

62 Orders of Discipline and Disability

Disbarments

Dan A. Penning, P39322, Suttons Bay, by the Attorney Discipline Board, Emmet County Hearing Panel #2, effective February 20, 2019.¹

The grievance administrator filed a petition for an order to show cause on November 26, 2018, seeking additional discipline for the respondent's failure to comply with the hearing panel's Order of Suspension With Conditions (By Consent), issued October 3, 2017, when he held himself out as a lawyer and practiced law after the effective date of his 30-month suspension. An Order to Show Cause was issued January 14,

2019, and a hearing was held on February 20, 2019.

Based on the evidence presented, the hearing panel found that the respondent committed professional misconduct when he held himself out as a lawyer and practiced law after the effective date of his 30-month suspension, in violation of MCR 9.119(A), (D), and (E)(1)(4).

The panel ordered that the respondent be disbarred from the practice law in Michigan. Costs were assessed in the amount of \$2,007.58.

1. The respondent has been continuously suspended from the practice of law in Michigan since October 25, 2017. Please see Notice of Suspension (By Consent), issued October 25, 2017.

Susan F. Reed, P26897, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #66, effective June 26, 2019.¹

Based on the respondent's default and the evidence presented at the hearing, the hearing panel found that the respondent committed professional misconduct in her representation of a client in a criminal matter by failing to respond to the client when he requested a copy of the file, including all discovery materials and assistance drafting a motion for relief from judgment; failing to respond to the client's successor counsel in his request for a copy of the file, including all discovery materials, and by failing to answer an Attorney Grievance Commission request for investigation.

The panel found that the respondent failed to make a defendant's file, including all discovery material, available for copying upon request of the defendant's appellate lawyer, in violation of MCR 6.005(H)(5); failed to surrender papers and property to which the client was entitled, in violation of MRPC 1.16(d); 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 be disbarred from the practice of law in Michigan. Costs were assessed in the amount of \$1,775.96.

1. The respondent has been continuously suspended from the practice of law in Michigan since October 20, 2016. Please see Order of Interim Suspension, issued October 20, 2016, in *Grievance Administrator v. Susan F. Reed*, Case No. 16-76-GA.

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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

Disbarment and Restitution (By Consent)

Francois M. Nabwangu, P61388, Brooklyn, New York, by the Attorney Discipline Board, Tri-County Hearing Panel #15, effective June 14, 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 pleas of no contest

to the factual allegations set forth in the first amended formal complaint and pleas of no contest to the allegations of professional misconduct contained in the amended complaint, which alleged that the respondent committed professional misconduct when he mishandled funds entrusted to him, made false statements during a disciplinary matter, improperly managed his trust account, practiced while suspended, and, among other things, engaged in conduct involving dishonesty and fraud.

Based on the respondent's pleas of no contest and the stipulation of the parties, the panel found that the respondent neglected a matter entrusted to him, in violation of MRPC 1.1(c); failed to seek the lawful objectives of his clients, in violation of MRPC 1.2(a); failed to act with diligence and promptness in representing a client, in violation of MRPC 1.3; failed to keep a client reasonably informed of the status of the matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); collected an illegal or clearly excessive fee, in violation of MRPC 1.5(a); represented a client when that representation was materially limited by the lawyer's responsibility to another client, or third person, or by the lawyer's own interests, in violation of MRPC 1.7(b); held funds in an IOLTA that were not client nor third-person funds, in violation of MRPC 1.15(a)(3); failed to hold client or third-person funds in an IOLTA or non-IOLTA account, and failed to hold property of a client or third person in connection with a representation separate from a lawyer's own property, in violation of MRPC 1.15(d); in the course of representing a client, knowingly made a false statement of material fact or law to a third person, in violation of MRPC 4.1; in connection with a disciplinary matter, knowingly made a false statement of material fact and knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(1) and (2); made a knowing misrepresentation of any fact or circumstance surrounding a request for investigation, in violation of MCR 9.104(6); failed to answer a request for investigation in conformity with MCR 9.113, in violation of MCR 9.104(7); and violated an order of suspension by holding himself out as an

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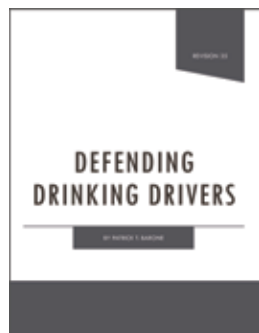
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appears in their companion *America's Best Law Firms*. He has been rated "Seriously Outstanding" by *Super Lawyers*, rated "Outstanding/10.0" by AVVO, and has recently been rated as among the top 5% of Michigan's lawyers by *Leading Lawyers* magazine. 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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attorney and practicing while suspended, contrary to MCR 9.104(9). The respondent was also found to have violated MCR 9.104 (1)–(3); and MRPC 8.4(a)–(c).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be disbarred from the practice of law in Michigan, and pay restitution totaling \$5,000. Costs were assessed in the amount of \$1,062.09.

