

NOTICE OF SUSPENSION AND RESTITUTION
(By Consent)

Case No. 06-29-GA

Notice Issued: January 23, 2007

Mark C. Burger, P 40856, Port Huron, Michigan, by the Attorney Discipline Board St. Clair County Hearing Panel #2.

1. Suspension - 180 Days
2. Effective January 3, 2007

The respondent and Grievance Administrator filed a stipulation for consent order of discipline, in accordance with MCR 9.115(F)(5), containing respondent's plea of nolo contendere to neglecting 19 legal matters; failing to refund an unearned fee in 14 of those 19 matters; failing to deposit an advance fee into a client trust account or IOLTA; and engaging in conduct involving dishonesty, fraud, deceit, misrepresentation, or violation of the criminal law where such conduct reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer.

Respondent was charged with violations of Michigan Court Rule 9.104(A)(1)-(4); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; .14(a) and (b); 1.15(a) [recently amended to 1.15(g)]; 1.16(d); and 8.4(a)-(c).

The parties agreed that respondent's license to practice law in Michigan should be suspended for 180 days and that he pay restitution in the aggregate amount of \$9,254.00. Upon consideration of a motion filed under MCR 9.128(A), the Attorney Discipline Board entered an order assessing actual costs of \$6.56.