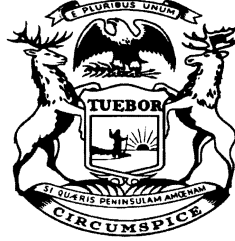


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NOTICE OF SUSPENSION WITH CONDITIONS
(By Consent)

Case No. 13-106-GA

Notice Issued: December 16, 2013

Marc S. Schwartz, P 27054, Southfield, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #80.

1. Suspension - 30 Days
2. Effective December 14, 2013

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 panel found that respondent held funds other than client or third person funds in an IOLTA account, in violation of MRPC 1.15(a)(3); deposited his own funds into an IOLTA account in excess of an amount reasonably necessary to pay financial institution service charges or fees or to obtain a waiver of service charges or fees, in violation of MRPC 1.15(f); failed to provide information requested in four separate items of correspondence sent upon him by the Grievance Administrator, in violation of MRPC 8.1(a)(2); and failed to appear at the office of the Attorney Grievance Commission for a sworn statement, as commanded by a subpoena, in violation of MCR 9.112(D)(2) and MRPC 8.1(3)(2). The panel also found that respondent violated MRPC 8.4(a) and MCR 9.104(2)-(4). In entering the finding of misconduct, the panel acknowledged paragraph two of the stipulation which stated:

2. Petitioner [Grievance Administrator] has no evidence that Respondent improperly used, converted or misappropriated any client funds.

In accordance with the stipulation of the parties, the hearing panel ordered that respondent's license to practice in Michigan be suspended for 30 days and that he be subject to a condition relevant to the alleged misconduct. Costs were assessed in the amount of \$792.30.


Mark A. Armitage

Dated: **DEC 16 2013**