

## DISMISSAL

Case No. 99-58-GA

Otis M. Underwood, Jr., P-21678, Oxford, Michigan, by the Attorney Discipline Board vacating an order of reprimand and restitution issued by Tri-County Hearing Panel #20.

1. Dismissal;
2. Effective August 17, 2001.

On May 4, 1999, the Grievance Administrator filed Formal Complaint 99-58-GA alleging that respondent had committed acts of professional misconduct, specifically: That respondent attempted to collect excessive fees pursuant to an improper fee agreement; failed to refund an unearned retainer; failed to promptly release client property; and refused to release the client file until the client executed a "Receipt and Release." Respondent's conduct was alleged to have been in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.4(b); 1.5(a)-(c); 1.8(h)(2); 1.15(b); 1.16(d); 5.1(c)(1); and 8.4(a) and (c).

On September 6, 2000, the hearing panel entered an order of reprimand and restitution. The respondent petitioned for review. On July 26, 2001, the Attorney Discipline Board issued an opinion and order vacating the hearing panel's order of reprimand and restitution and dismissed Formal Complaint 99-58-GA. No costs were assessed against respondent.