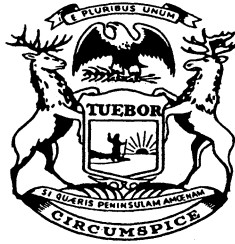


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DISMISSAL

Case No. 09-96-GA

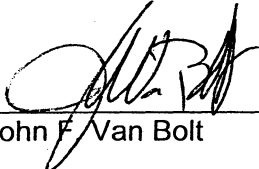
Michael A. Rataj, P 43004, Detroit, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #9.

1. Dismissal
2. Effective September 9, 2011

The Grievance Administrator alleged that respondent committed professional misconduct toward another member of the Bar during the course of a private phone call on or about November 19, 2009, in violation of MCR 9.104(A)(2) and (4); and Michigan Rules of Professional Conduct 6.5(a) and 8.4(a). Respondent filed a motion for summary disposition, which was granted by the panel on February 16, 2010.

The Grievance Administrator filed a petition for review and the Attorney Discipline Board, upon review, vacated the hearing panel's order of dismissal and remanded the matter to the panel for hearing.

Upon remand, the hearing panel found that respondent's expletives, uttered in a single sentence in a single telephone conversation with another lawyer did not rise to the level of discourteous or disrespectful conduct described in MRPC 6.5(a); was not a violation or attempted violation of the Rules of Professional Conduct, in violation of MRPC 8.4(a) or MCR 9.104(A)(4); and did not expose the legal profession or the courts to obloquy, contempt, censure or reproach, in violation of MCR 9.104(A)(2). On August 18, 2011, the hearing panel issued an order of dismissal (on remand) and no costs were assessed.



John F. Van Bolt

Dated: SEP - 9 2011