

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 02-122-GA; 02-151-FA

Notice Issued: June 18, 2003

Charles W. Luyendyk, P 26326, Grand Haven, Michigan, by the Attorney Discipline Board Kent County Hearing Panel #4.

1. Revocation;
2. Effective June 6, 2003

The hearing panel found, by default, that respondent failed to maintain client funds in a trust account; misappropriated the funds; failed to respond to his client's request for the return of her file; and failed to provide his client and/or her attorney with an accounting of the funds from the trust account. In another matter, respondent entered into a business agreement with his clients, the terms of which were not fully disclosed to his clients and were not fair and reasonable. Respondent also failed to give his clients reasonable opportunity to seek advice of independent counsel regarding the transaction; and misappropriated \$150,000.00. Finally, respondent failed to answer three separate requests for investigation and one formal complaint served by the Grievance Administrator.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A); MCR 9.113(B)(2); and Michigan Rules of Professional Conduct 1.4(a); 1.8(a); 1.15(a) and (b); 1.16(d); 8.1(a)(2); 8.1(b); and 8.4(a)-(c).

The hearing panel ordered that respondent's license to practice law in Michigan be revoked and that he pay restitution. Costs were assessed in the amount of \$1,824.65.