

### Disbarment (By Consent)

**Daniel Scott Carlson**, P71918, Farmington Hills, by the Attorney Discipline Board, Tri-County Hearing Panel #52, effective June 5, 2019.<sup>1</sup>

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 of criminal sexual conduct, 3rd degree (incapacitated victim), in violation of MCL 257.520D1C, a felony,

in the matter titled *People of the State of Michigan v Daniel Scott Carlson*, 49th Circuit Court Case No. 17-009071-FH-B. Based on the respondent's conviction and his admission in the stipulation, the hearing panel found 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 disbarred from the practice of law in Michigan. Costs were assessed in the amount of \$793.98.

1. The respondent has been continuously suspended from the practice of law in Michigan since May 31, 2018. Please see Notice of Automatic Interim Suspension, issued June 12, 2018.

### Reinstatements

**J. Alexander Dillon**, P52648, Royal Oak, by the Attorney Discipline Board, effective May 15, 2019.

The petitioner was suspended from the practice of law in Michigan for 180 days, effective November 18, 2008. His petition for reinstatement, filed in accordance with MCR 9.123(B) and MCR 9.124, was granted by Tri-County Hearing Panel #56. The panel concluded that the petitioner satisfactorily established his eligibility for reinstatement in accordance with the guidelines of those court rules. On January 15, 2019, the panel issued its Order of Eligibility for Reinstatement. On April 24, 2019, the Board received confirmation that the petitioner paid his bar dues in accordance with Rules 2 and 3 of the Supreme Court Rules concerning the State Bar of Michigan, and on May 13, 2019, received confirmation that he was 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, effective May 15, 2019.

**Karen K. Plants**, P43616, Ferndale, by the Attorney Discipline Board, effective May 6, 2019.

The petitioner was disbarred, effective March 2, 2011. Her petition for reinstatement, filed in accordance with MCR 9.123(B) and MCR 9.124, was granted by Tri-County Hearing Panel #76. The panel concluded that the petitioner satisfactorily established her eligibility for reinstatement in accordance with the guidelines of those court rules. On December 20, 2018, the panel issued its order of eligibility for reinstatement. On April 30, 2019, the Board received confirmation that the petitioner paid her bar dues in accordance with Rules 2 and 3 of the Supreme Court Rules concerning the State Bar of Michigan, and received confirmation that she was 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, effective May 6, 2019.

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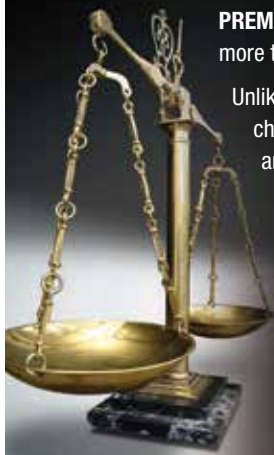
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## Automatic Reinstatement

**Charlette Pugh Tall**, P48780, Philadelphia, Pennsylvania, reinstated pursuant to MCR 9.123(A): June 3, 2019.

The respondent was suspended from the practice of law in Michigan for 90 days, effective February 28, 2019. 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 her full compliance with the terms and conditions of the Order of Suspension and Restitution With Condition (By Consent) issued in this matter.

## Reprimands (By Consent)

**Rebecca H. Filiatraut**, P46443, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #72, effective June 4, 2019.

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 she committed acts of professional misconduct when she unlawfully attempted to obstruct another party's access to evidence during the discovery period in the matter titled *Tera Pearsall v Arnulfo Camcho, et al.*, Monroe County Circuit Court, Case No. 17-139771-NI.

Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent counseled or assisted another person to unlawfully obstruct another party's access to evidence and/or unlawfully alter, destroy, or conceal a document or other material having potential evidentiary value, in violation of MRPC 3.4(a); 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); and knowingly assisted or induced another to violate or attempt to violate the Michigan Rules of Professional Conduct, contrary to MRPC 8.4(a). The respondent was also found to have violated MRPC 8.4(c) and MCR 9.104(1)–(3).

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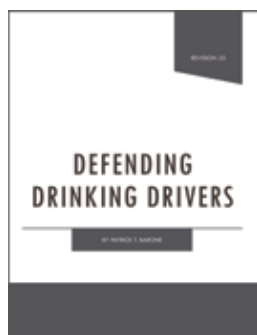
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appears in their companion *America's Best Law Firms*. He has been rated "Seriously Outstanding" by *Super Lawyers*, rated "Outstanding/10.0" by AVVO, and has recently been rated as among the top 5% of Michigan's lawyers by *Leading Lawyers* magazine. 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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In accordance with the stipulation of the parties, the panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$757.75.

**Vicky O. Howell**, P44329, Birmingham, by the Attorney Discipline Board, Tri-County Hearing Panel #76, effective May 14, 2019.

The respondent and the grievance administrator filed a stipulation for 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 she was convicted in a matter titled *City of Berkley v Vicky Obnesorg Howell*, 44th District Court Case No. 17BE02279, of the misdemeanor of operating while impaired, in violation of Ord. #00515B. 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 \$763.91.

**Douglas J. Van Der Aa**, P38267, Byron Center, by the Attorney Discipline Board, Kent County Hearing Panel #1, effective May 14, 2019.

The respondent and the grievance administrator filed a stipulation for 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 *State of Michigan v Douglas John Van Der Aa*, 63rd District Court Case No. D1801068-SD, of the misdemeanor of operating with a high blood alcohol content, in violation of MCL 257.624C. 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 \$757.24.

### Reprimand With Conditions (By Consent)

**Timothy R. Freel**, P51300, East Tawas, by the Attorney Discipline Board, Tri-Valley Hearing Panel #1, effective May 17, 2019.

