

NOTICE OF SUSPENSION AND RESTITUTION
(By Consent)

Case Nos. 99-114-GA; 00-123-GA

Notice Issued: August 22, 2001

Joshua R. Gordon, P-37782, Detroit, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #31.

1. Suspension - 180 Days;
2. Effective August 21, 2001.

The respondent and the Grievance Administrator filed a stipulation for a consent order of discipline in accordance with MCR 9.115(f)(5) which was approved by the Attorney Grievance Commission and accepted by the hearing panel. Respondent pled no contest to the allegations of professional misconduct contained in Counts Three, Four, Six, Seven, Nine, Ten, Thirteen, and Fourteen of Formal Complaint 99-114-GA, and Formal Complaint 00-123-GA, specifically: In a probate matter, respondent failed to file a final inventory; failed to respond to his client's inquiries as to the status of the estate; misappropriated client funds; failed to respond to a motion to show cause initiated by the probate court; failed to appear at the show cause hearing; and abandoned the representation. On three occasions, respondent failed to provide information requested by the Attorney Grievance Commission and failed to comply with subpoenas issued by the Attorney Grievance Commission. In one of these matters, respondent also failed to appear at a show cause hearing which resulted in a bench warrant being issued for his arrest. Further, in five matters, respondent failed to file an answer to requests for investigation served by the Grievance Administrator. Respondent's conduct was in violation of MCR 9.103(C); 9.140(1)-(5) and (7); 9.113(A); 9.113(B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a); 1.5(a); 1.15(a)-(c); 1.16(d); 3.3(a)(1) and (4); 3.3(d); 3.4(c); 8.1(b); and 8.4(a)-(c).

The parties have stipulated that an order may be entered suspending respondent's license to practice law for period of 180 days. The parties have further agreed that respondent shall pay restitution and that Counts One, Two, Five, Eight, Eleven, and Twelve of Formal Complaint 99-114-GA, along with Formal Complaint 99-139-FA, may be dismissed.

The hearing panel ordered that respondent's license be suspended for 180 days and that he pay restitution in the aggregate amount of \$2,000.00. Costs were assessed in the amount of \$523.72.