Automatic Reinstatement

Jonathan S. Baker, P45707, St. Clair Shores, reinstated pursuant to MCR 9.123(A): July 3, 2019.

The respondent was suspended from the practice of law in Michigan for 179 days, effective November 14, 2018. 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 Condition (By Consent) issued in this matter.

Reprimand With Conditions (By Consent)

Reema Samman, P69995, Rochester, by the Attorney Discipline Board, Tri-County Hearing Panel #62, effective June 20, 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 she was convicted in (1) matter titled *People of the City of Troy v Reema Samman*, 52-4 District Court Case No. 15-002764-OD, of the misdemeanor of operating while intoxicated, in violation of MCL 257.6251-A; and (2) in *People of the State of Michigan v Reema Samman*, 52-3 District Court Case No. 17-009410-SD; of the misdemeanor of impaired driving—2nd offense, in violation of MCL 257.6256-B and open container in vehicle, in violation of MCL 257.624-A; and (3) in *People of the State of Michigan v Reema Samman*, 52-3 District Court Case

No. 175-008880-ST, of the misdemeanor of failure to report an accident, in violation of MCL 257.622.

Based on the respondent's convictions, admissions, and the parties' stipulation, the panel found that the respondent committed professional misconduct when she 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 she be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$776.47.

Suspension and Restitution

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 and that the respondent be required to make restitution in the amount of \$30,973.75. The respondent filed a timely petition for review and a petition for stay of discipline pending the review proceedings. The grievance administrator filed an objection to the respondent's request

for a stay and, on November 8, 2017, the Attorney Discipline Board denied the respondent's request for a stay of discipline. Upon review, the Board affirmed the hearing panel's order of suspension and restitution on December 19, 2018. The respondent's motion for reconsideration was denied by the Board on February 14, 2019. On March 15, 2019, the respondent filed an application for leave to appeal with the Michigan Supreme Court. The respondent's application for leave to appeal was denied on May 28, 2019. Total costs were assessed in the amount of \$3,522.62.

Suspensions and Restitution (By Consent)

Teresa A. Knight, P58272, Flint, by the Attorney Discipline Board, Genesee County Hearing Panel #2, for 60 days, effective June 26, 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 in her representation of one client in closing a probate matter; in her representation of a separate client in administering a revocable living trust; failing to respond to a request for additional information, related to a request for investigation; and failing to answer a request for investigation.

Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent 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 and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); upon termination of representation, failed to take reasonable steps to protect her clients' interests by giving reasonable notice to the clients, allowing time for employment of other counsel, and surrendering papers and property to which the clients were entitled, in violation of MRPC 1.16(d); knowingly disobeyed an obligation

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under the rules of a tribunal, in violation of MRPC 3.4(c); 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, in violation of MCR 9.104(7). The respondent was also found to have violated MCR 9.104(1) and (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 and that she be required to pay restitution in the amount of \$500. Costs were assessed in the amount of \$884.66.

R. Gary Sundell, P30553, Belleville, by the Attorney Discipline Board, Tri-County

Hearing Panel #6, for 60 days, effective June 26, 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. In addition to his default for failure to answer the formal complaint, the stipulation contained the respondent's admissions to the allegations that he committed acts of professional misconduct when he neglected various legal matters entrusted to him, failed to communicate with clients, and, in some cases, failed to refund fees or deliver funds a client was entitled to receive.

Based on the respondent's default, admissions, and the stipulation of the parties,

the panel found that the respondent failed to competently represent a client, in violation of MRPC 1.1(b); neglected a legal matter entrusted to him, 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 of the status of the matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a) and (b); failed to pay or deliver funds a client was entitled to receive, in violation of MRPC 1.15(a)(3); failed to refund fees, in violation of MRPC 1.16(d); and failed to render candid advice to a client, in violation of MRPC 2.1. 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 and that he be required to pay restitution in the total amount of \$665. Costs were assessed in the amount of \$834.41.

Interim Suspension and Restitution

Daniel Patrick Brent, P79240, Hazel Park, by the Attorney Discipline Board, Tri-County Hearing Panel #51, effective July 3, 2019.

Tri-County Hearing Panel #51 conducted a hearing in this matter on June 19, 2019, pursuant to MCR 9.115. Based on the respondent's default, admissions, and the proofs put on the record, the hearing panel found that the respondent engaged in professional misconduct as alleged in the formal complaint. Due to the egregious nature of the respondent's misconduct, his failure to respond to the Attorney Grievance Commission and the Attorney Discipline Board until just before the scheduled hearing, and the agreement of the parties, the panel determined that the respondent's license to practice law would be suspended on an interim basis, pending further order of the panel or the Board.

