

Disbarment and Restitution

Marcellus Long Jr., P43630, Pontiac, by the Attorney Discipline Board, Tri-County Hearing Panel #72, effective November 13, 2018.¹

The respondent was convicted, by guilty plea, of a charge of conspiracy to commit wire fraud, in violation of 18 USC 371, a felony, in the matter of *United States of America v Marcellus Long Jr.*, U.S. District Court for the Eastern District of Michigan, Southern Division, Case No. 15-20618-4. In accordance with MCR 9.120(B)(1), the respondent's license to practice law in Michigan was automatically suspended effective July 25, 2017, the date of the respondent's felony conviction. Based on the respondent's conviction, the panel found that he committed professional misconduct that violated the criminal laws 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 pay restitution in the amount of \$41,283.39, as ordered by the U.S. District Court in connection with the respondent's conviction. Total costs were assessed in the amount of \$2,171.62.

1. The respondent has been continuously suspended from the practice of law in Michigan since July 25, 2017. Please see Notice of Automatic Interim Suspension, issued August 17, 2017.

Disbarment and Restitution (By Consent)

Michael L. Kalis, P23132, Dearborn, by the Attorney Discipline Board, Tri-County Hearing Panel #6, effective June 12, 2018.

Based on the parties' stipulation to misconduct and discipline placed on the record at the June 12, 2018 hearing, the panel found that the respondent committed professional misconduct when he failed to seek the lawful objectives of a client through reasonably available means permitted by law and the MRPC, in violation of MRPC 1.2(a); failed to promptly notify the Medichkos beneficiaries when he received funds in which the beneficiaries had an interest, in violation of MRPC 1.15(b)(1); failed to properly pay or deliver funds owed to the estate, the trust, and the beneficiaries, in violation of MRPC 1.15(b)(3); failed to provide an accounting to the beneficiaries when requested, in violation of MRPC 1.15(b)(3); failed to hold property of clients or third persons in connection with a representation separate from

his own funds, in violation of MRPC 1.15(d); 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); submitted a material misrepresentation to the Wayne County Probate Court, in violation of MRPC 3.3; knowingly made a false statement of material fact or law to the beneficiaries and their representatives, in violation of MRPC 4.1; failed to take reasonable steps to protect the trust property, in violation of MCL 700.810; failed to keep the beneficiaries or their representatives reasonably informed about the trust's administration, in violation of MCL 700.7814(1); and 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, and fitness as a lawyer, contrary to MRPC 8.4(b). The respondent was also found to have violated MCR 9.104(1)–(3).

The panel ordered that the respondent be disbarred from the practice of law in Michigan, effective June 12, 2018, the date of the respondent's interim disbarment, and pay restitution in the amount of \$164,145.56. Total costs were assessed in the amount of \$1,838.80.

Automatic Reinstatement

William G. Shanaberger, P41912, Hazel Park, reinstated pursuant to MCR 9.123(A): November 29, 2018.

The respondent was suspended from the practice of law in Michigan for 90 days, effective June 1, 2017. 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, the Board, and the administrator, attesting to his full compliance with the terms and conditions of the Order of Suspension With Conditions (By Consent) issued in this matter.

Reinstatement (With Conditions)

Robert J. Connelly, P38051, Kalamazoo, by the Attorney Discipline Board, Kalamazoo County Hearing Panel #1, effective November 6, 2018.

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 petitioner was first suspended from the practice of law in Michigan for one year, effective April 15, 2005, in *Grievance Administrator v Robert J. Connelly*, Case Nos. 04-41-GA; 04-165-GA, and was disbarred from the practice of law in Michigan, effective April 15, 2006, in *Grievance Administrator v Robert J. Connelly*, Case No. 09-30-GA. His petition for reinstatement, filed in accordance with MCR 9.123(B) and MCR 9.124, was granted by Kalamazoo County Hearing Panel #1. The panel concluded that the petitioner satisfactorily established his eligibility for reinstatement in accordance with the guidelines of those court rules. On April 14, 2017, the panel issued its Order of Eligibility for Reinstatement With Conditions. On October 31, 2018, the Board received the required written documentation that the petitioner had paid his dues with the State Bar of Michigan and the required written documentation that the respondent had been recertified by the State of Michigan Board of Law Examiners.

