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STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD



211 WEST FORT STREET, SUITE 1410
DETROIT, MICHIGAN 48226-3236
PHONE: 313-963-5553 | FAX: 313-963-5571

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NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 14-8-GA; 14-26-GA; 14-53-GA

Notice Issued: October 8, 2015

Marvin Barnett, P 34033, Detroit, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #27.

1. Suspension - Three Years
2. Effective October 3, 2015


The three formal complaints were consolidated for hearing and respondent filed answers to each complaint and appeared at the hearings. The hearing panel found that respondent neglected a legal matter, in violation of MRPC 1.1(c); failed to seek the lawful objectives of his client through reasonably available means permitted by law, in violation of MRPC 1.2(a); failed to act with reasonable diligence in violation of MRPC 1.3; failed to communicate with his client in violation of MRPC 1.4(a) and (b); failed to keep client funds separate from his business funds, in violation of MRPC 1.15(c); failed to deposit client funds into an IOLTA account, in violation of MRPC 1.15(g); requested a person other than his client to refrain from voluntarily giving relevant information to another party, in violation of MRPC 3.4(f); used means that have no substantial purpose other than to embarrass, delay, or burden a third person, or used methods of obtaining evidence that violated the legal rights of such a person, in violation of MRPC 4.4; and failed to treat with courtesy and respect all persons involved in the legal process, in violation of MRPC 6.5(a). The panel also found that respondent failed to provide information demanded by the Grievance Administrator, in violation of MRPC 8.1(a)(2); engaged in conduct which violated the Rules of Professional Conduct, contrary to MRPC 8.4(a); engaged in conduct which involved 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, contrary to MRPC 8.4(b); engaged in conduct prejudicial to the administration of justice, in violation of MCR 9.104(1); exposed the legal profession or the courts 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); violated the standards or rules of professional responsibility adopted by the Supreme Court, contrary to MCR 9.104(4); engaged in conduct in that violates a criminal law of a state and the United States, to wit, MCL 750.122(3) and (6), in violation of MCR 9.104(5); made knowing misrepresentations of facts or circumstances in his answer to the request for investigation, in violation of MCR 9.104(6); and made misrepresentations in his answer to the request for investigation, in violation of MCR 9.113(A).

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The hearing panel ordered that respondent's license to practice law in Michigan be suspended for three years and that he pay restitution in the aggregate amount of \$67,500.00. Respondent filed a motion to stay the effective date of the order of suspension and restitution but that motion was denied by the panel on October 2, 2015. Total costs were assessed in the amount of \$8,425.35.



Mark A. Armitage

OCT - 8 2015

Dated: _____