

Suspension With Conditions (By Consent)

Daniel M. Blandford, P29106, Grand Haven, by the Attorney Discipline Board, Kent County Hearing Panel #1, for 180 days, effective August 18, 2021.

The respondent and the grievance administrator filed a Stipulation for Consent Order of 180-day Suspension 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 of

operating while intoxicated, a misdemeanor, in violation of MCR 257.6251-A, in a matter titled *People of the State of Michigan v Daniel Blandford*, 58th District Court Case No. GH-20-061734-SD.¹

Additionally, the stipulation contained the respondent's plea of no contest to the factual allegations contained in the formal complaint — that he was arrested and charged with driving while intoxicated in Monroe County, Florida; that he posted a cash bond guaranteeing his appearance for an arraignment scheduled in *State of Florida v Daniel Martin Blandford*, 16th Judicial Circuit Court for Monroe County, Florida, Case

No. 2006-CT-00914-A-P; that thereafter, he was charged in an information filed with the court by a Florida assistant state attorney with driving under the influence, contrary to Fla Stat. § 316.193; that he failed to appear for his arraignment, his cash bond was forfeited, a bench warrant was issued for his arrest; and that the bench warrant is still outstanding. The stipulation further contained the respondent's admission to all of the allegations of professional misconduct set forth in paragraphs 15a–e of the formal complaint.

Based on the respondent's admissions, plea of no contest, 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, in violation of MCR 9.104(5). The respondent was also found to have violated MCR 9.104(1)–(3); and MRPC 8.4(a)–(c).

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 and that he be subject to conditions relevant to the established misconduct. Total costs were assessed in the amount of \$781.50.

1. The notice also referenced the respondent's two prior misdemeanor drinking related convictions that occurred in February 1992 and March 1991, in matters titled *People v Daniel Martin Blandford*, 58th District Court Case No. GH-91-002674-ST/91-001566-CT, and, *People v Daniel Martin Blandford* [sic], 58th District Court Case No. GH-90-002765-CT, respectively.

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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
PNC Center
755 W. Big Beaver Road, Suite 2100
Troy, MI 48084
and
Attorney Discipline Board
333 W. Fort St., Suite 1700
Detroit, MI 48226

Reprimand (By Consent)

Roland J. Cox, P45238, Atlanta, Georgia, by the Attorney Discipline Board, Tri-County Hearing Panel #6, effective August 10, 2021.

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 by a no contest plea of O.C.G.A. § 40-6-391(a)(1) ("DUI Less Safe"), a misdemeanor, in the State Court of Fulton County, State of Georgia, accusation number 18CR006823C.

Based on the respondent's conviction, admissions, and the parties' stipulation, the 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, in violation of 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 \$758.25.

Notice Vacating Order of Suspension

Edward M. Czuprynski, P34114, Bay City, effective August 31, 1995.

The respondent, Edward M. Czuprynski, was convicted on November 11, 1992, of the crime of possession of marijuana, a felony, in violation of 21 USC 844(a), in a matter titled *United States v. Edward M. Czuprynski*, United States District Court, Case No. CR 92-CR-20043-BC. 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 conviction. On January 27, 1993, the grievance administrator filed a Notice of Filing of Judgment of Conviction pursuant to MCR 9.120(B)(3). On June 11, 1993, this matter was consolidated with *Grievance Administrator v. Edward M. Czuprynski*, Case No. 93-11-GA. In accordance with the Stipulation for Consent Order of Discipline filed by the parties on June 8, 1993, an order was entered in this matter that suspended the respondent's license to practice law in Michigan for 119 days, effective July 9, 1993, as to Case No. 92-282-JC; and suspending the respondent's license to practice law for 60 days, to run concurrently, in Case No. 93-11-GA. The respondent was automatically reinstated to the practice of law upon the filing of an affidavit pursuant to MCR 9.123(A), effective November 10, 1993.

