

Probation (With Conditions)

Jeffrey C. Alandt, P43810, Traverse City, by the Attorney Discipline Board, Grand Traverse County Hearing Panel #1, for three years, effective December 3, 2019.

In a reciprocal discipline proceeding under MCR 9.120(C), the grievance administrator filed a certified copy of the United States District Court for the Western District of Michigan, Southern Division's Administrative Order No. 18-AD-036 placing the respondent on probation for 36 months, effective April 17, 2018, *In the Matter of: Jeffrey C. Alandt*, Case 1:18-mc-00034-PLM.

The panel found that imposing an order of probation with conditions similar to what was ordered by the district court would be substantially similar to what would or could occur under MCR 9.121(C) in an original proceeding for discipline before the Board. Thus, the panel concluded that imposing an order of probation with conditions was not clearly inappropriate. Therefore, an order of probation subjecting the respondent to a three-year probationary period with conditions was ordered. Costs were assessed in the amount of \$1,718.99.

Automatic Reinstatements

William M. Hatchett, P23350, Pontiac, reinstated pursuant to MCR 9.123(A): December 9, 2019.

The respondent was suspended from the practice of law in Michigan for 60 days, effective October 9, 2019. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit with the clerk of the Michigan Supreme Court, the Board, and the administrator, attesting to his full compliance with the terms and conditions of the Order of Suspension (With Condition) issued in this matter.

Dennis Klimek, P80214, Shelby Twp., reinstated pursuant to MCR 9.123(A): November 25, 2019.

The respondent was suspended from the practice of law in Michigan for 179 days, effective retroactively to January 23, 2019, the date the respondent's license to practice law was automatically suspended. 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 ad-

ministrator, attesting to his full compliance with the terms and conditions of the Order of Suspension (With Conditions) issued in this matter.

Robert M. Maceroni, P45744, Shelby Twp., reinstated pursuant to MCR 9.123(A): November 21, 2019.

The respondent was suspended from the practice of law in Michigan for 60 days, effective September 19, 2019. In accordance with MCR 9.123(A), the suspension was terminated with the respondent's filing of an affidavit with the clerk of the Michigan Supreme Court, the Board, and the administrator, attesting to his full compliance with the terms and conditions of the Order of Suspension (By Consent) issued in this matter.

Reprimands With Conditions (By Consent)

Larry Lavern Snyder, P70673, Battle Creek, by the Attorney Discipline Board, Calhoun County Hearing Panel #1, effective December 18, 2019.

The respondent and the grievance administrator filed a Stipulation for Consent Order of Discipline (Reprimand With Condition) 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 to the allegations that he committed acts of professional misconduct by improperly using his IOLTA account from August through October 2018.

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); and 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). The respondent was also found to have violated MCR 9.104(2) and (3); and MRPC 8.4(a).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded and that he register for and attend the State Bar of Michigan

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seminar titled “Lawyer Trust Accounts: Management Principles and Recordkeeping Resources.” Costs were assessed in the amount of \$813.80.

Venu G. Yagalla, P65518, Okemos, by the Attorney Discipline Board, Ingham County Hearing Panel #1, effective December 4, 2019.

The respondent and the grievance administrator filed a Stipulation for Consent Order of Reprimand (With Conditions), in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contained the respondent’s admission that he was convicted in a matter titled *People of Meridian Township v Venu Yagalla*, 55th District Court Case No. 1900215-OD, of the misdemeanor of operating with a high blood alcohol content of .17 or more, in violation of MCL 257.6251(C).

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, contrary to MCR 9.104(5).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent be reprimanded and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$764.26.

Suspension and Restitution (By Consent)

Paul F. Condino, P39456, Lathrup Village, by the Attorney Discipline Board, Tri-County Hearing Panel #79, for 180 days, effective December 7, 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 and the stipulation of the parties, the panel found that the respondent committed professional misconduct in

his representation of two separate clients for whom he was retained to file applications for commutation but failed to do so. As to one of the clients, the respondent advised the family that a hearing was scheduled although he never filed the application. In both matters, he failed to perform the work for which he was retained; failed to return the client file or issue a refund of the unearned fees; and in his response to the requests for investigation filed by the clients, he admitted that he owed a full refund to both clients.

