

NOTICE OF SUSPENSION AND RESTITUTION
(By Consent)

Case Nos. 00-95-GA; 00-131-GA; 01-15-GA

Notice Issued: July 25, 2001

Scott M. McDonald, P-38630, Mt. Clemens, Michigan, by Attorney Discipline Board
Tri-County Hearing Panel #105.

1. Suspension - 5 Years;
2. Effective July 14, 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 Formal Complaints 00-95-Ga; 00-131-GA and 01-15-GA, specifically: In numerous instances, respondent made false statements in his answers to requests for investigation served upon him by the Grievance Administrator; misappropriated client funds; failed to communicate with his clients; failed to take action on behalf of his clients; and made false statements to his clients regarding the status of their matters. Respondent also abandoned the representation of one client. Finally, respondent failed to appear at the Attorney Grievance Commission's offices in violation of four subpoenas; and failed to provide additional information requested by the Attorney Grievance Commission during its investigation.

Respondent's conduct was in violation of MCR 9.103(C); MCR 9.104(1)-(7); MCR 9.112(D); MCR 9.113(A); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4; 1.5(a); 1.15(a)-(c); 1.16(d); 3.2; 3.3(a)(1) and (4); 3.4(a)-(c); 4.1; 8.1; and 8.4(a)-(c). The parties agreed that Formal Complaint 01-32-FA should be dismissed. The parties further agreed that respondent's license should be suspended for five years and that he pay restitution.

The hearing panel ordered that respondent's license be suspended for five years and that he pay restitution in five matters. Costs were assessed in the amount of \$1,372.37.