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FINAL NOTICE OF SUSPENSION AND RESTITUTION

Case No. 09-56-GA

Notice Issued: October 12, 2010

Gregory A. Mikat, P 55735, Fenton, Michigan, by the Attorney Discipline Board, increasing Genesee County Hearing Panel #3's order of discipline from a 179 day suspension to a three year suspension and increasing restitution.

1. Suspension - Three Years
2. Effective January 6, 2010¹

Based upon respondent's plea of no contest at the hearing, the panel found that by engaging in a sexual relationship with a client's spouse while representing that client in a domestic relations case, respondent committed professional misconduct by failing to seek his client's reasonably objectives, engaging in a conflict of interest, improperly communicating with an opposing party represented by counsel, and by making a material omission of relevant facts to his client. The panel also found that respondent failed to protect his client's interests by not refunding fees when respondent was discharged by the client.

Respondent's conduct was in violation MCR 9.104(A)(1)-(3); and Michigan Rules of Professional Conduct 1.2(a); 1.7(b); 1.16(d); 4.2; and 8.4(c).

The panel ordered the respondent's license to practice law in Michigan be suspended for 179 days and that he pay restitution in the amount of \$1,500.00. The panel also ordered that respondent should be subject to conditions relevant to the admitted misconduct.

The Grievance Administrator filed a petition for review seeking increased discipline. On September 10, 2010, the Attorney Discipline Board issued an order increasing discipline to a three year suspension, vacating the conditions imposed by the panel, and increasing restitution to \$5,000.00. Total costs were assessed in the amount of \$2,784.54.



John F. Van Bolt

Dated: _____

OCT 12 2010

¹ Respondent has been continuously suspended from the practice of law in Michigan since January 6, 2010. Please see Notice of Suspension and Restitution With Conditions (Pending Appeal) issued January 8, 2010.