

**NOTICE OF PROBATION WITH CONDITION**  
**(By Consent)**

Case Nos. 03-38-GA; 03-116-GA; 03-141-GA

**Notice Issued: October 18, 2004**

Thomas M. McGinnis, P 33419, Keego Harbor, Michigan, by the Attorney Discipline Board Tri-County Hearing Panel #85.

1. Probation - 2 Years
2. Effective August 6, 2004

The respondent and the Grievance Administrator filed a stipulation for a consent order of discipline, in accordance with MCR 9.115(F)(5) and MCR 9.121(C), containing respondent's plea of no contest to the allegations that he failed to answer eight requests for investigation, failed to timely answer one request for investigation; failed to provide his client files to the Grievance Administrator; abandoned the representation of seven clients; failed to refund unearned fees in seven matters; simultaneously represented two clients in related criminal cases arising from the same transaction, although they had adverse interests; and failed to attend a hearing in an embezzlement matter causing his petition for order to show cause to be dismissed. Respondent was charged with violations of MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.1; 1.2(a); 1.3; 1.4(a); 1.7(a) and (b); 1.16(d); 8.1(a)(2); and 8.4(a) and (c).

The parties agreed that respondent should be subject to a two year probationary period with a condition relevant to the alleged misconduct. Total costs were assessed in the amount of \$2,104.61.