

NOTICE OF REPRIMAND
(By Consent)

Case No. 00-158-GA

Notice Issued: January 12, 2001

Lewis L. Hole, P-15063, Harrison, Michigan, by the Attorney Discipline Board Midland County Hearing Panel #1.

1. Reprimand;
2. Effective January 12, 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 offered a plea of no contest to the charges of misconduct contained in Formal Complaint 00-158-GA, except for paragraph 7(k), to wit: In a mortgage foreclosure matter, respondent negotiated an agreement with opposing counsel and entered his appearance on behalf of a party in the action, who was not his client, without that party's knowledge and consent. Respondent failed to advise this party of the litigation; his representation; the proposed consent judgment of foreclosure; and the prior negotiations which had occurred regarding the consent judgment. Respondent also failed to file objections to the judgment or take any action regarding the judgment which was entered against this party; failed to clarify for the court or opposing counsel that he was not retained to represent this party; and took no action to formally withdraw as counsel until after an order was entered by the court. Respondent's conduct was in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.2(c); 1.4(a); 3.3(a)(1) and (2); 3.4(a); 4.1; and 8.4(a)-(c). The parties further agreed that paragraph 7(k) may be dismissed.

Based upon the stipulation of the parties, the hearing panel ordered that respondent be reprimanded. Costs were assessed in the amount of \$3.42.