**MEMBERS** JONATHAN E. LAUDERBACH CHAIRPERSON MICHAEL B. RIZIK, JR.

VICE-CHAIRPERSON

**BARBARA WILLIAMS FORNEY** SECRETARY

KAREN D. O'DONOGHUE LINDA S. HOTCHKISS, MD MICHAEL S. HOHAUSER **PETER A. SMIT ALAN GERSHEL** LINDA M. ORLANS

## STATE OF MICHIGAN ATTORNEY DISCIPLINE BOARD



333 WEST FORT STREET, SUITE 1700 DETROIT, MICHIGAN 48226-3147 PHONE: 313-963-5553

MARK A. ARMITAGE **EXECUTIVE DIRECTOR** 

**WENDY A. NEELEY** DEPUTY DIRECTOR

KAREN M. DALEY ASSOCIATE COUNSEL

SHERRY MIFSUD OFFICE ADMINISTRATOR

ALLYSON M. PLOURDE CASE MANAGER

OWEN R. MONTGOMERY CASE MANAGER

JULIE M. LOISELLE RECEPTIONIST/SECRETARY

www.adbmich.org

## NOTICE OF DISBARMENT WITH CONDITION

Case No. 19-112-GA

Notice Issued: March 12, 2021

Frank A. Fleischmann, P 38839, Okemos, Michigan, by the Attorney Discipline Board Ingham County Hearing Panel #5.

Disbarment - Effective March 5, 2021

Based on the evidence presented by the parties at the hearings held in this matter, the hearing panel found that respondent committed professional misconduct in his representation of one client in a medical malpractice action and another in an employment discrimination matter.

The panel specifically found that respondent failed to provide competent representation, in violation of MRPC 1.1(a); neglected a legal matter entrusted to him, in violation of MRPC 1.1(c); failed to seek the lawful objectives of a client, in violation of MRPC 1.2(a); failed to act with diligence and promptness, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a matter, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); knowingly disobeyed an obligation under the rules of a tribunal, in violation of MRPC 3.4; failed to notify a court in a civil action that there is a resolved civil action arising out of the same transaction or occurrence alleged in the complaint, in violation of MCR 1.109(D)(2)(a)(i) and (ii); and, engaged in conduct that involved dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness, and fitness as a lawyer, in violation of MRPC 8.4(b). Respondent was also found to have violated MCR 9.104(1)-(3).

The panel ordered that respondent be disbarred from the practice of law, and further ordered that prior to filing a petition for reinstatement, respondent must show he has fully satisfied the judgment entered against him in Janice Bowser-Glew v Frank Fleischmann, Ingham County Court Case No. 18-499-CK and, any possible judgment that may be entered against him in an action filed by the other complainant in this matter. Total costs were assessed in the amount of \$2,526.35.

/s/ Mark A. Armitage **Executive Director**