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**NOTICE OF SUSPENSION AND RESTITUTION**

Case Nos. 14-79-GA; 15-21-GA

**Notice Issued: August 26, 2015**

David K. Wenger, II, P 23078, Grosse Pointe Park, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #23.

1. Suspension - 180 Days
2. Effective August 26, 2015

Respondent appeared at the hearing and filed answers to the formal complaints. The hearing panel found, by a preponderance of the evidence, that respondent failed to hold property of clients or third persons in connection with a representation separate from his own property, in violation of MRPC 1.15(d); failed to deposit legal fees paid in advance of services rendered into a client trust account, in violation of MRPC 1.15(g); violated or attempted to violate the Rules of Professional Conduct, contrary to MRPC 8.4(a); engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of MRPC 8.4(b); 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).

The hearing panel, by a majority, ordered that respondent's license to practice law be suspended for 180 days, effective August 26, 2015. A dissenting panelist concluded that disbarment would have been the more appropriate sanction. However, the panel was unanimous in ordering respondent to pay restitution in the amount of \$2,600.00. Total costs were assessed in the amount of \$3,199.78.

  
Mark A. Armitage

Dated: AUG 26 2015