

Suspension Pursuant to MCR 9.115(H)(1)

Amanda Ann-Carmen Andrews, P75823, Port Clinton, Ohio, by the Attorney Discipline Board, Tri-County Hearing Panel #7, effective September 8, 2021.

The respondent failed to appear at the August 19, 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 September 8, 2021, and until further order of the panel or the board.

Reinstatement

On May 24, 2019, Tri-County Hearing Panel #14 entered an Order of Suspension with Conditions (By Consent) in this matter suspending the respondent from the practice of law in Michigan for 179 days, effective June 15, 2019. On September 13, 2021, the respondent, David Blake, submitted an affidavit pursuant to MCR 9.123(A), stating that he has fully complied with all requirements of the panel's order. On September 13, 2021, the board was advised that the grievance administrator had no objection to the affidavit; and the board being otherwise advised;

NOW THEREFORE,

IT IS ORDERED that the respondent, **David Blake**, is **REINSTATED** to the practice of law in Michigan, effective September 14, 2021.

Reprimand (By Consent)

Edward Fitzgerald Brasseur, P78482, Saginaw, by the Attorney Discipline Board, Tri-Valley Hearing Panel #1, effective September 9, 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. The stipulation contained the respondent's admissions that he was convicted by plea of no contest to Illegal Entry (Entry Without Permission), a misdemeanor, in violation of MCR 750.115, in *People v Edward Fitzgerald Brasseur*, 10th Circuit Court of Saginaw, Case No. 17-043531-FH, as set forth in the Notice of Filing of Judgment of Conviction filed by the grievance administrator.

The stipulation further contained the respondent's admissions to all of the factual statements and allegations of professional misconduct set forth in the formal complaint filed by the grievance administrator which alleged that respondent engaged in professional misconduct when he was found by the Oakland County Sheriff's Office inside an unoccupied historical property; was arrested for trespassing and an inventory search of the respondent's vehicle yielded a backpack with marijuana and drug paraphernalia which the respondent admitted belonged to him; and pled guilty to possession of marijuana in *People v Edward Fitzgerald Brasseur*, 52-3rd District Court, Case No. 18-008907. The respondent's guilt was deferred by the court under MCR 333.7411 and the respondent was placed on 18 months' probation. The case was dismissed after the respondent successfully completed probation.

Based on the respondent's conviction, admissions, and 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,



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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 \$873.93.

Reprimand (By Consent)

Richard A. Dietz, P31940, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #15, effective September 1, 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 admissions that he was convicted of operating while intoxicated, a misdemeanor, in violation of MCL 257.6253-A, in *City of Novi v Richard Arthur Dietz*, 52-1 District Court Case No. 20-002275-OD, and his admission that he failed to provide notice of his conviction to the Attorney Grievance Commission and Attorney Discipline Board as set forth in the administrator's combined Notice of Filing of a Judgment of Conviction and Formal Complaint filed on June 25, 2021.

Based on the respondent's conviction, admissions, and the parties' stipulation, the panel found that the respondent engaged in conduct that was in violation of 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); failed to report his conviction, in violation of MCR 9.120(A) and (B); engaged in conduct that

violated or attempted to violate the Michigan 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); and engaged in conduct that violated the standards or rules of professional conduct adopted by the Supreme Court, in violation of MCR 9.104(4).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$750.

Amended¹ Reprimand (By Consent)

Richard A. Dietz, P31940, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #15, effective September 1, 2021.

The respondent and the grievance administrator filed a Stipulation for Consent Order of Reprimand in accordance with

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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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MCR 9.115(F)(5) which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contained the respondent's admissions that he was convicted of operating while impaired, a misdemeanor, in violation of MCL 257.6253-A, in *City of Novi v Richard Arthur Dietz*, 52-1 District Court Case No.

20-002275-OD, and his admission that he failed to provide notice of his conviction to the Attorney Grievance Commission and Attorney Discipline Board as set forth in the administrator's combined Notice of Filing of a Judgment of Conviction and Formal Complaint filed on June 25, 2021.

Based on the respondent's conviction, admissions, and the parties' stipulation, the panel found that the respondent engaged in conduct that was in violation of 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); failed to report his conviction, in violation of MCR 9.120(A) and (B); engaged in conduct that violated or attempted to violate the Michigan 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); and engaged in conduct that violated the standards or rules of professional conduct adopted by the Supreme Court, in violation of MCR 9.104(4).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded. Costs were assessed in the amount of \$750.

1. Amended as to the respondent's conviction description. Changed from operating while intoxicated to operating while impaired.

