

Reprimand (By Consent)

Leslie K. Aycock, P57341, Wyandotte, by the Attorney Discipline Board, Tri-County Hearing Panel #22. Effective May 1, 2021.

The respondent and the grievance administrator filed a Stipulation for Consent Order of Discipline and Waiver, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based upon the respondent's admissions and the stipulation of the parties, the panel found that the respondent committed professional misconduct as the result of her improper use of an IOLTA account from January 2018 through October 2019.

Specifically, 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); 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); and engaged in

conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3). The respondent was also found to have violated MCR 9.104(2)) and MRPC 8.4(a).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$915.30.

Order of Reinstatement

On December 22, 2020, the Michigan Supreme Court denied the respondent's application for leave to appeal the board's order affirming the hearing panel order of 90-day Suspension with Condition. Pursuant to MCR 9.122(C), the 90-day suspension of the respondent's license to practice law in Michigan with conditions became effective on January 13, 2021.

On April 13, 2021, the respondent, **Robert A. Canner**, submitted an affidavit pursuant to MCR 9.123(A), showing that he has fully complied with all requirements of the

panel's Order of Suspension with Condition. The board was advised the grievance administrator has no objection to the affidavit; and the board being otherwise advised;

NOW THEREFORE,

IT IS ORDERED that the respondent, Robert A. Canner, P11572, is **REINSTATED** to the practice of law in Michigan, effective April 22, 2021.

Order of Reinstatement

On December 9, 2019, Tri-County Hearing Panel #107 entered an Order of Suspension (By Consent) in this matter suspending the respondent from the practice of law in Michigan for 30 days, effective December 31, 2019. On April 19, 2021, the respondent, **William L. Johnson**, submitted an affidavit pursuant to MCR 9.123(A), stating that he has fully complied with all requirements of the Order of Suspension. On April 19, 2021, the board was advised that the grievance administrator had no objection

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- *United States v. Zerilli*, 2002—prosecution of the number two ranking member of the Detroit LCN.

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to the affidavit; and the board being otherwise advised;

NOW THEREFORE,

IT IS ORDERED that the respondent, William L. Johnson, is **REINSTATED** to the practice of law in Michigan, effective April 23, 2021.

Disbarment and Restitution

John J. Koselka, P48740, Adrian, by the Attorney Discipline Board. Effective February 21, 2020.

After proceedings held in accordance with MCR 9.115, the hearing panel found that the respondent committed professional misconduct by inappropriately using funds belonging to an estate and funds received from an unrelated settlement that were being held in his firm's IOLTA account to pay personal and business expenses, and by making repeated deposits to the account to replace the funds he improperly used for his personal and business matters.

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 clients or third persons separate from his own, in violation of MRPC 1.15(d); and deposited 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). The respondent was also found to have violated MRPC 8.4(a), and MCR 9.104(2)–(4).

The panel ordered the respondent's license to practice law in Michigan be suspended for one year and that he pay \$2,000 in restitution to the heirs of the involved estate. The grievance administrator filed a timely petition for review seeking an increase in the level of discipline. After conducting review proceedings in accordance with MCR 9.118, the board issued an order on September 29, 2020, increasing discipline from a one-year suspension with restitution to disbarment with restitution.

On October 27, 2020, the respondent filed an application for leave to appeal with the Michigan Supreme Court. In an order dated February 2, 2021, the Court denied the respondent's application for leave to appeal. Thereafter, the respondent filed a motion for reconsideration of the Court's

February 2, 2021 order. The Court denied the respondent's motion for reconsideration on April 28, 2021. Costs were assessed in the total amount of \$3,594.78.

Order of Reinstatement

On February 5, 2021, Tri-County Hearing Panel #80 entered an Order of Suspension in this matter suspending the respondent from the practice of law in Michigan for 45 days, effective February 27, 2021. On April 8, 2021, the respondent, **Blake P. Lipman**, submitted an affidavit pursuant to MCR 9.123(A), stating that he has fully complied with all requirements of the Order of Suspension. On April 9, 2021, the board was advised that the grievance ad-

ministrator had no objection to the affidavit; and the board being otherwise advised;

NOW THEREFORE,

IT IS ORDERED that the respondent, Blake P. Lipman, is **REINSTATED** to the practice of law in Michigan, effective April 13, 2021.

