

NOTICE OF SUSPENSION AND RESTITUTION
(By Consent)

Case No. 03-81-GA

Notice Issued: December 1, 2003

Martin F. Fittante, P 46338, Escanaba, Michigan, by the Attorney Discipline Board
Upper Peninsula Hearing Panel #2.

1. Suspension - 2 ½ Years
2. Effective February 15, 2004

The respondent and the Grievance Administrator filed a stipulation for a consent order of discipline, in accordance with MCR 9.115(F)(5), containing respondent's plea of no contest to the allegations that he lied regarding the filing and status of the legal proceedings of four clients; entered into a stipulation, without his client's knowledge or consent, to pay costs in order to set aside a default judgement that had been entered due to respondent's neglect; allowed a judgment to enter against his client without his client's knowledge or consent; and neglected a client matter by failing to timely request a license restoration hearing resulting in his client's substance abuse evaluation becoming stale.

Respondent was charged with violations of MCR 9.104(A)(1)-(4); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.2(a); 1.3; 1.4(a) and (b); 3.2; and 8.4(a) and (c). The parties agreed that respondent's license to practice law in Michigan should be suspended for 2 1/2 years effective February 15, 2004 and that respondent should pay restitution in the amount of \$25,000.00. Costs were assessed in the amount of \$878.45.