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NOTICE OF SUSPENSION AND RESTITUTION

Case No. 08-154-GA

Notice Issued: April 21, 2009

David A. Kuzava, P 49963, Hastings, Michigan, by the Attorney Discipline Board Kalamazoo County Hearing Panel #3.

1. Suspension - Three Years
2. Effective April 21, 2009¹

Respondent did not appear at the hearing and was found to be in default for failing to file a timely answer to the formal complaint. Based on respondent's default, the hearing panel found that respondent committed professional misconduct in a bankruptcy matter when he provided incompetent representation; failed to seek the lawful objectives of his clients; counseled his clients to engage, or assisted his clients, in conduct that he knew was illegal or fraudulent; failed to explain the matter to the extent reasonably necessary to permit his clients to make informed decisions regarding the representation; failed to disclose a material fact to a tribunal when disclosure was necessary to avoid in assisting in a criminal or fraudulent act by the client; knowingly disobeyed an obligation under the rules of a tribunal; failed to answer a request for investigation; and knowingly failed to respond to a lawful demand for information from a disciplinary authority.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.1(a); 1.2(a) and (c); 1.4(b); 3.3(a)(2); 3.4(c); 8.1(a)(2); and 8.4(a)-(c).

The panel ordered that respondent's license to practice law in Michigan be suspended for three years and that he pay restitution in the amount of \$985.84. Costs were assessed in the amount of \$1,773.93.

John F. Van Bolt

APR 21 2009

Dated: _____

¹ Respondent has been continuously suspended from the practice of law in Michigan since February 6, 2008. See Notice of Suspension, issued February 8, 2008.