

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 06-69-GA; 06-78-FA

Notice Issued: November 22, 2006

Brent W. Schindler, P 39709, Houghton Lake, Michigan, by the Attorney Discipline Board Tri-Valley County Hearing Panel #2.

1. Revocation
1. Effective November 14, 2006¹

The respondent was found to be in default for his failure to file an answer to the formal complaint. Respondent also failed to appear at the public hearing. Based on that default, the panel found that respondent used or participated in the use of letterhead that was deceptive; falsely stated in his letterhead that he and another lawyer practiced in partnership when that was not a fact; failed to maintain an interest-bearing trust account for deposit of client funds; failed to timely answer two requests for investigation; failed to answer three requests for investigation; made a misrepresentation in his answer to a request for investigation; knowingly made a false statement of material fact in connection with a disciplinary matter; neglected three legal matters entrusted to him; failed to deposit two retainer checks into an IOLTA and failed to hold those retainer checks separately from his own funds; failed to refund the unearned portion of three retainers upon termination of the representations; failed to hold property of a client or third person in his possession separate from his own property; failed to promptly notify and deliver a \$15,000.00 loan to his client; misappropriated a portion of the \$15,000.00 for his own use; charged or collected an illegal or clearly excessive fee; and entered into a business transaction or knowingly acquired an interest adverse to the client.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4), (6) and (7); MCR 9.113(A); MCR 9.113(B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a) and (b); 1.5(a); 1.8(a); 1.15(a) [amended as MRPC 1.15(d) and (g)]; 1.15(b) [amended as MRPC 1.15(b)(1) and (3)]; 1.15(d) [amended as MRPC 1.15(a)]; 1.16(d); 7.1(a); 7.5(a) and (d); 8.1(a)(1); 8.1(a)(2); and 8.4(a)-(c).

The hearing panel ordered that respondent's license to practice in Michigan be revoked and that he pay restitution in the aggregate amount of \$11,250.00. Costs were assessed in the amount of \$2,059.45.

¹ Respondent has been continuously suspended from the practice of law in Michigan since April 26, 2006. See Notice of Suspension With Condition issued April 28, 2006.