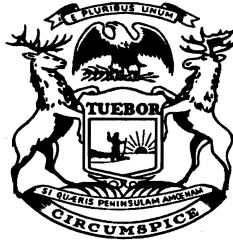


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NOTICE OF DISBARMENT AND RESTITUTION WITH CONDITION

Case No. 11-117-GA

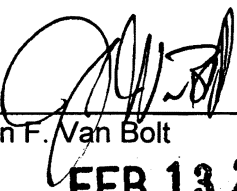
Notice Issued: February 13, 2012

David R. Berndt, P 41834, Grosse Pointe Farms, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #22.

1. Disbarment
2. Effective February 11, 2012

Respondent did not appear at the hearing and was found to be in default for failing to file an answer to the formal complaint. Based on respondent's default, the hearing panel found that respondent committed professional misconduct when he intentionally misappropriated client and third party funds, in violation of MRPC 1.15(c); failed to promptly pay funds that a client or third party is entitled to, in violation of MRPC 1.15(b)(3); knowingly made a false statement of material fact to a tribunal, in violation of MRPC 3.3(a)(1); failed to provide a full accounting upon request of a client, in violation of MRPC 1.15(b)(3); failed to keep his client reasonably informed about the status of the matter and failed to comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); knowingly misrepresented facts and circumstances surrounding a request for investigation, in violation of MCR 9.104(6) (formerly MCR 9.104(A)(6)); knowingly made a false statement of material fact in connection with a disciplinary matter, in violation of MRPC 8.1(a)(1); engaged in conduct prejudicial to the administration of justice, in violation of MCR 9.104(1) (formerly MCR 9.104(A)(1)) and MRPC 8.4(c); engaged in conduct that exposes the legal profession or the courts to obloquy, contempt, censure, or reproach, in violation of MCR 9.104(2) (formerly MCR 9.104(A)(2)); engaged in conduct contrary to justice, ethics, honesty, or good morals, in violation of MCR 9.104(3) (formerly MCR 9.103(A)(3)); violated or attempted to violate the Rules of Professional Conduct, in violation of MRPC 8.4(a); and engaged in conduct involving dishonesty, fraud and deceit, in violation of MRPC 8.4(b).

The panel ordered the respondent be disbarred from the practice law in Michigan and pay restitution in the aggregate amount of \$11,718.84. The panel also ordered that respondent be subject to a condition relevant to the established misconduct. Costs were assessed in the amount of \$2,117.45.



John F. Van Bolt

FEB 13 2012

Dated: _____