Specifically, the panel found that the respondent neglected a legal matter, in violation of MRPC 1.1(c); failed to seek the lawful objectives of the client, 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, in violation of MRPC 1.4(a); failed to explain the matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); and failed to refund any advance payment of fee that had not been earned and failed to surrender papers and property to which the client was entitled, in violation of MRPC 1.16(d). The respondent was also found to have violated MRPC 8.4(a) and (c); and MCR 9.104(1)–(4).

In accordance with the stipulation of the parties, the panel ordered that the respondent’s license to practice law in Michigan be suspended for 180 days and that he be required to pay restitution in the total amount of \$2,250. Costs were assessed in the amount of \$819.36.

Suspension and Restitution With Conditions (By Consent)

Daniel Patrick Brent, P79240, Hazel Park, by the Attorney Discipline Board, Tri-County Hearing Panel #51, for three years, effective July 3, 2019.¹

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 default, admissions, and the stipulation of the parties, the panel found that the respondent committed professional misconduct when overdrafts occurred on the respondent’s IOLTA account in June 2018

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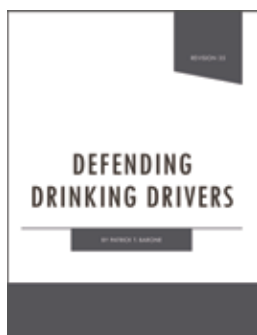
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and August 2018 and the respondent failed to answer the grievance administrator's requests for investigation regarding the overdrafts. The panel also found that the respondent abandoned the representation of three separate client matters, stopped communicating with those clients, made knowing misrepresentations of the facts or circumstances surrounding the request for investigation filed by one of the clients, and failed to respond to two requests for investigation filed by the two separate former clients.

Specifically, the panel found that the respondent neglected legal matters entrusted to him, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing clients, in violation of MRPC 1.3; failed to keep his clients reasonably informed about the status of their matters and comply promptly with reasonable requests for information or to explain the matter to the extent reasonably necessary to permit his clients to make informed decisions regarding the representation, in violation of MRPC 1.4(a) and (b); collected clearly excessive fees in light of the facts and circumstances of the representations, in violation of MRPC 1.5; failed to provide the grievance administrator with a full and fair explanation of the cause of the overdrafts and how they were corrected, in violation of MRPC 1.15A(f); upon termination of representation, failed to take reasonable steps to protect his clients' interests, such as giving reasonable notice to the clients, allowing time for employment of other counsel, surrendering papers and property to which the clients were entitled, and refunding any advance payments of fees that had not been earned, in violation of MRPC 1.16(d); knowingly failing to respond to lawful demands for information from a disciplinary authority, in violation of MRPC 8.1(a)(2); failed to answer requests for investigation in conformity with MCR 9.113(A) and (B)(2), in violation of MCR 9.104(7) and MRPC 8.1(a)(2); made knowing misrepresentations of the facts or circumstances surrounding the request for investigation, as proscribed by MCR 9.104(6); and made misrepresentations in his answer to the request for investigation, as proscribed by MCR 9.113(A). The respondent was also found to have violated MRPC 8.4(a)–(c); and MCR 9.104(1)–(4).

In accordance with the stipulation of the parties, the panel ordered that the respondent's license to practice law in Michigan be suspended for three years, retroactive to July 3, 2019 (the date of the respondent's interim suspension from the practice of law), that he be required to pay restitution in the total amount of \$5,870, and attend two management and recordkeeping seminars offered by the State Bar of Michigan before filing a petition for reinstatement. Costs were assessed in the amount of \$1,186.45.