On August 31, 1995, the United States Court of Appeals for the Sixth Circuit issued an opinion in the matter titled *United States v. Edward M. Czuprynski*, 65 F3d 169 (1995), that reversed the respondent's conviction.

In accordance with MCR 9.120(B)(4), on a reversal of the conviction the board must, by

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order filed and served under MCR 9.118(F), vacate the order of discipline. After being recently advised of the reversal, the board issued an Order Vacating Order of Suspension, *Nunc Pro Tunc*, as to the 119-day suspension of the respondent's license to practice law in Case No. 92-282-JC only on July 26, 2021. The Order of Suspension as to the 60-day suspension of the respondent's license to practice law in Case No. 93-11-GA remains intact.

Suspension With Conditions (By Consent)

Edward Czuprynski, P34114, Bay City, by the Attorney Discipline Board, Tri-Valley Hearing Panel #1, for 270 days, effective August 18, 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 as set forth in the stipulation of the parties, the panel found that the respondent committed professional misconduct as charged in a three-count formal complaint filed against the respondent.

Specifically, as to count one, the respondent admitted that during the pendency of a civil suit he filed against another attorney in December 2015 for allegedly failing to repay a loan, the respondent wrongfully entered a default and default judgment against the defendant before responsive pleadings were due. After the default was set aside, and despite being twice ordered to pay sanctions to the defendant and held in contempt by the court, the respondent did not pay the ordered sanctions until his arrest on July 7, 2018.

As to count two, the respondent admitted that he was retained to represent Calvin Eaton regarding serious injuries he suffered

in a car accident while he was a passenger in a vehicle being driven by Jamie Humpert, and owned by Mr. Humpert's employer, Eस्कilsen & Sons Painting LLC. The respondent further admitted that he filed suit against State Farm Mutual Automobile Insurance Company (State Farm) on Mr. Eaton's behalf and filed a separate action against Mr. Humpert and his employer. Simultaneously, and unbeknownst to Mr. Eaton, the respondent represented Mr. Humpert after he was criminally charged with driving while license suspended. The respondent admitted that he failed to respond to State Farm's motion for summary disposition and seriously hindered Mr. Eaton's ability to recover significant benefits as a result of his injuries. After he was discharged and Mr. Eaton retained new counsel, the respondent admitted that he asserted a lien on settlement proceeds Mr. Eaton's new counsel was able to negotiate, claiming he was owed \$12,500 in attorney fees and expenses. This

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EXEMPLARY TRIALS OF NOTE

- *United States v. Tocco et al*, 2006—RICO prosecution of 17 members and associates of the Detroit La Cosa Nostra (LCN). Case involved utilization of extensive electronic surveillance.
- *United States v. Zerilli*, 2002—prosecution of the number two ranking member of the Detroit LCN.

SIGNIFICANT ACCOMPLISHMENTS

- Letters of Commendation, Director of the Federal Bureau of Investigation: 2004, 2002, 1999, 1986, 1982.
- United States Department of Justice Directors Award 1999.



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was challenged and the respondent was subsequently awarded \$5,000, which was later reversed on appeal. In the meantime, Mr. Eaton's new counsel filed a legal malpractice action against the respondent, and Mr. Eaton filed a request for investigation (RI) against the respondent with the Attorney Grievance Commission (AGC). The respondent admitted that during mediation of the malpractice matter, he demanded the dismissal of Mr. Eaton's grievance. After Mr. Eaton wrote to the AGC and requested his RI be withdrawn, the respondent admitted that he falsely claimed to the AGC that Mr. Eaton brought the RI into the negotiations by offering to withdraw it for payment of an additional \$1,000.

Count three involved an appeal to the Bay County Circuit Court filed by the respondent's former tenant, the plaintiff in a district court action filed against the respondent, after an insufficient judgment was rendered in her favor by the district court. The respondent admitted that he moved for the assigned judge's disqualification, and that the judge subsequently issued an order finding, in part, that (1) the respondent's motion did not assert or present a proper factual basis for disqualification; (2) that it was untimely; and (3) that his motion, other pleadings, and his sworn affidavits contained several false statements made by the respondent without making reasonable inquiry or due diligence regarding their factual accuracy. The respondent further admitted that he was also ordered to pay \$2,400 in sanctions, that he was found in civil contempt for failing to pay the ordered sanctions, and that he was ordered to pay additional sanctions for delaying the case.

