violation of MRPC 4.1; knowingly failed to respond to a lawful demand for information, in violation of MRPC 8.1(a)(2); engaged in conduct that involved dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflected 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 conformity with MCR 9.113, in violation of MCR 9.104(7). The respondent was also found to have violated MCR 9.104(1)–(3); and MRPC 8.4(a) and (c).

The panel ordered that the respondent's license to practice law be suspended for 90 days and that he be required to pay restitution in the amount of \$6,750 to his former client's wife, Sejal Bamrolia. The grievance administrator filed a timely petition for review and the respondent filed a cross-petition for review along with a petition for a stay of discipline. On March 14, 2018, the Board issued an order dismissing the respondent's cross-petition for review and dissolving the respondent's automatic stay based on the respondent's failure to file a brief in support of his cross-petition. As a result, the respondent's suspension was to begin on April 12, 2018. The parties filed a stipulation to extend the effective date of the respondent's suspension from the practice of law to May 4, 2018, which was granted by the Board in an order issued April 12, 2018. The Board's decision as to the administrator's petition for review remains pending.

1. The respondent has been continuously suspended from the practice of law in Michigan since April 25, 2018. Please see Notice of Automatic Suspension for Nonpayment of Costs, issued May 1, 2018.

### Suspension and Restitution (With Condition)

**Ronald Thomas Bruce Jr.**, P62579, Monroe, by the Attorney Discipline Board, Tri-County Hearing Panel #24, for 180 days, effective January 23, 2018.<sup>1</sup>

As alleged in the four-count formal complaint, the panel found that the respondent committed professional misconduct during his handling of a decedent's estate matter in Monroe County; a pending divorce matter; an objection to a referee's recommendation regarding parenting time; and

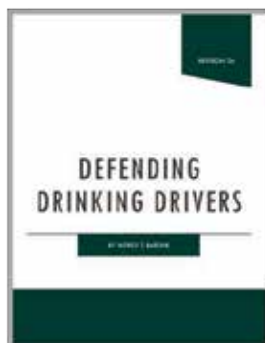
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by failing to timely answer three requests for investigation.

Specifically, the panel found that the respondent neglected a legal matter entrusted to him, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a matter, in violation of MRPC 1.4(a); failed to explain a matter to a client to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); failed to communicate to the client the basis or rate of the attorney fee before or within a reasonable time after beginning the representation, in violation of MRPC 1.5(b); engaged in the representation of a client notwithstanding having been discharged, in violation of MRPC 1.16(a)(3); upon termination of the representation of the client, failed to refund the unearned advance payment for attorney fees and costs

and to return and/or turn over to the client papers to which he was entitled, 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); and failed to answer a request for investigation in conformity with MCR 9.113(A), in violation of MCR 9.104(7). The respondent was also found to have violated MCR 9.104(1)–(4) and MRPC 8.4(a).

The panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days, that he be required to pay restitution totaling \$1,500, and that he be subject to a condition relevant to the established misconduct. Costs were assessed in the amount of \$2,576.09.

1. The respondent has been continuously suspended from the practice of law in Michigan since June 30, 2017. Please see Notice of Suspension and Restitution (With Condition), *Grievance Administrator v Ronald Thomas Bruce Jr.*, Case No. 16-101-GA, issued February 23, 2018.

## Automatic Interim Suspensions

**Scott C. Hess**, P45865, Menomonee Falls, Wisconsin, effective April 26, 2018.

On April 26, 2018, the court accepted the respondent's guilty plea to two counts of wire fraud, in violation of 18 USC 1343, a felony, in the matter of *United States of America v Scott Hess*, U.S. District Court Eastern District of Wisconsin, Case No. 18-cr-44-1-JPS. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended on the date his plea was accepted.

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.

**Nijad Georges Mehanna**, P59371, Saint Clair Shores, effective May 2, 2018.

On May 2, 2018, the respondent was convicted of one count of assault/resist/obstructing of a police officer, in violation of MCL 750.81D(1), a felony, and one count of assault, in violation of MCL 750.81, a misdemeanor, in the matter of *People of the State of Michigan v Nijad Georges Mehanna*, Macomb County Circuit Court Case No. 2016-003329-FH. 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.