The panel further found, and the respondent agreed at the hearing, that restitution is warranted and was to be paid within 30 days in the total amount of \$6,370.

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Suspension and Restitution (With Conditions)

Kevin S. Anderson, P48851, St. Joseph, by the Attorney Discipline Board, Berrien County Hearing Panel #1, for three years, effective June 8, 2019.¹

The respondent was convicted—by guilty plea—of one count of possessing a loaded firearm in a motor vehicle, a misdemeanor, in violation of MCL 750.227c. See *People v Kevin Scott Anderson*, Berrien County Circuit Court, Case No. 2018001936-FH. The respondent was also convicted of operating while intoxicated—3rd offense, a felony, in violation of MCL 257.625. See *People v Kevin Scott Anderson*, Lake County Trial Court, Case No. 18-5488-FH. Additionally, based on the respondent's default for failing to answer the formal complaint, the hearing panel found that the respondent committed professional misconduct by inappropriately managing an IOLTA, failing to respond to a request for investigation involving the IOLTA, and neglecting a legal matter.

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 his client, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3; failed to return an unearned fee, in violation of MRPC 1.16(d); failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2); violated the criminal laws of the state of Michigan, contrary to MCR 9.104(5); 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(b).

The panel ordered that the respondent's license to practice law be suspended for three years, that he be required to pay restitution in the amount of \$3,600, and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$2,189.47.

1. The respondent has been continuously suspended from the practice of law in Michigan since October 4, 2018. Please see Notice of Automatic Interim Suspension, issued November 9, 2018.

Suspension and Restitution With Conditions (By Consent)

Nathaniel Herdt, P68144, Ann Arbor, by the Attorney Discipline Board, Washtenaw County Hearing Panel #3, for 18 months, effective July 1, 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. Based on the respondent's admissions, plea of no contest, and the stipulation of the parties, the panel found that the respondent committed professional misconduct in his representation of six separate clients when, in each of their matters, he communicated with the clients for only a short time; he filed some of their cases and others he completely failed to file; then he abandoned the client matters and discontinued communications with the clients; commingled client funds with his own; and failed to return unearned fees.

Specifically, the panel found that the respondent neglected legal matters, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in the representation of his clients, in violation of MRPC 1.3; failed to keep his clients reasonably informed regarding the status of their legal matters and respond promptly to reasonable requests for information, in violation of MRPC 1.4(a); failed to explain matters to the extent necessary for the clients to remain reasonably informed regarding the status of their matters, in violation of MRPC 1.4(b); failed to hold property or funds of a client in connection with a representation separate from the lawyer's own funds, in violation of MRPC 1.15(d); failed to deposit legal fees and expenses paid in advance into a client trust account until they had been earned, in violation of MRPC 1.15(g); failed to refund unearned attorney fees paid in advance, in violation of MRPC 1.16(d); and entered into an agreement with a client in which the client agreed not to report the lawyer's misconduct to the grievance administrator, in violation of MCR 9.104(10). The respondent was also found to have violated MCR 9.104(1)–(3).

In accordance with the stipulation of the parties, the panel ordered that the respondent's license to practice law in Michigan be suspended for 18 months, that he be required to pay restitution in the total amount of \$9,420, and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$988.06.

Automatic Interim Suspensions

Samir A. Berri, P66962, West Bloomfield, effective June 12, 2019.

On June 12, 2019, the respondent pled guilty to one count of healthcare fraud, a felony, in violation of 18 USC 1347, in a matter titled *United States of America v Samir Berri, et al.*, United States District Court for the Eastern District of Michigan, Case No. 2:18-cr-20237. 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.

MEDIATION/ARBITRATION



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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.

Timothy David Vandenberg, P55960, Caledonia, effective June 10, 2019.¹

On June 10, 2019, the respondent was convicted of felony forgery, in violation of MCL 750.248, in a matter titled *People of the State of Michigan v Timothy David Vandenberg*, 17th Circuit Court, Case No. 18-10693-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.

1. The respondent has been continuously suspended from the practice of law in Michigan since May 31, 2019. See Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued June 7, 2019, *Grievance Administrator v Timothy David Vandenberg*, Case No. 19-19JC.

