

NOTICE OF REVOCATION AND RESTITUTION

Case No. 05-43-GA

Notice Issued: July 20, 2005

Thomas J. Fayfer, P 40754, Ann Arbor, Michigan, by the Attorney Discipline Board Washtenaw County Hearing Panel #4.

1. Revocation
2. Effective July 16, 2005¹

Based on respondent's default for failure to file an answer to the formal complaint and failure to appear at the public hearing, the hearing panel found that respondent violated previous orders of discipline by engaging in the practice of law, appearing as an attorney in court, and holding himself out as an attorney after the effective date of his suspension. Further, respondent failed to file with the tribunal and all parties a notice of his disqualification from the practice of law; failed to file an affidavit of compliance; accepted a retainer in a new case after the effective date of his suspension; neglected his client's matter; failed to keep his client reasonably informed about the status of his matter; failed to return the client file to his client upon termination of the representation; and failed to promptly refund the advance payment of his fee that was not earned. Finally, respondent failed to answer three requests for investigation served upon him by the Grievance Administrator.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4), (7) and (9); MCR 9.113(A) and (B)(2); MCR 9.119(B)-(E); and Michigan Rules of Professional Conduct 1.3; 1.4(a); 1.5(a); 1.16(d); 8.1(a)(2); and 8.4(a)-(c).

The hearing panel ordered that respondent's license be revoked and that he pay restitution in the aggregate amount of \$6,000.00. Costs were assessed in the amount of \$1,708.84.

¹ Respondent has been continuously suspended from the practice of law in Michigan since July 18, 2003. See Notice of Suspension and Restitution (With Condition) dated July 18, 2003.