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NOTICE OF SUSPENSION AND RESTITUTION

(Pending Review)

Case No. 18-83-GA

Notice Issued: February 26, 2020

John J. Koselka, P 48740, Adrian, Michigan, by the Attorney Discipline Board Washtenaw County Hearing Panel #6.

Suspension - One Year, Effective February 21, 2020

After proceedings in accordance with MCR 9.115, the hearing panel found that respondent committed professional misconduct by using funds from an estate and from a settlement in an unrelated client matter held in the firm's IOLTA account to pay personal and business expenses.

The panel found that respondent held funds other than client or third person funds in an IOLTA, in violation of MRPC 1.15(a)(3); failed to hold property of clients or third persons separate from his own, in violation of MRPC 1.15(d); and deposited funds into an IOLTA in excess of the amount reasonably necessary to pay financial institution service charges or fees, or to obtain a waiver of service charges or fees, in violation of MRPC 1.15(f). Respondent was also found to have violated MRPC 8.4(a), and MCR 9.104(2)-(4).

The panel ordered that respondent's license to practice law in Michigan be suspended for one year and that respondent pay restitution totaling \$2,000. The Grievance Administrator filed a petition for review seeking an increase in the level of discipline and this matter has been scheduled for hearing before the Attorney Discipline Board.

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Mark A. Armitage Executive Director