## Suspension (By Consent)

**Joel Mendoza**, P69557, Lansing, by the Attorney Discipline Board, Ingham County Hearing Panel #1, for 30 days, effective May 9, 2018.

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

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committed acts of professional misconduct in his representation of a client who retained him to file an application to correct a military record.

Based on the respondent's admissions and the 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 the client, 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; failed to keep the client reasonably informed about the status of a matter and failed to comply with reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a matter to the extent necessary to permit the client to make informed decisions about the representation, in violation of MRPC 1.4(b); failed to surrender papers and property which the client was entitled to receive, in violation of MRPC 1.16(d); and failed to refund an advance payment of fee that had not been earned, in violation of MRPC 1.16(d). The respondent was also found to have violated MCR 9.104(1)–(3).

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 30 days. Costs were assessed in the amount of \$1,088.29.

### Automatic Suspension for Nonpayment of Costs

**Lawrence B. Shulman**, P45075, Birmingham, effective April 25, 2018.

In *Grievance Administrator v Lawrence B. Shulman*, Case No. 17-1-GA, the Attorney Discipline Board issued an Order Dismissing Respondent's Cross-Petition for Review and Dissolving Automatic Stay of Order of Suspension pursuant to MCR 9.118(B). As a result, the 90-day suspension of the respondent's license to practice law in Michigan, imposed by Tri-County Hearing Panel #69, was to begin on April 12, 2018. The parties filed a stipulation to extend the effective date of the respondent's suspension from the practice of law to May 4, 2018, which was granted by the Board in an order issued April 12, 2018. The Board's order did not extend the time for the respondent to pay costs. Costs were due on or before April 12,

2018. The respondent failed to pay the costs as ordered, and in accordance with MCR 9.128(C), a certification of nonpayment of costs was issued on April 17, 2018.

In accordance with MCR 9.128(D), the respondent's license to practice law in Michigan was automatically suspended on April 25, 2018, and, pursuant to MCR 9.128, that suspension will remain in effect until the costs have been paid and the respondent has complied with MCR 9.119 and 9.123(A).

### Suspension (With Conditions)

**Matthew Patrick Salgat**, P74144, Troy, by the Attorney Discipline Board, Tri-County Hearing Panel #67, for 180 days, effective May 30, 2018.

Tri-County Hearing Panel #67 issued an order on June 19, 2017, in *Grievance Administrator v Matthew Patrick Salgat*, Case Nos. 16-92-JC; 16-93-GA, reprimanding the respondent with conditions. The order contained a provision that stated: "If respondent fails to fulfill these conditions, including testing positive for nonprescription controlled substances or alcohol, respondent shall be suspended for a period of 180 days upon the filing of an affidavit by the Grievance Administrator, or his designee." Pursuant to the order, the grievance administrator filed a motion to increase discipline with an affidavit attesting to the respondent's failure to comply with the conditions of the order.

The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days, effective May 30, 2018.

### Suspension With Condition (By Consent)

**Renee L. Hickey-Niezgoda**, P32843, Mount Pleasant, by the Attorney Discipline Board, Tri-Valley Hearing Panel #1, for 90 days, effective May 1, 2018.

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 admissions that she committed acts of professional misconduct as the result of her improper use of IOLTA accounts with Mercantile Bank and with Isabella Bank.

Based on the respondent's 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); failed to hold property of her clients or third persons separate from her own, in violation of MRPC 1.15(d); and deposited her own funds into an IOLTA in an amount more than reasonably necessary to pay financial institution service charges or fees, in violation of MRPC 1.15(f). The respondent was also found to have violated MCR 9.104(2) and (3); and 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 90 days and that she be required to attend the next presentation of the seminar titled "Tips and Tools for A Successful Practice," offered by the State Bar of Michigan. Costs were assessed in the amount of \$1,708.55.



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