1. The respondent's license to practice law in Michigan was suspended on an interim basis, effective July 3, 2019, and until further order of the hearing panel or the Attorney Discipline Board pursuant to an interim order of suspension and restitution entered by the hearing panel on June 27, 2019.

Automatic Interim Suspensions

Theresa Marie Brennan, P34510, Brighton, effective December 3, 2019.

On December 3, 2019, the court accepted the respondent's plea of guilty to one count of perjury, a felony, in violation of MCL 750.423, in the matter titled *People of the State of Michigan v Theresa Marie Brennan*, Livingston County Circuit Court Case No. 19-025735-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 her 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.

Charles William Malette, P68928, Sault Ste. Marie, effective November 1, 2019.

On November 1, 2019, the respondent was convicted, by jury verdict, of (1) aggravated stalking, in violation of MCL 750.411i, a felony; (2) computers—using to commit a crime—maximum imprisonment of 4 years or more but less than 10 years, in violation of MCL 752.7973D, a felony; and (3) two counts of stalking, in violation of MCL 751.411h, misdemeanors, in the matter titled *People of the State of Michigan v Charles William Malette*, Chippewa County Circuit Court, Case No. 19-3922-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 convictions.

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.

Suspension (By Consent)

Clifford Woodards II, P60661, Southfield, by the Attorney Discipline Board, Tri-County Hearing Panel #70, for 30 days, effective December 1, 2019.

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 acts of professional misconduct by failing to treat with courtesy and respect a person in the legal process.

Based on the respondent's admissions and the stipulation of the parties, the panel found that the respondent failed to treat with courtesy and respect a person involved in the legal process and failed to avoid treating that person discourteously or disrespectfully because of that person's age, race, and gender in violation of MRPC 6.5(a); engaged in conduct that exposed the legal profession to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2); engaged in conduct that is contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3); and engaged in conduct

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that violated the standards or rules of professional conduct adopted by the Supreme Court, contrary to MCR 9.104(4).

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. Costs were assessed in the amount of \$764.92.

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

Charles Gottlieb, P14221, Waterford, by the Attorney Discipline Board, Tri-County Hearing Panel #74.

The respondent failed to appear at the December 5, 2019 hearing. On December 10, 2019, the hearing panel, in accordance with MCR 9.115(H)(1), issued an order of suspension, effective December 17, 2019, and until further order of the panel or the Board.

Suspensions (With Conditions)

Dennis Klimek, P80214, Shelby Twp., by the Attorney Discipline Board, Tri-County Hearing Panel #106, for 179 days, effective January 23, 2019.

The respondent was convicted of operating under the influence causing serious bodily injury, a felony, in violation of MCL 257.6256D, in a matter titled *People of the State of Michigan v Dennis Klimek*, Macomb County Circuit Court, Case No. 2018-002281-FH. In accordance with MCR 9.120 (B)(1), the respondent's license to practice law in Michigan was automatically suspended effective January 23, 2019, the date of the respondent's felony conviction.

Based on the respondent's conviction, the panel found that he engaged in conduct that violated a criminal law of a state or of the United States, contrary to MCR 9.104(5).

The panel ordered that the respondent's license to practice law in Michigan be suspended for 179 days, retroactive to the date of his interim suspension. The panel also ordered that the respondent be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$2,365.63.

Adam C. Reddick, P71543, Bay City, by the Attorney Discipline Board, Tri-Valley

Hearing Panel #3, for 60 days, effective November 25, 2019.¹

On October 3, 2019, Tri-Valley Hearing Panel #3 issued an order suspending the respondent for 30 days, effective October 25, 2019, and imposing conditions which the respondent was to comply with. The panel further ordered that, in the event the respondent failed to timely satisfy the terms of the conditions, the grievance administrator may file a motion with an accompanying affidavit attesting to the respondent's failure to comply with the conditions as ordered. Upon the filing of such motion and affidavit, the hearing panel would issue an order suspending the respondent's license to practice law in Michigan for an additional 60 days.

