

NOTICE OF REPRIMAND AND RESTITUTION
(With Conditions)

Case No. 03-104-GA

Notice Issued: February 20, 2004

Donald E. Stuby, P 41987, Grandville, Michigan, by the Attorney Discipline Board
Kent County Hearing Panel #3.

1. Reprimand
2. Effective February 20, 2004

and

3. Probation - 2 Years
4. Effective February 1, 2004

Respondent appeared at the public hearing but was in 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 a foreclosure matter, failed to answer discovery requests; failed to attend a hearing on a motion to compel discovery; failed to comply with the court's order regarding discovery and costs; failed to file a response to a motion for default; failed to attend the hearing on the motion for default; and failed to communicate with his client about the status of the matter.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a) and (b); 3.2; 3.4(c); and 8.4(a) and (c). The hearing panel ordered that respondent be reprimanded and that he pay restitution in the amount of \$3,472.25. The panel further ordered that respondent shall be subject to a two year probationary period with conditions relative to the established misconduct. Costs were assessed in the amount of \$2,189.30.