Reprimand (With Conditions)

David Maxwell Regnier, P72637, Brighton, by the Attorney Discipline Board, Livingston County Hearing Panel #1. Effective April 10, 2021.

The grievance administrator filed a Notice of Filing of a Judgment of Conviction in accordance with MCR 9.120(B)(3), showing that the respondent was convicted of two

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counts of domestic violence, second offense, misdemeanors, in violation of MCL 750.812 and MCL 750.813, in *People of the State of Michigan v David Maxwell Regnier*, 44th Circuit Court Case No. 18-025255-FH. Based on the respondent's conviction, it was established that he violated a criminal law of a state or of the United States, an ordinance, or a tribal law pursuant to MCR 2.615, in violation of MCR 9.104(5).

The panel ordered that the respondent be reprimanded and subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$3,748.

Reprimand (By Consent)

Craig S. Romanzi, P45549, Rochester, by the Attorney Discipline Board, Tri-County Hearing Panel #52. Effective May 5, 2021.

The respondent and the grievance administrator filed a Stipulation for Consent Order of Discipline and Waiver, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based upon the respondent's admissions and the stipulation of the parties, the panel found that the respondent committed professional misconduct in a malpractice case filed against him by a former client, which resulted in the respondent being held in contempt of court and jailed for five days in January 2016, and when he responded "no" to a question that asked if he was ever held in contempt of court in his March 2018 petition to be admitted to practice in the US District Court for the Western District of Michigan.

Specifically, and in accordance with the parties' stipulation, the panel found that the respondent failed to correct a false statement of material fact or law previously made to the tribunal, in violation of MRPC 3.3(a)(1); unlawfully obstructed another party's access to evidence, in violation of MRPC 3.4(a); knowingly disobeyed his obligations under the rules of a tribunal, in violation of MRPC 3.4(c); and engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3). The respondent was also found to have violated MCR 9.104(1) and (2).

In accordance with the stipulation of the parties, the hearing panel ordered that the

respondent be reprimanded. Costs were assessed in the amount of \$937.50.

Suspension with Conditions (Pending Appeal)

Lawrence B. Shulman, P45075, Royal Oak, by the Attorney Discipline Board, Tri-County Hearing Panel #68. Suspension for 180 day, effective April 10, 2021.

After proceedings conducted pursuant to MCR 9.115, the panel found, by default, that the respondent committed professional misconduct as charged in a three-count formal complaint. Specifically with regard to count one, the panel found that, while representing a client in a securities fraud matter, the respondent failed to enter into a written retainer agreement with his client; failed to advise his client that the AUSA had sent a proposed plea and cooperation agreement for at least 10 months; failed to meaningfully communicate with the AUSA in his client's matter, which led to his client's arrest without notice; delayed in sending his client a copy of his file after his arrest; and failed to provide his client with an accounting, when requested, and to return any unearned fees.

With regard to count two, the panel found that after his license was suspended for 90 days in *Grievance Administrator v Lawrence B. Shulman*, 17-1-GA, the respondent failed to notify his client referenced in count one of his suspension and continued to communicate with him regarding the securities fraud matter during the time that his license was suspended; lied to his client when he learned of the respondent's suspension, and, in his MCR 9.119 affidavit of compliance, failed to identify his client or state that he notified his client or the AUSA of his suspension, even though he continued contact with them.

With regard to count three, the panel found that the respondent failed to appear for a sworn statement when subpoenaed by the grievance administrator and failed to answer a grievance administrator's Request for Investigation.

