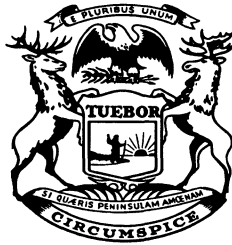


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FINAL NOTICE OF SUSPENSION AND RESTITUTION

Case No. 05-29-GA

Notice Issued: November 10, 2008

Joel S. Gehrke, P 39871, Southfield, Michigan, by the Attorney Discipline Board affirming Clare County Hearing Panel #1's order of suspension in part and modifying in part.

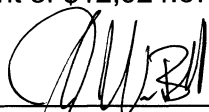
1. Suspension - 180 Days
2. Effective November 6, 2007

The hearing panel adopted the Master's findings that respondent failed to communicate the basis and rate of his fee; failed to explain a matter to the client to the extent necessary to permit his client to make informed decisions regarding the representation; charged and collected an excessive fee; failed to provide notice and billings to his client before withdrawing her funds as fees and costs; and failed to maintain complete records of client funds. Respondent was also found to have charged an unreasonable fee; and to have taken his fee before it was earned and before providing notice to his client. Finally, respondent was found to have charged his client for expenses that were not actually expenses of litigation; and failed to make reasonable efforts to make sure that his non-lawyer employees' conduct was compatible with his professional obligations as a lawyer

Respondent's conduct was found to be in violation of Michigan Rules of Professional Conduct 1.4(b); 1.5(a) and (b); 1.15(a) and (b); and 5.3(c). The panel ordered that respondent's license to practice law in Michigan be suspended for 180 days and that he pay restitution in the amount of \$40,550.12.

Respondent filed a petition for review, along with a request for a stay of the discipline which was scheduled to commence on September 5, 2007. The Attorney Discipline Board granted a 60 day stay of discipline and ordered that respondent's suspension would not go into effect until November 6, 2007. Respondent filed a request for an extension of the stay of discipline, but that request was denied by the Board. Upon review, the Board affirmed the hearing panel's order of suspension and restitution, but specifically vacated the finding of the master and the panel that respondent violated MRPC 5.3(c). The Board found that the formal complaint never alleged that respondent had violated MRPC 5.3(c) and, based on prior precedent, a respondent cannot be found guilty of misconduct not alleged in the formal complaint. However, the Board did affirm all of the other rule violations found by the master and the hearing panel.

Respondent subsequently filed an application for leave to appeal with the Michigan Supreme Court, which was denied on September 22, 2008. Total costs were assessed in the amount of \$12,924.67.



John F. Van Bolt
NOV 10 2008
Dated: _____