Suspension (By Consent)

Steven Jansen, P55159, Gambrills, Maryland, by the Attorney Discipline Board, Tri-County Hearing Panel #11, for 180 days, effective September 15, 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. The stipulation contained the respondent's admissions that he was convicted of Unlawful Dissemination of Image, a misdemeanor, in violation of Virginia Crime Code OBS-3688-MI, in the matter titled *People v Steven Anthony Jansen*, Prince William County District Court Case No. JA08433-8-06-00; and on October 30, 2018, the respondent was convicted of Driving While Intoxicated, first

offense, a misdemeanor, in violation of Virginia Crime Code DWI-5413-MI, in the matter titled *People v Steven Anthony Jansen*, Alexandria General District Court Case No. 510GM18000004876, as set forth in the notice of filing of a judgment of conviction filed by the administrator.

Additionally, the stipulation contained the respondent's plea of no contest to the factual allegations and allegations of professional misconduct as set forth in the eight-count formal complaint filed in combination with the notice, in its entirety. To wit: in seven separate incidences, the respondent was criminally charged with public intoxication, public drunkenness, disorderly person, breaking and entering (while he was intoxicated), and assault and battery of a family member (while he was intoxicated); the County of Prince William Department of Social Services found that as a result of the respondent's public drunkenness while at a hotel and restaurant with his children, the respondent's actions did or may have resulted in harm to his children and he was ordered to remain on the Child Abuse Central Registry for three years starting December 19, 2017 (count one); the charges were dismissed either after a probationary period, fines and costs were paid or community service was performed (counts one, three, four, five, six, and seven); and only the charges as related in counts two and eight of the formal complaint resulted in any determination or conviction against the respondent.

Based upon the respondent's admissions and plea of no contest as set forth in the stipulation of the parties, the panel finds that the respondent 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); engaged in conduct that was contrary to justice, ethics, honesty or good morals, in violation of MCR 9.104(3); and engaged in conduct that violated a criminal law of a state, or of the United States, an ordinance, or tribal law, in violation of MCR 9.104(5). 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.

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Total costs were assessed in the amount of \$1,201.40.

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 1st 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 was 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 that he 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

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But a different rule applies for a complaint filed after June 30, 2002 that is based on a written instrument with its own specified interest rate. The rate is the lesser of:

- (1) 13 percent a year, compounded annually; or
- (2) the specified rate, if it is fixed—or if it is variable, the variable rate when the complaint was filed if that rate was legal.

For past rates, see <http://courts.mi.gov/Administration/SCAO/Resources/Documents/other/interest.pdf>.

As the application of MCL 600.6013 varies depending on the circumstances, you should review the statute carefully.

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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 the Tri-County Hearing Panel #101 May 20, 2020, order of suspension and restitution with condition. On June 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. The respondent filed an affidavit pursuant to MCR 9.123(A), as amended January 1, 2020, on July 26, 2021. On July 27, 2021, an Order of Reinstatement was issued by the board. On September 9, 2021, the Supreme Court denied the motions filed by the grievance administrator. Costs were assessed in the total amount of \$2,497.96.

Reprimand (By Consent)

Bertram L. Marks, P47829, Detroit, by the Attorney Discipline Board, Tri-County Hearing Panel #3, effective September 8, 2021.

The respondent and the grievance administrator filed a Stipulation for Consent Order of Discipline pursuant to MCR 9.115(F)(5) that was approved by the Attorney Grievance Commission and accepted by the hearing panel. Based upon the respondent's admissions, the panel found that the respondent committed professional misconduct as the result of his improper use of an IOLTA from September 24, 2019, through February 11, 2020.

Specifically, and in accordance with the parties' stipulation, 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 his own funds into an IOLTA in an amount more than reasonably necessary to pay financial institution service charges or fees, in violation of MRPC 1.15(f); engaged in conduct that exposed the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); engaged in conduct that was contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3); and engaged in



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conduct that was in violation of the Michigan Rules of Professional Conduct, in violation of 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 \$764.90.

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

Douglas A. McKinney, P35430, Auburn Hills, by the Attorney Discipline Board, Tri-County Hearing Panel #51, effective September 3, 2021.

The respondent failed to appear at the August 25, 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 September 3, 2021, and until further order of the panel or the board.

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

Ronald G. Pierce, P77198, Hastings, by the Attorney Discipline Board, Kent County Hearing Panel #4, effective August 26, 2021.

The respondent failed to appear at the August 18, 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 August 26, 2021, and until further order of the panel or the board.

Disbarment

Vincent DeMarti Porter, P71535, Allen Park, by the Attorney Discipline Board, effective August 21, 2021.

In a reciprocal discipline proceeding initiated under MCR 9.120(C), the grievance administrator filed a certified copy of an order of disbarment entered by the Illinois Supreme Court on September 21, 2020, in *In Re: Vincent DeMarti Porter*, M.R. 030289.