Suspension (By Consent)

Eric Allan Buikema, P58379, Troy, by the Attorney Discipline Board, Tri-County Hearing Panel #60, for 180 days, effective June 20, 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 admission of his conviction as described in the Notice of Filing of Judgment of Conviction; his admission that he violated the terms of an order of suspension, as set forth in the Petition for Entry of an Order to Require Respondent to Show Cause Why Discipline Should Not Be Increased for Failure to Comply with Conditions; and his admission that he violated the term of the order of suspension again, when he was convicted of additional probation violations on January 23, 2019, and February 14, 2019.

Based on the respondent's admissions and the stipulation of the parties, the 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); and engaged in conduct that violated the conditions of an order of discipline, constituting misconduct under MCR 9.104(9).

In accordance with the stipulation filed by the parties, the hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 180 days. Costs were assessed in the amount of \$939.63.

Suspension (With Condition)

Aryn Leigh McCumber, P71961, Royal Oak, by the Attorney Discipline Board, Tri-County Hearing Panel #12, for 180 days, effective June 26, 2019.¹

The respondent was convicted of operating while intoxicated—2nd offense, in violation of MCR 257.6256B, a misdemeanor, by jury trial on March 20, 2018. See *State of Michigan v Aryn Leigh McCumber*, 48th District Court Case No. 1720550. Additionally, based on the respondent's default for failing to answer the formal complaint, the hearing panel found that the respondent committed professional misconduct by failing to answer the request for investigation.

The panel found that the respondent violated the criminal laws of the state of Michigan, contrary to MCR 9.104(5); failed to answer a request for investigation, in violation of MCR 9.104(7), MCR 9.113(A), and (B)(1); engaged in conduct prejudicial to the proper administration of justice, in violation of MRPC 8.4(c) and MCR 9.104(1); 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 that the respondent engaged in conduct that is 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 180 days; further, the respondent is required to submit to an evaluation by the State Bar of Michigan Lawyers and Judges Assistance Program or some other agency that can attest to her fitness to practice within 60 days

of filing a petition for reinstatement. Costs were assessed in the amount of \$1,765.31.

1. The respondent has been continuously suspended from the practice of law in Michigan since March 26, 2019. Please see Notice of Interim Suspension Pursuant to MCR 9.115(H)(1), issued April 4, 2019.

Suspensions With Conditions (By Consent)

David Blake, P73544, Sarasota, Florida, by the Attorney Discipline Board, Tri-County Hearing Panel #14, for 179 days, effective June 15, 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 handling of multiple cases involving, among other things, automobile accident injuries, excessive force claims, and possible claims against the city of Detroit after a police-involved shooting death.

Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent failed to provide competent representation to his clients by handling legal matters without preparation adequate in the circumstances, in violation of MRPC 1.1(b); failed to provide competent representation to his clients by neglecting legal matters entrusted to him, in violation of MRPC 1.1(c); failed to seek the lawful objectives of his clients through reasonably available means permitted by the law and Michigan Rules of Professional Conduct, in violation of MRPC 1.2; failed to conduct himself with reasonable diligence and promptness in representing his client, in violation of MRPC 1.3; failed to keep his clients reasonably informed about the status of a matter, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit his clients to make informed decisions regarding the representation, in violation of MRPC 1.4(b); failed to take reasonable steps to protect a client's interest upon terminating the representation, in violation of MRPC 1.16(d); failed to

exercise independent professional judgment and render candid advice to his clients, in violation of MRPC 2.1; brought and/or defended or asserted or controverted an issue or proceeding that was frivolous, in violation of MRPC 3.1; did not make reasonable efforts to expedite litigation in the interest of his clients or to file a complaint within the statute of limitations, in violation of MRPC 3.2; and failed to appropriately supervise an attorney under his direct supervisory authority, in violation of MRPC 5.1. 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 hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 179 days and that the respondent be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$1,948.13.

Douglas A. Jacobson, P27849, Gladwin, by the Attorney Discipline Board, Tri-Valley Hearing Panel #1, for 30 days, effective July 1, 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 when he failed to supervise his secretary after he delegated the handling of his trust accounting duties and responsibilities to her; failed to reconcile his trust account and relied solely on the statements made by his secretary in regard to the account activity; signed trust account checks without inquiring into the propriety of the checks; and signed blank trust account checks and provided the signed checks to his secretary without questioning the manner in which she intended to use the checks. Four separate client matters were affected.

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 his clients or third persons separate from his own, in violation of MRPC 1.15(d); deposited his own funds into an IOLTA in excess 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); failed to make reasonable efforts to ensure that the firm had in effect measures giving reasonable assurance that his non-lawyer assistant's conduct was compatible with his professional obligations, in violation of MRPC 5.3(a); and failed to make reasonable efforts to ensure that a nonlawyer assistant's conduct was compatible with his professional obligations, in violation of MRPC 5.3(b). The respondent was also found to have violated MCR 9.104(4) 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 30 days and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$1,175.46.



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