

NOTICE OF SUSPENSION AND RESTITUTION
(With Conditions)

Case Nos. 04-85-GA; 04-96-FA

Notice Issued: December 8, 2004

Donald E. Stuby, P 41987, Grandville, Michigan, by the Attorney Discipline Board
Kent County Hearing Panel #1.

1. Suspension - 30 Days
2. Effective December 1, 2004

Respondent appeared at the public hearing but was found to be in default for his failure to file an answer to the formal complaint. Based on that default, the hearing panel found that respondent, in an immigration matter, abandoned the representation of his client and failed to refund the unearned portion of the retainer. Respondent also failed to file an answer to a request for investigation served by the Grievance Administrator and failed to cooperate with the Grievance Administrator's investigation.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a) and (b); 1.16(d); 8.1(a)(2); and 8.4(a) and (c). The hearing panel ordered that respondent be suspended from the practice of law in Michigan for 30 days and pay restitution in the amount of \$1,000.00. The panel further ordered that respondent shall continue to be subject to the conditions set forth in the Order of Reprimand and Restitution With Conditions entered January 29, 2004 in the matter of Grievance Administrator v Donald E. Stuby, ADB Case No. 03-104-GA. Costs were assessed in the amount of \$2,014.30.