

MEMBERS
THOMAS G. KIENBAUM
CHAIRPERSON
JAMES M. CAMERON, JR.
VICE-CHAIRPERSON
SYLVIA P. WHITMER, Ph.D.
SECRETARY
ROSALIND E. GRIFFIN, M.D.
CARL E. VER BEEK
CRAIG H. LUBBEN
LAWRENCE G. CAMPBELL
DULCE M. FULLER
LOUANN VAN DER WIELE

STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD



JOHN F. VAN BOLT
EXECUTIVE DIRECTOR

MARK A. ARMITAGE
DEPUTY DIRECTOR

JENNIFER M. PETTY
LEGAL ASSISTANT

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

WWW.ADBMICH.ORG

NOTICE OF DISBARMENT AND RESTITUTION

Case No. 12-85-GA

Notice Issued: April 23, 2013

David J. Haywood, P 31307, Lansing, Michigan, by the Attorney Discipline Board Ingham County Hearing Panel #6.

1. Disbarment
2. Effective April 1, 2013

Respondent filed an answer to the formal complaint and appeared at the hearing. Based on his plea of no contest, the hearing panel found that respondent undertook representation that was materially limited by the lawyer's responsibilities to another client or by his own interests, in violation of MRPC 1.7(b); failed to explain the matter to the extent reasonably necessary for his clients to make informed decisions regarding the representation, in violation of MRPC 1.4(b); accepted compensation from a client which interfered with the lawyer's independent professional judgment, in violation of MRPC 1.8(f); failed to exercise independent professional judgment and failed to render candid advice in representing a client, in violation of MRPC 2.1; permitted a person who recommends, employs, or pays the lawyer to render legal services for another to direct or regulate the lawyer's professional judgment in rendering such legal services, in violation of MRPC 5.4(c); neglected his client's legal matter, in violation of MRPC 1.1(c); collected an illegal and excessive fee, in violation of MRPC 1.5(b); failed to notify the client or third person when funds or property in which the client or third person has an interest is received, in violation of MRPC 1.1 5(b)(1); failed to promptly pay or deliver funds or other property that the client or third person is entitled to received, in violation of MRPC 1.1 5(b)(3); made a false statement of material fact to a tribunal, in violation of MRPC 3.3(a)(1); breached his fiduciary duties to the beneficiaries of the estate, in violation of MCL 700.3954; engaged in conduct prejudicial to the proper 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); held funds in his IOLTA that were not funds of a client or third person, in violation of MRPC 1.1 5(a)(3); failed to hold property of clients and third parties separate from the lawyer's property, in violation of MRPC 1.15(d); violated or attempted to violate the Rules of Professional Conduct, contrary to MCR 9.104(4), and MRPC 8.4(a); and, engaged in conduct involving dishonesty, fraud, deceit and misrepresentation, in violation of MRPC 8.4(b).

The panel ordered that respondent be disbarred from the practice law in Michigan and that he pay restitution in the aggregate amount of \$514,379.21. Costs were assessed in the amount of \$5,194.40.


John F. Van Bolt

Dated: APR 23 2013