

## **NOTICE OF REVOCATION AND RESTITUTION**

Case No. 05-70-GA

**Notice Issued: September 14, 2005**

Scott D. Sitner, P 46068, Birmingham, Michigan, by the Attorney Discipline Board  
Tri- County Hearing Panel #60.

1. Revocation
2. Effective September 8, 2006<sup>1</sup>

The respondent was found to be in default for his failure to file an answer to the formal complaint or appear at the hearing. Based on that default, the panel found that respondent misappropriated assets belonging to an estate which he was retained to handle for the personal representative; failed to fully account for the funds of the estate; failed to distribute a portion of the money to the beneficiaries in a timely manner; failed to provide a full and fair answer to the request for investigation; and provided an answer to the request for investigation which was false, misleading and deceptive.

Respondent's conduct was in violation of MCR 9.140(A)(1)-(4), (6) and (7); MCR 9.113(A); and Michigan Rules of Professional Conduct 1.1(a)(3); 1.2; 1.3; 1.15(a); 3.1; 8.1(a) and (b); and 8.4(a)-(c).

The hearing panel ordered that respondent's license be revoked and that the revocation shall run consecutive to the one year suspension ordered in Grievance Administrator v Scott D. Sitner, ADB Case No. 05-08-GA. The panel also ordered that respondent pay restitution in the amount of \$19,600.00. Costs were assessed in the amount of \$1,813.84.

<sup>1</sup> Respondent has been continuously suspended from the practice of law in Michigan since April 30, 2005. See Notice of Suspension and Restitution, issued May 3, 2005.