The panel found that the respondent failed to provide competent representation to a client, in violation of MRPC 1.1 (count two); neglected a legal matter entrusted to him, in violation of MRPC 1.1(c) (count two); failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3 (count two); represented a client where the representation of that client may be materially limited by the lawyer's responsibilities to another client, in violation of MRPC 1.7(b) (count two); knowingly made false statements of material fact or law to a tribunal or failed to correct a false statement of material fact or law previously made to

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the tribunal, in violation of MRPC 3.3(a)(1) (count three); knowingly disobeyed an obligation under the rules of a tribunal, in violation of MRPC 3.4(c) (counts one and three); failed to abide by, and violated, the requirements of MCR 1.109(E) (formerly MCR 2.114), in violation of MCR 9.104(4) (count three);

and entered into an agreement providing that the plaintiff shall withdraw a request for investigation, in violation of MCR 9.104(10)(b) (count two). The respondent was also found to have violated MCR 9.104(1)–(3) (all three counts); and MRPC 8.4(b)–(c) (count two).

In accordance with the parties' stipulation, the panel ordered that the respondent's license to practice law be suspended for a period of 270 days and that he be subject to conditions relevant to the established misconduct. Total costs were assessed in the amount of \$1,179.59.

Suspension

Bryan A. Kutchins, P25288, Oldsmar, Florida, by the Attorney Discipline Board, for one year, effective August 11, 2021.

The grievance administrator filed a notice of filing of reciprocal discipline pursuant to MCR 9.120(C) that attached a certified copy of a December 1, 2020, Order of Suspension entered by the Supreme Court of Florida that suspended the respondent's license to practice law in Florida for one year, effective December 21, 2020, in a matter titled *The Florida Bar v. Bryan Alexander Kutchins*, SC20-525.

An order regarding imposition of reciprocal discipline was issued by the board on May 20, 2021, ordering the parties to, within 21 days from service of the order, inform the board in writing (i) of any objection to the imposition of comparable discipline in Michigan based on the grounds set forth in MCR 9.120(C)(1) and (ii) whether a hearing was requested. In separate filings, both parties indicated they had no objection to the imposition of reciprocal discipline consisting of a one-year suspension, and neither party requested a hearing.

On July 13, 2021, the Attorney Discipline Board ordered that the respondent's license to practice law in Michigan be suspended for one year, effective August 11, 2021. Costs were assessed in the amount of \$1,516.90.

Suspension and Restitution (With Condition)

James Lawrence, P33664, Mt. Clemens, by the Michigan Supreme Court, for 100 days, effective June 11, 2020.

The grievance administrator filed a formal complaint which alleged that the respondent committed professional misconduct in his representation of a client who was seeking reversal of his 1981 conviction for first-degree felony murder via a motion for relief from judgment. The grievance administrator filed a motion for summary disposition requesting a finding of misconduct based on MCR 2.116(C)(10), as there was no genuine issue of material fact presented by the admissions made in the respondent's amended answer to the complaint. The respondent did not contest the motion, thus the hearing panel entered an order granting summary disposition as to all of the allegations of professional misconduct set forth in the formal complaint.

The panel found that the respondent failed to promptly pay or deliver funds which a client or third person were entitled to receive, in violation of MRPC 1.15(b)(3); failed to hold property of clients or third persons in connection with a representation separate from the lawyer's own property, in violation of MRPC 1.15(d); failed to deposit legal fees and expenses that were paid in advance into a client trust account, in violation of MRPC 1.15(g); and withdrew fees paid in advance prior to earning the fees, in violation of MRPC 1.15(g). The respondent was also found to have violated MRPC 8.4(b) and MCR 9.104(1)–(3).

