

NOTICE OF SUSPENSION

Case No. 97-306-GA

Notice Issued: November 20, 2001

Edgar J. Dietrich, P-12767, Detroit, Michigan by the Attorney Discipline Board increasing discipline ordered by Tri-County Hearing Panel #10.

1. Suspension - 180 Days.
2. Effective November 17, 2001.

The hearing panel found that respondent had committed the following professional misconduct: Respondent, as owner and attorney, entered into a purchase agreement which specifically stated that the \$25,000.00 deposit was to be held in escrow. Respondent failed to deposit the monies into an escrow account, misappropriated the funds, and failed to make restitution despite repeated requests by the purchasers. In his answer to the Grievance Administrator's request for investigation, respondent indicated that the purchasers failed to comply with the time period granted to examine the books and records of the business. Respondent's conduct was found to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.15(a)-(c); 8.1 and 8.4(a)-(c). The panel ordered that respondent's license to practice law be suspended for 45 days. Respondent and the Grievance Administrator filed timely petitions for review.

The Attorney Discipline Board, retaining jurisdiction, remanded the matter to the hearing panel for a supplemental report on discipline applying the ABA Standards for Imposing Lawyer Sanctions. The hearing panel's supplemental report concluded that the suspension should be increased to 90 days. Both respondent and petitioner filed objections to the supplemental report. The Attorney Discipline Board subsequently increased discipline from a 45 day suspension to a 180 day suspension. Respondent filed a motion for reconsideration and stay of discipline which was denied by the Board. Costs were assessed in the amount of \$1,297.31.