

## **NOTICE OF REVOCATION AND RESTITUTION**

Case No. 00-132-GA

### **Notice Issued: January 15, 2004**

David E. Fregolle, P 37832, Southfield, Michigan, by the Attorney Discipline Board increasing discipline from a three year suspension issued by Tri-County Hearing Panel #65.

1. Revocation
2. Effective June 11, 2003.

The hearing panel found that respondent failed to refund an unearned fee; filed false and misleading bankruptcy forms and schedules with the U.S. Bankruptcy Court; and either caused false testimony to be given at the bankruptcy hearing or failed to correct testimony that he knew to be false. Respondent's conduct was found to be in violation of Michigan Rules of Professional Conduct 1.16(d); 3.3(a)(1); 3.4(a) and (b); and 8.4(a)-(c). The hearing panel ordered that respondent's license to practice be suspended for three years and also ordered that respondent pay restitution in the amount of \$925.00.

The Grievance Administrator filed a timely petition for review seeking increased discipline and the respondent filed a timely petition for a stay of discipline. On June 6, 2003, the Attorney Discipline Board denied respondent's stay of discipline and respondent subsequently filed a cross-petition for review.

Upon review, the Board affirmed the hearing panel's findings regarding misconduct but increased the discipline from a three year suspension to a revocation of respondent's license to practice law in Michigan. Total costs were assessed in the amount of \$3,924.81.