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; Michigan State Police Dep't v Timothy Reece Freel*, 81st District Court Case No. 17-854-SD, of the misdemeanor of operating an off-road vehicle while intoxicated, in violation of MCL 324.8011341. Based on the respondent's conviction and admissions in the stipulation, the hearing panel found that the respondent committed professional misconduct when he 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 and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$815.17.

### Suspension

**Eric T. Johnson**, P70523, St. Clair Shores, by the Attorney Discipline Board, Tri-County Hearing Panel #107, for 30 days, effective June 5, 2019.

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 when he opened a Dell line of credit

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using the name and Social Security number of his then mother-in-law, without her knowledge or consent. The respondent's mother-in-law reported the matter to the Lapeer County Sheriff's Office, which investigated the matter; however, she declined to proceed with criminal charges against the respondent.

The panel found that the respondent 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); engaged in conduct that exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); and engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

The panel ordered that the respondent's license to practice law be suspended for 30 days. Total costs were assessed in the amount of \$2,057.08.

**Suspensions and Restitution**

**Tyler James Boyd**, P74950, Jenison, by the Attorney Discipline Board, Kent County Hearing Panel #3, for 180 days, effective May 31, 2019.

Based on the respondent's default and upon consideration of the exhibits presented and the respondent's admissions, the hearing panel found that the respondent committed professional misconduct in his representation of a client for whom he hired to file an application for permanent residency with the Department of Homeland Security U.S. Citizenship and Immigration Services.

The panel found that the respondent handled a legal matter without preparation adequate in the circumstances, in violation of MRPC 1.1(b); failed to act with reasonable diligence and promptness when representing a client, in violation of MRPC 1.3; failed to keep a client reasonably informed regarding the status of a legal matter and respond promptly to reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a matter to the extent necessary for the client to remain reasonably

informed regarding the status of a matter, in violation of MRPC 1.4(b); failed to refund an unearned attorney fee paid in advance, in violation of MRPC 1.16(d); and made a false statement of material fact to a client or third party, in violation of MRPC 4.1. 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 he be required to pay restitution in the amount of \$3,195. Costs were assessed in the amount of \$2,073.30.

**Carolyn J. Jackson**, P53018, Southfield, by the Attorney Discipline Board, increasing discipline from a 180-day suspension and restitution to a two-year suspension and restitution, effective July 26, 2018.<sup>1</sup>

Based on the respondent's default, the hearing panel found that the respondent committed professional misconduct in her representation of a client in a post-divorce judgment matter to prepare and file a motion to modify child support and parenting time; her failure to answer a request for investigation; and her failure to appear, when subpoenaed, to answer questions under oath.

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 while representing a client, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to refund an unearned advance payment of fee upon termination, 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) and (c).

The panel ordered that the respondent's license to practice law be suspended for 180 days and that she be required to pay restitution in the amount of \$1,500. The grievance administrator filed a petition for review,

seeking an increase in discipline. The Attorney Discipline Board conducted review proceedings in accordance with MCR 9.118, which included a review of the whole record before the panel, consideration of the administrator's brief, and the arguments presented at a review hearing conducted on December 12, 2018. On May 7, 2019, an order increasing discipline from a suspension of 180 days to a two-year suspension and affirming restitution was issued by the Board. Total costs were assessed in the amount of \$2,059.29.

1. The respondent has been continuously suspended from the practice of law in Michigan since May 17, 2018. See Notice of Suspension and Restitution, issued July 13, 2018, *Grievance Administrator v Carolyn J. Jackson*, Case No. 16-131-GA.

### Automatic Interim Suspension

**Paul J. Nicoletti**, P44419, Birmingham, effective May 7, 2019.

On May 7, 2019, the respondent was convicted of one count of conspiracy to commit bank fraud, a felony, in violation of 18 USC 1344; and three counts of bank fraud, aiding and abetting, felonies, in violation of 18 USC 1344 and 2, in a matter titled *United States of America v Paul Nicoletti*, United States District Court for the Eastern District of Michigan, Case No. 2:15-cr-20382. 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.

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

**Timothy D. VandenBerg**, P55960, Caledonia, by the Attorney Discipline Board, Kent County Hearing Panel #5, effective May 31, 2019.

The respondent failed to appear at the May 9, 2019 hearing. On May 24, 2019, the hearing panel, in accordance with MCR 9.115(H)(1), issued an order of suspension effective May 31, 2019, and until further order of the panel or the Board.

### Suspension With Conditions (By Consent)

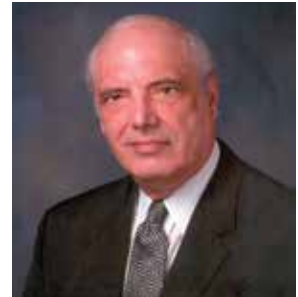
**Mickey Larson**, P75903, Sparta, by the Attorney Discipline Board, Kent County Hearing Panel #5, for 90 days, effective May 17, 2019.

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 in his representation of a client in a drivers' license restoration matter and in his improper use of an IOLTA account from October 2015 through August 2016.

Based on the respondent's admissions and the parties' stipulation, the panel found that the respondent neglected a legal matter entrusted to the lawyer, in violation of MRPC 1.1(c); failed to act with 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, in violation of MRPC 1.4(a); failed to hold client and third-party funds in connection with a representation separate from the lawyer's own funds, in violation of MRPC 1.15(d); deposited the lawyer's own funds in a client trust account in violation of the 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 failed to refund the unearned portion of an advance fee upon termination, 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 90 days. The panel also ordered that the respondent would not be eligible for reinstatement until he complied with the conditions of his prior 180-day suspension in *Grievance Administrator v Mickey Larson*, Case No. 17-111-GA. Costs were assessed in the amount of \$804.

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