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NOTICE OF SUSPENSION AND RESTITUTION
(By Consent)

Case Nos. 08-156-GA; 08-174-FA

Notice Issued: June 15, 2009

Richard C. Holst, P 26110, Wyoming, Michigan by the Attorney Discipline Board Kent County Hearing Panel #4.

1. Suspension - Three Years
2. Effective June 13, 2009¹

The respondent and Grievance Administrator filed a stipulation for consent order of discipline, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Respondent pled no contest to failing to refund the advance payment of a fee that had not been earned upon termination of the representation; failing to timely answer a request for investigation; knowingly failing to respond to the Grievance Administrator's lawful demands for information; commingling client and third party funds with respondent's funds; failing to make reasonable efforts to ensure that his law office had in effect measures giving reasonable assurance that his nonlawyer assistant's conduct would be compatible with the lawyer's professional obligations; failing to make reasonable efforts over the nonlawyer assistant to ensure that that person's conduct is compatible with the lawyer's professional obligations; being responsible for the conduct of the nonlawyer assistant that constitutes a violation of the rules of professional conduct if engaged in by the lawyer; and failing to file an answer to the formal complaint served upon him by the Grievance Administrator.

Respondent was charged with violations of MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A) and (B)(3); and Michigan Rules of Professional Conduct 1.15(d) and (g); 1.16(d); 5.3(a)-(c); 8.1(a)(2); and 8.4(a)-(c).

In accordance with the stipulation, the panel ordered that respondent's license to practice law in Michigan be suspended for three years and pay restitution in the amount of \$1,200.00. Costs were assessed in the amount of \$841.60.



John F. Van Bolt

Dated: **JUN 15 2009**

¹ Respondent has been continuously suspended from the practice of law in Michigan since June 29, 2007. See Notice of Suspension (By Consent), issued May 24, 2007.