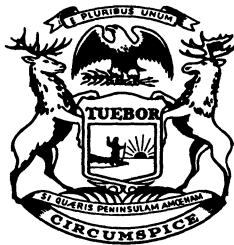


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NOTICE OF SUSPENSION WITH CONDITIONS
(By Consent)

Case No. 06-85-GA; 07-115-JC; 07-116-GA

Notice Issued: April 11, 2008

Frederick M. Toca, Jr., P 56608, Davisburg, Michigan, by the Attorney Discipline Board, Tri-County Hearing Panel #80.

1. Suspension - 24 Months
2. Effective April 11, 2008¹

The respondent and the Grievance Administrator filed a stipulation for a 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 the allegations that he failed to deposit funds, in which his clients and another attorney had an interest, into an IOLTA or other firm trust account, separate from his own business or personal property; commingled funds, in which his clients and another attorney had an interest, with those of his own by depositing them into his firm's business checking account; failed to promptly pay or deliver to another attorney the funds to which he was entitled; converted funds belonging to his client and another attorney to his own use; engaged in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law, where such conduct reflects adversely on the lawyers honesty, trustworthiness, or fitness as a lawyer; knowingly made a false statement of material fact in connection with a disciplinary matter; knowingly failed to respond to a lawful demand for information from the Grievance Administrator; failed to treat with courtesy and respect all persons involved in the legal process; failing to promptly notify his client when funds in which she had an interest were received; failing to promptly pay any funds his client was entitled to receive by giving her two checks which were rejected for insufficient funds; failing to promptly render a full account of his clients settlement when requested to do so by the client; failing to deposit and keep his clients settlement separate and intact in his IOLTA account until he met with his client to go over the fees and costs and they had reached an agreement as to the final accounting; failed to fully and fairly disclose all the facts and circumstances pertaining to the alleged misconduct in his answer to the request for investigation; in violation of MCR 9.104(A)(1)-(5), and Michigan Rules of Professional Conduct 1.15(b)(1) and (3); 1.15(c); 1.15(d); 6.5(a); 8.1(a)(1) and (2); and 8.4(a)-(c).

Finally, respondent does not challenge the judgment of conviction for the misdemeanor conviction of driving on a suspended license, second offense and acknowledges his responsibility for that conduct.

In accordance with the stipulation of the parties, the panel ordered that respondent's license to practice law in Michigan be suspended for 24 months and that he be subject to specific conditions relevant to the alleged misconduct. Total costs were assessed in the amount of \$1,365.08.

John F. Van Bolt

Dated: **APR 11 2008**

¹ Respondent has been continuously suspended from the practice of law in Michigan since February 22, 2008. See Notice of Automatic Interim Suspension issued March 6, 2008.