The grievance administrator filed a Motion to Increase Suspension along with an affidavit attesting to the respondent's failure to timely comply with the conditions imposed in the hearing panel's October 3, 2019 Order of Suspension (With Conditions), Case No. 19-24-GA, pursuant to a provision contained in the hearing panel's order that allowed such a motion if the order was violated.

The hearing panel granted the motion and found that the respondent failed to timely comply with the conditions in the hearing panel's October 3, 2019 order, which constituted misconduct under MCR 9.104(9). The hearing panel ordered that the respondent's license to practice law in Michigan be suspended for an additional 60 days. No additional costs were assessed.

1. The respondent has been continuously suspended from the practice of law since October 25, 2019. See Notice of Suspension with Conditions, *Grievance Administrator v Adam C. Reddick*, Case No. 19-24-GA, issued October 31, 2019.

Suspensions With Conditions (By Consent)

Jeffrey J. Fleury, P53884, Birmingham, by the Attorney Discipline Board, Tri-County Hearing Panel #60, for 30 days, effective December 1, 2019.

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 acts of professional misconduct during his handling of the disbursement of funds resulting from the sale of a condominium.

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 representing a client, in violation of MRPC 1.3; failed to promptly notify a client or third person when funds in which the client or third person had an interest were received, in violation of MRPC 1.15(b)(1); failed to hold property of a client or third person in connection with a representation separate from his own property, in violation of MRPC 1.15(d); failed to promptly pay or deliver any funds that the client or third person was entitled to receive, in violation of MRPC 1.15(b)(3); and violated or attempted to violate the rules of professional conduct, contrary to 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 \$757.60.

Phillip B. Maxwell, P24872, Oxford, by the Attorney Discipline Board, Tri-County Hearing Panel #52, for 90 days, effective October 4, 2019.

The respondent and the grievance administrator filed a Stipulation for Consent Order of a 90-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 in a matter titled *People of the State of Michigan v Phillip Barrett Maxwell*, Oakland County Circuit Court, Case No. 18-268423-FH, of operating while intoxicated—3rd offense, a felony, in violation of MCL 257.6256D.

Based on the respondent's conviction, admissions, and the stipulation of the parties, the hearing panel found that the respondent committed professional misconduct by engaging in conduct that violated a criminal law of a state or of the United States, an ordinance, or tribal law pursuant to MCR 2.615, contrary to MCR 9.104(5).

In accordance with the stipulation of the parties, the hearing panel ordered that the respondent's license to practice law in Michigan be suspended for 90 days and that he be subject to conditions relevant to the established misconduct. Costs were assessed in the amount of \$781.92.

Transfer to Inactive Status Pursuant to MCR 9.121(B)

Kirk Yodzevicis, P61161, Gaylord, by the Attorney Discipline Board, Tri-Valley Hearing Panel #1, effective December 10, 2019.

The grievance administrator filed a Judgment of Conviction, Case No. 19-82-JC, which charged that the respondent committed acts of professional misconduct warranting discipline. Based on the respondent's own admissions and the evidence presented at the hearing, the panel unanimously determined that the respondent is incapacitated from continuing to practice law as defined in MCR 9.121(B)(3).

Therefore, the panel concluded, in accordance with MCR 9.121(B)(3), that the respondent be transferred to involuntary inactive status for an indefinite period and until further order of the Board. The panel also determined that the transfer of the respondent's law license to inactive status would require that the underlying judgment of conviction be held in abeyance pursuant to MCR 9.121(B)(4). The issue of appropriate discipline to impose for the respondent's misdemeanor conviction should be addressed if, and when, the respondent's license to practice law is reinstated pursuant to MCR 9.121(E).

On December 10, 2019, Tri-Valley Hearing Panel #1 issued an order transferring the respondent's license to inactive status pursuant to MCR 9.121(B) for an indefinite period and until further order of the Board.