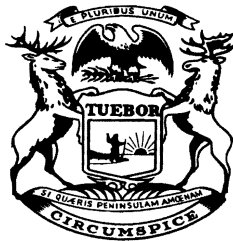


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NOTICE OF REVOCATION

Case No. 05-132-MZ (Ref. 05-77-GA)

Notice Issued: February 28, 2006

Barry D. Herbach, P 25375, Grand Rapids, Michigan, by the Attorney Discipline Board Kent County Hearing Panel #5.

1. Revocation
2. Effective February 28, 2006¹

The Grievance Administrator filed a petition on November 1, 2005 seeking entry of an order increasing discipline for respondent's failure to comply with the hearing panel's order of suspension entered September 6, 2005 in Grievance Administrator v Barry D. Herbach, Case No. 05-77-GA. Specifically, while suspended, respondent continued to practice law; appeared before a court; and held himself out as an attorney. Respondent also failed to file a notice of his disqualification from the practice of law with the Kent County Circuit Court; failed to pay the restitution and costs as ordered by the hearing panel; and failed to file the affidavits required under MCR 9.119 showing compliance with the hearing panel's order.

The respondent did not file an answer nor did he appear at the show cause hearing held on January 5, 2006. Based upon the evidence submitted by the Grievance Administrator, the panel concluded that respondent, in violation of MCR 9.104(A)(9), had not complied with its previous order.

The hearing panel ordered that respondent's license to practice law be revoked. Costs were assessed in the amount of \$1,756.12.

John F. Van Bolt

Dated: February 28, 2006

¹ Respondent has been continuously suspended from the practice of law in Michigan since September 28, 2005. See Notice of Suspension and Restitution issued September 30, 2005.