The Board issued an order reinstating the petitioner to the practice of law in Michigan with conditions, effective November 6, 2018.

Reprimands (By Consent)

Johnny L. Hawkins, P48157, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #74, effective November 24, 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 contained in the formal complaint that he committed professional misconduct during his representation of a client in a matter titled *Tony Dewayne Beard Jr., a legally incapacitated person, by and through Johnette Ford, his legal guardian v Eric Hawkins*, U.S. District Court for the Eastern District of Michigan, Case No. 14-13465.

Based on the respondent's plea and the stipulation of the parties, the panel found that the respondent failed to make reasonably diligent efforts to comply with a legally proper discovery request by an opposing

party, in violation of MRPC 3.4(d). The respondent was also found to have violated MRPC 8.4(a), and MCR 9.104(2) and (4).

In accordance with the stipulation of the parties, the panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$757.83.

Michael D. Highfield, P23683, Ann Arbor, by the Attorney Discipline Board, Washtenaw County Hearing Panel #3, effective November 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 Ann Arbor v Michael David Highfield*, 15th District Court Case No. 17-0846-OD, of the misdemeanor of operating while impaired by liquor, in violation of MCL 257.625(1)(c). Based on the respondent's conviction and admissions in the stipulation, the hearing panel found that the respondent committed professional misconduct by engaging in conduct that violated a criminal law of a state or of the United

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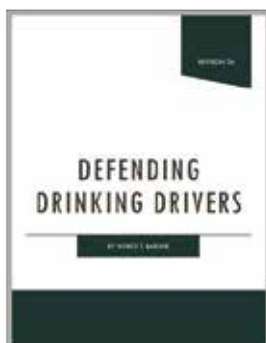
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appears in their companion *America's Best Law Firms*. He has been rated "Seriously Outstanding" by *Super Lawyers*, rated "Outstanding/10.0" by AVO, and has recently been rated as among the top 5% of Michigan's lawyers by *Leading Lawyers* magazine. Mr. Barone is the principal and founding member of the Barone Defense Firm, whose criminal practice focuses on intoxicated driving cases including those involving injury or death.

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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 \$756.96.

Robert Kurtycz, P71637, Kalamazoo, by the Attorney Discipline Board, Allegan County Hearing Panel #1, effective November 21, 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 plea of no contest to the allegations that he committed acts of professional misconduct in his representation of a client in a landlord/tenant dispute when he engaged in uncivil communications with opposing counsel and his staff and that he listed misleading information regarding his office locations on his website.

Based on the respondent's plea and the stipulation of the parties, the panel found that the respondent failed to treat all persons involved in the legal process with courtesy and respect, in violation of MRPC 6.5(a); and used or participated in the use of a public communication that was false, fraudulent, or misleading, in violation of MRPC 7.1. The respondent was also found to have violated MCR 9.104(2) and (3).

In accordance with the stipulation of the parties, the panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$798.90.

Sean B. O'Brien, P76995, St. Clair Shores, by the Attorney Discipline Board, Tri-County Hearing Panel #51, effective November 14, 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 Grosse Pointe v Sean Bennett O'Brien*, 32E District Court Case No.

17-GR00465A, of the misdemeanor of operating while impaired by liquor, in violation of Ordinance #5.15B. Based on the respondent's conviction and admissions in the stipulation, the hearing panel found that the respondent committed professional misconduct by engaging 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 \$777.84.

Reprimand With Conditions (By Consent)

John J. Holler III, P43344, Wyandotte, by the Attorney Discipline Board, Tri-County Hearing Panel #15, effective November 9, 2018.

The respondent and the grievance administrator filed a Stipulation for Consent Order of Reprimand with Conditions, 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 State of Michigan v John Joseph Holler III*, 27th District Court Case No. 17-4096, of the misdemeanor of operating while intoxicated, in violation of MCL 257.6256B. Based on the respondent's conviction and admissions in the stipulation, the hearing panel found that the respondent committed professional misconduct by engaging in conduct that violated the 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 and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$764.82.

