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NOTICE OF DISBARMENT
(By Consent)

Case No. 14-68-GA

Notice Issued: March 13, 2015

Michael Aho Kennedy, P 24034, Petoskey, Michigan, by the Attorney Discipline Board Emmet County Hearing Panel #2.

1. Disbarment
2. Effective March 13, 2015

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 respondent's plea of no contest, the hearing panel found that respondent failed to promptly notify his client when funds in which the client had an interest were received, in violation of MRPC 1.15(b)(1); failed to promptly pay or deliver any funds that the client was entitled to receive, in violation of MRPC 1.15(b)(3); failed to hold his client's property separate from his own property and failed to identify and appropriately safeguard his client's funds, in violation of MRPC 1.15(d); knowingly disobeyed an obligation under the rules of a tribunal, in violation of MRPC 3.4(c); 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, contrary to MRPC 8.4(b); engaged in conduct that violates a criminal law of a state or of the United States, including but not limited to MCL 750.174 (embezzlement), and MCR 750.362 (larceny by conversion), contrary to MCR 9.104(5); and breached his fiduciary duties under the Estate and Protected Individuals Code as a Trustee, in violation of MCL 700.1308 (breach of fiduciary duty), MCL 700.1502 (prudent investor rule), MCL 700.1506 (invest and manage fiduciary assets solely in the interest of beneficiaries), MCL 700.7801 (administer trust in good faith), MCL 700.7802 (duty of loyalty), and MCL 700.7803 (prudent investor rule applicable to trust). The panel also found that respondent violated MRPC 8.4(a) and MCR 9.104(2)-(4).

In accordance with the stipulation of the parties, the hearing panel ordered that respondent be disbarred from the practice of law in Michigan. Costs were assessed in the amount of \$1,141.71.

Mark A. Armitage

Dated: **MAR 13 2015**