An Order Regarding Imposition of Reciprocal Discipline was entered by the board

on December 10, 2020, directing the parties to file any objections to the imposition of reciprocal discipline within 21 days, pursuant to MCR 9.120(C)(2)(b). On January 13, 2021, the respondent filed untimely objections to the imposition of reciprocal discipline on the basis that he was denied due process in the original proceedings. The grievance administrator filed a response on January 19, 2021, asserting that the respondent was in default because he failed to file his objection within 21 days, as set forth in MCR 9.120(C)(6), thus the board must impose comparable discipline. The grievance administrator further argued that the respondent was afforded due process and that the comparable discipline of disbarment was appropriate.

On February 2, 2021, the respondent filed a Motion to Set Aside Entry of Default, and the grievance administrator filed a re-

sponse opposing the respondent's request on February 22, 2021. On April 12, 2021, the board issued an Order of Disbarment that, in part, denied the respondent's motion because he failed to establish good cause for setting aside the default. The order further indicated that the board had concluded that the respondent was afforded due process of law in the course of the original proceeding, and it had not been shown that the imposition of comparable discipline in Michigan would be clearly inappropriate. As a result, the board ordered that the respondent be disbarred from the practice of law in Michigan, effective May 11, 2021.

On May 10, 2021, the respondent filed a motion seeking reconsideration of the board's Order of Disbarment and a petition for a stay of the board's order. An order granting an interim stay was issued on May 11, 2021, pending further consideration by

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64 Orders of Discipline and Disability

the board. On July 23, 2021, the board entered an Order Denying Respondent's Motion for Reconsideration which dissolved the interim stay and disbarred the respondent from the practice of law in Michigan, effective August 21, 2021. Costs were assessed in the amount of \$1,519.65.

Reinstatement

Hussian Saleh, P72484, Dearborn Heights, by the Attorney Discipline Board, effective August 31, 2021.

The petitioner's license to practice law in Michigan was suspended on October 31, 2017, for 35 months, with conditions, in *Grievance Administrator v Hussian Saleh*, 17-131-AI; 18-52-JC. On August 17, 2020, the petitioner filed a petition for reinstatement pursuant to MCR 9.123 and MCR 9.124, which was assigned to Tri-County Hearing Panel #11. After conducting a hearing, the panel issued an order denying petitioner's petition for reinstatement on December 7, 2020. The petitioner filed a timely petition for review and the Attorney Discipline Board conducted review proceedings in accordance with MCR 9.118. On August 19, 2021, the board vacated the hearing panel's order and issued an order of eligibility for reinstatement.

Upon receipt of written verification that petitioner paid the applicable membership dues to the State Bar of Michigan in accordance with Rules 2 and 3 of the Supreme Court Rules Concerning the State Bar of Michigan, the board issued an Order of Reinstatement reinstating petitioner to the practice of law in Michigan, effective August 31, 2021.

Suspension (By Consent)

Lawrence B. Shulman, P45075, Royal Oak, by the Attorney Discipline Board, Tri-County Hearing Panel #66, for 60 days, effective September 11, 2021.¹

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. The stipulation contained the respondent's admissions

to the allegations that he committed professional misconduct during his representation of a client seeking expungement on a case the respondent handled for her 10 years earlier and when he failed to answer a request for investigation filed by the client. The complaint specifically alleged that the respondent failed to act with reasonable diligence and promptness in pursuing his client's legal matter, failed to keep his client informed as to the status of her matter, failed to return his client's property upon her termination of the representation, and failed to answer the request for investigation filed by his client and served upon him by the grievance administrator.

Based upon the respondent's admissions as set forth in the stipulation of the parties, the panel found that 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); 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); and failed to answer a request for investigation in conformity with MCR 9.113, in violation of MCR 9.104(7). The respondent was also found to have violated MCR 9.104(1)–(3) and MRPC 8.4(a) and (c).

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. Costs were assessed in the amount of \$765.95.

1. The respondent has been continuously suspended from the practice of law in Michigan since April 10, 2021. Please see Notice of Suspension with Conditions, issued June 11, 2021, *Grievance Administrator v Lawrence B. Shulman*, Case No. 20-43-GA.

Reprimand (By Consent)

John M. Shureb, P24129, Plymouth, by the Attorney Discipline Board, Tri-County

Hearing Panel #10, effective September 14, 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 guilty plea, of operating while impaired by liquor, a misdemeanor, in violation of MCL 257.6253-A, in *People of the City of Plymouth v John M. Shureb*, 35th District Court Case No. 20P00795A-OD.

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 \$750.

Reprimand (By Consent)

Steven H. Wilen, P33866, Sylvan Lake, by the Attorney Discipline Board, Tri-County Hearing Panel #63, effective September 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 upon the respondent's admissions and the stipulation of the parties, the panel found that the respondent committed professional misconduct when he engaged in discourteous and disrespectful conduct, in violation of MRPC 6.5(a); 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 \$1,220.75.