Suspension and Restitution

Lawrence B. Shulman, P45075, Bloomfield Hills, by the Attorney Discipline Board,

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Tri-County Hearing Panel #69, for 90 days, effective May 4, 2018.¹

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 during 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. The grievance administrator petitioned for review. Upon review, the Board affirmed the hearing panel's order of suspension and restitution on October 22, 2018. Total costs were assessed in the amount of \$2,870.37.

1. The respondent was suspended from the practice of law in Michigan on April 25, 2018. See Notice of Automatic Suspension for Nonpayment of Costs,

issued May 1, 2018. Pursuant to MCR 9.123(A), the respondent was reinstated to the practice of law September 13, 2018, upon the filing of an affidavit with the clerk of the Michigan Supreme Court, the Attorney Discipline Board, and the Attorney Grievance Commission, attesting to his full compliance with the terms and conditions of the Order of Suspension and Restitution issued in this matter.

Automatic Interim Suspension

Kevin S. Anderson, P48851, St. Joseph, effective October 4, 2018.

On October 4, 2018, the respondent was convicted of Operating While Intoxicated—3rd Offense, a felony, in violation of MCL 257.6256D, in the matter titled *People v Kevin Scott Anderson*, Lake County Trial Court, Case No. 18-5488-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)

Achla B. Karnani, P66174, Ann Arbor, by the Attorney Discipline Board, Livingston County Hearing Panel #1, for one year, effective February 5, 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 she was convicted in a matter titled *People of the State of Michigan v Achla Bedi Karnani*, 14A-1 District Court Case No. 171-0656, of the misdemeanor of retail fraud, third degree, in violation of MCL 750.356D4. Based on the respondent's conviction and the stipulation of the parties, the hearing panel found that the respondent committed professional misconduct by engaging in conduct that violated a criminal law 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

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respondent's license to practice law in Michigan be suspended for one year. Costs were assessed in the amount of \$756.96.

Automatic Suspension for Nonpayment of Costs

Richard Shant Norsigian, P77410, Royal Oak, effective November 21, 2018.

In *Grievance Administrator v Richard Shant Norsigian*, Case No. 17-118-GA, an Order of Suspension and Restitution With Conditions, suspending the respondent's license to practice law in Michigan for 60 days, was issued on January 23, 2018, with an effective date of February 14, 2018. Pursuant to an April 19, 2018 Order Granting Respondent's Motion for Payment Plan to Pay Disciplinary Costs, the respondent was ordered to make monthly payments of \$190 until the costs were paid in full. The respondent failed to pay the costs as ordered and, on November 13, 2018, the Board issued an order vacating the respondent's payment plan and a certification of nonpayment of costs in accordance with MCR 9.128(C).

In accordance with MCR 9.128(D), the respondent's license to practice law in Michigan was automatically suspended on November 21, 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).

Suspensions With Conditions (By Consent)

Jonathan S. Baker, P45707, St. Clair Shores, by the Attorney Discipline Board, Tri-County Hearing Panel #101, for 179 days, effective November 14, 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 he committed acts of professional misconduct as the result of his improper use of an IOLTA account from January through April 2018.

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); and deposited his 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 179 days and that he be required to attend the next presentation of the seminars titled "Lawyer Trust Accounts: Management Principles and Record-keeping Resources" and "Tips and Tools for a Successful Practice" offered by the State Bar of Michigan. Costs were assessed in the amount of \$780.33.

Derrick N. Okonmah, P68221, Clarkston, by the Attorney Discipline Board, Tri-County Hearing Panel #1, for 18 months, effective December 19, 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 of the State of Michigan v Derrick Nnabuiife Okonmah*, Oakland County Circuit Court, Case No. 17-265385-FH, of Operating While Impaired per se, 3rd Offense, a felony, in violation of MCL 257.625(1) and (9)(c), and Driving While License Suspended, 2nd Offense or Subsequent Offense, a misdemeanor, in violation of MCR 257.904(3)(a) and (b). Based on the respondent's conviction and the stipulation of the parties, the hearing panel found that the respondent committed professional misconduct by engaging in conduct that violated a criminal law 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 18 months and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$783.96.

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