The panel ordered that the respondent's license to practice law be suspended for a period of 100 days, that he pay restitution in the total amount of \$2,000, and be subject to conditions relevant to the established misconduct. The grievance administrator filed a petition for review, seeking an increase in discipline. On September 29, 2020, the board issued an opinion and order increasing discipline from a 100-day suspension to disbarment, affirming the restitution provision and vacating the conditions imposed by the hearing panel. On October 23, 2020, the respondent filed a timely application for leave to appeal with the Michigan Supreme Court, pursuant to MCR 9.122. On June 18, 2021, the Court issued an order reversing the Attorney Discipline Board's opinion and order, and reinstating Tri-County Hearing Panel #101's May 20, 2020, Order of Suspension and restitution with condition. On June

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29, 2021, the grievance administrator filed a motion for stay and on June 30, 2021, the grievance administrator filed a motion for reconsideration of the Court's June 18, 2021 order. Although both motions are pending before the Court, MCR 7.311(G) provides that: "The filing of a motion for reconsideration does not stay the effect of the order addressed in the motion."

Costs were assessed in the total amount of \$2,497.96.

Order of Reinstatement

On May 20, 2020, Tri-County Hearing Panel #101 entered an Order of Suspension and Restitution with Condition, effective June 11, 2020, that suspended the respondent's license to practice law for a period of 100 days, ordered that he pay restitution in the total amount of \$2,000, and that he be subject to a condition relevant to the established misconduct. The grievance administrator filed a timely petition for review, seeking an increase in discipline. Virtual review proceedings before the Attorney Discipline Board were conducted in accordance with General Order ADB 2020-1 and MCR 9.118 on August 26, 2020. On September 29, 2020, the board issued an opinion and order increasing the discipline imposed from a 100-day suspension to disbarment and restitution and vacating the condition imposed by the hearing panel. Thereafter, the respondent filed a timely application for leave to appeal with the Michigan Supreme Court. In lieu of granting leave to appeal, the Court issued an order on June 18, 2021, reversing the board's September 29, 2020, opinion and reinstating the May 20, 2020, Order of Suspension and Restitution with Condition issued by Tri-County Hearing Panel #101.

On June 24, 2021, the respondent filed an affidavit of compliance in accordance with MCR 9.123(A) attesting that he has fully complied with all requirements of the hearing panel's suspension order. The grievance administrator did not file an objection within seven days after the respondent filed his affidavit, but did file with the Supreme Court a motion to stay the order reversing the board order of disbarment on June 29, 2021, and a motion for reconsideration on June 30, 2021, which are both pending deci-

sions by the Court. Thereafter, the board requested the parties to address the question whether an order of reinstatement should issue pursuant to MCR 9.123(A). The respondent, relying upon MCR 7.311(G), which provides that: "The filing of a motion for reconsideration does not stay the effect of the order addressed in the motion," responded that it should. The board has not been otherwise apprised of a basis to conclude that the respondent has failed to comply with the suspension order.

NOW THEREFORE,

IT IS ORDERED that the respondent, **James Lawrence**, P33664, is **REINSTATED** to the practice of law in Michigan, effective July 27, 2021.

Automatic Suspension for Nonpayment of Costs

Kenneth B. Morgan, P34492, Birmingham, effective July 27, 2021.

In *Grievance Administrator v. Kenneth B. Morgan*, Case No. 20-86-JC, an Order Imposing "No Discipline" was issued on June 9, 2021, which assessed costs in the amount of \$1,878.20 payable on or before July 1, 2021. 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 July 19, 2021.

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

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27, 2021, 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).

Order of Reinstatement

On June 9, 2021, Tri-County Hearing Panel #64 entered an Order Imposing “No Discipline” in this matter that ordered the respondent to pay costs on or before July 1, 2021. The respondent failed to pay the assessed costs within the time frame set forth in the order. Pursuant to MCR 9.128, a Notice of Automatic Suspension was issued suspending the respondent’s license to practice law in the state of Michigan, effective July 27, 2021.

