

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 03-27-GA; 03-59-JC

Notice Issued: July 13, 2004

Charles W. Luyendyk, P 26326, Grand Haven, Michigan, by the Attorney Discipline Board Allegan County Hearing Panel #1.

1. Revocation
2. Effective March 26, 2003¹

Based on respondent's default for failure to file an answer to the formal complaint and failure to appear at the public hearing, the hearing panel found that respondent misappropriated client funds; engaged in the representation of clients when the interests of those clients were adverse to the interests of other clients and/or his own financial interests; and failed to answer two requests for investigation, or produce documents requested in a subpoena, all served upon him by the Grievance Administrator. Additionally, respondent was convicted, by a plea of no contest, of the felonies of false pretenses over \$20,000.00 and embezzlement by an agent over \$20,000.00.

Respondent's conduct was in violation of MCR 9.104(A)(1)-(4) and (7); MCR 9.113(A) and (B)(2); MCL §750.1745A; MCL §750.2185A; and Michigan Rules of Professional Conduct 1.4(b); 1.7(a); 1.8(a)(1)-(3); 1.15(a) and (b); 8.1(a)(2); and 8.4(a)-(c).

The hearing panel ordered that respondent's license to practice law in Michigan be revoked, retroactive to the date of his felony conviction, and that he pay restitution in the amount of \$52,500.00. Costs were assessed in the amount of \$1,868.82.

¹ Respondent has been continuously suspended from the practice of law in Michigan since March 26, 2003. See Notice of Automatic Interim Suspension, dated April 30, 2003.