Based on the respondent's default, the panel found that with regard to count one, the respondent failed to seek the lawful objectives of a client through reasonably

available means permitted by law, in violation of MRPC 1.2(a); failed to act with reasonable diligence and promptness, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a matter and comply with reasonable requests for information, in violation of MRPC 1.4(a); failed to notify the client promptly of all settlement offers and proposed plea bargains, 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); upon request by the client, failed to promptly render a full accounting of funds held for the client, in violation of MRPC 1.15(b)(3); upon termination of representation, failed to take reasonable steps to protect the client's interests, including surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned, in violation

of MRPC 1.16(d); engaged in conduct that involved dishonesty, fraud, deceit, misrepresentation, or violation of criminal law, where such conduct reflected adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); violated or attempted to violate the Rules of Professional Conduct, in violation of MRPC 8.4(a); engaged in conduct that was prejudicial to the administration of justice, in violation of MCR 9.104(1) and MRPC 8.4(c); 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 contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

As to count two, the panel found that the respondent violated an order of discipline, in violation of MCR 9.104(9); failed to notify his client that he was suspended from the practice of law and unable to represent him, in violation of MCR 9.119(A);

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failed to notify the AUSA in New Jersey of his suspension from the practice of law, in violation of MCR 9.119(B); continued to practice law after the effective date of the order of suspension, in violation of MCR 9.119(E)(1); had contact with a client after the effective date of the order of suspension, in violation of MCR 9.119(E)(2); continued to hold himself out as an attorney after the effective date of the order of suspension, in violation of MCR 9.119(E)(4); made a materially false statement in his affidavit claiming full compliance with the

terms and conditions of the order of suspension, in violation of MCR 9.123(A); engaged in conduct that involved dishonesty, fraud, deceit, misrepresentation, or violation of criminal law, where such conduct reflected adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); violated or attempted to violate the Rules of Professional Conduct, in violation of MRPC 8.4(a); engaged in conduct that was prejudicial to the administration of justice, in violation of MCR 9.104(1) and MRPC 8.4(c); 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).

As to count three, the panel found that the respondent failed to answer a request for investigation in conformity with MCR 9.113, in violation of MCR 9.104(7); knowingly failed to respond to a lawful demand for information from a disciplinary authority, in violation of MRPC 8.1(a)(2); violated or attempted to violate the Rules of Professional Conduct, in violation of MRPC 8.4(a); 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 a period of 180 days and subject to conditions relevant to the established misconduct. The respondent filed a petition for review seeking a decrease in the discipline imposed. The respondent did not file a petition for a stay of the hearing panel's order. This matter has been scheduled for hearing before the Attorney Discipline Board.

Suspension and Restitution with Condition (By Consent)

Carl M. Woodard, P37502, Dansville, by the Attorney Discipline Board, Ingham County Hearing Panel #3. Suspension, for 180 days, effective May 4, 2021.

The respondent and the grievance administrator filed a Stipulation for Consent Order of Discipline, in accordance with MCR 9.115(F)(5), which was approved by

the Attorney Grievance Commission and accepted by the hearing panel. Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent committed professional misconduct in his representation of five separate clients in their various legal actions and his failure to appear and provide a statement to an Attorney Grievance Commission investigative subpoena, as set forth in the formal complaint in its entirety.

The panel found that the respondent neglected legal matters, 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 reasonable diligence and promptness in representing his clients, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a legal 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); charged or collected a clearly excessive fee, in violation of MRPC 1.5(a); failed to refund unearned fees, in violation of MRPC 1.16(d); failed to refund unearned advance fees upon termination, in violation of MRPC 1.16(d); failed to surrender papers and property to which the clients are entitled upon termination, in violation of MRPC 1.16(d); brought or defended a frivolous proceeding, or asserted a frivolous issue therein, in violation of MRPC 3.1; knowingly failed to respond to lawful demands for information from a disciplinary authority, 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, in violation of MRPC 8.4(b); and engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3). The respondent was also found to have violated MCR 9.104(1), (2) and (4).

In accordance with the parties' stipulation, the panel ordered that the respondent's license to practice law be suspended for a period of 180 days, that he pay restitution in the total amount of \$7,275, and that he be subject to conditions relevant to the established misconduct. Total costs were assessed in the amount of \$980.75.

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