On July 29, 2021, the respondent paid the assessed costs in full. On August 2, 2021, the respondent submitted an affidavit pursuant to MCR 9.123(A), stating that he has fully complied with all requirements of the Notice of Automatic Suspension Pursuant to MCR 9.128. The board was advised on August 3, 2021, that the grievance administrator has no objection to the affidavit; and the board being otherwise advised;

NOW THEREFORE,

IT IS ORDERED that the respondent, **Kenneth B. Morgan**, is **REINSTATED** to the practice of law in Michigan, effective August 3, 2021.

Reprimand (By Consent)

Brian M. Norback, P60501, Crestview, Florida, by the Attorney Discipline Board, Tri-County Hearing Panel #27, effective August 10, 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 upon the respondent’s admissions and the stipulation of the parties, the panel found that the respondent committed professional misconduct when he pushed another driver during a traffic dispute and later pled no contest to battery, a misdemeanor, in contravention of Section 784.03(a) or 784.03(1)(a)(2), Florida

Statutes (M-1) in *State of Florida v. Brian Norback*, Okaloosa County 1st Circuit Court, Case Number 2017-MM-002545-C. While the respondent was sentenced to six months of probation and anger management counseling, the court withheld adjudication of the charge and after the respondent successfully completed probation, no conviction was entered.

Specifically, and in accordance with the parties’ stipulation, the panel found that the respondent engaged in conduct that violates a criminal law of a state, or of the United States, an ordinance, or tribal law, in violation of MCR 9.104(5); engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach in violation of MCR 9.104(2); and, engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$779.16.

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

Christopher Allyn Sevick, P69506, Ann Arbor, by the Attorney Discipline Board, Washtenaw County Hearing Panel #4, effective July 28, 2021.

The respondent failed to appear at the July 14, 2021, hearing and satisfactory proofs were entered into the record that the respondent possessed actual notice of the proceedings. As a result, the hearing panel issued an Order of Suspension, in accordance with MCR 9.115(H)(1), effective July 21, 2021, and until further order of the panel or the board.

Suspension (By Consent)

David L. Wisz, P55981, Birmingham, by the Attorney Discipline Board, Tri-County Hearing Panel #69, for 180 days, effective October 1, 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 ac-

cepted by the hearing panel. Based on the parties’ stipulation that contains the respondent’s admissions and no contest plea, the panel found that the respondent committed professional misconduct by knowingly filing a false certificate of marriage with the Oakland County Register of Deeds; stealing a notebook which contained his soon-to-be ex-wife’s notes regarding strategy and privileged discussions she had with her attorney; surreptitiously recording his son’s therapy sessions with a clinical psychologist; knowingly and repeatedly disobeying court orders with regard to his son’s therapy; parenting time, use of a private investigator, and the release of his son’s information; and providing knowingly false testimony during a hearing held in an action initiated by his ex-wife’s romantic partner to obtain a personal protection order against the respondent.

The panel found that the respondent knowingly disobeyed obligations under the rules of a tribunal, in violation of MRPC 3.4(c) (counts 2 and 3); 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) (counts 1–3); and 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, that being MCL 750.248 (making, altering, forging, or counterfeiting a public record), MCL 750.249 (uttering and publishing a forged, false, altered, or counterfeit record), MCL 750.356 (larceny), MCL 750.539c (eavesdropping upon private conversation), and MCL 750.539d (installation, placement, or use of a device for observing, recording, transmitting, photographing, or eavesdropping in a private place), in violation of MCR 9.104(5) (counts 1 and 2). The respondent was also found to have violated MCR 9.104(1)–(3) (counts 1–3); and MRPC 8.4(c) (counts 1–3).

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, effective October 1, 2021, pursuant to the parties’ agreement to provide the respondent sufficient time to wind up client matters. Total costs were assessed in the amount of \$1,349.60.