

NOTICE OF SUSPENSION

Case Nos. 01-39-GA; 01-58-FA

Notice Issued: July 19, 2001

Steven A. Kargenian, P-41259, Shelby Township, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #108.

1. Suspension - 3 Years;
2. Effective July 19, 2001.

Based upon respondent's default, the hearing panel found that the allegations of professional misconduct contained in Formal Complaints 01-39-GA and 01-58-FA were established, specifically: In a probate matter, respondent commingled his business funds with the funds of the probate estate; misappropriated the funds; failed to respond to the court's request for evidence of disbursements to the heirs; failed to produce evidence of complete disbursement to the heirs; caused significant delay in the matter; and failed to timely close the estate. Respondent also failed to respond to correspondence from the Grievance Administrator requesting additional information in the matter; and failed to provide the requested bank records regarding the estate. In a civil action and a bankruptcy matter for another client, respondent failed to take any action in the civil matter, causing a default judgment in the amount of \$500,000.00 to be entered against his client; and caused his client's bankruptcy matter to be dismissed by failing to pay the filing fee and failing to complete the bankruptcy petition. Finally, respondent failed to file an answer to a request for investigation served by the Attorney Grievance Commission.

Respondent's conduct was in violation of MCR 9.103(C); MCR 9.104(1)-(4) and (7); MCR 9.113(A); MCR 9.113(B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a); 1.15(a)-(b); 1.16(d); 3.2; 8.1(b); and 8.4(a)-(c).

The hearing panel ordered that respondent's license be suspended for three years. Costs were assessed in the amount of \$501.05.