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NOTICE OF DISBARMENT AND RESTITUTION

Case No. 15-66-GA

Notice Issued: November 13, 2015

Gary S. Fields, P 48799, Bloomfield Hills, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #71.

1. Disbarred
2. Effective November 13, 2015

Respondent was in default for failing to file an answer to the formal complaint but he did appear at the public hearing with a stipulation for consent discipline which was accepted by the panel. Based on respondent's plea of no contest to the allegations of misconduct in the formal complaint, the panel found that respondent, in five matters, failed to communicate with his clients, in violation of MRPC 1.4(a) and (b); and charged and collected an excessive or illegal fee, in violation of MRPC 1.5(a). In three other matters, respondent neglected his clients' legal matters, in violation of MRPC 1.1(c); failed to hold client and third party funds in connection with a representation separate from the lawyer's funds and failed to deposit the client and third party funds into an IOLTA or non-IOLTA, in violation of MRPC 1.15(d); failed to return the unearned portion of the advance payment of fee, in violation of MRPC 1.16(d); and engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b). In two matters, respondent failed to promptly pay or deliver any funds that the client or third person was entitled to, in violation of MRPC 1.15(b)(3). Finally, the panel found that respondent failed to communicate the basis and rate of his fee, in violation of MRPC 1.5(b); and failed to reduce the contingent fee agreement to a writing, in violation of MRPC 1.5(c). The panel also found that respondent violated MRPC 8.4(c) and MCR 9.104(1)-(3).

Based on the stipulation of the parties, the panel ordered that respondent be disbarred from the practice of law in Michigan and that he pay restitution in the aggregate amount of \$49,775.60. Costs were assessed in the amount of \$2,357.53.

Mark A. Armitage

Dated: NOV 13 2015