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NOTICE OF DISBARMENT

Case Nos. 19-19-JC; 19-20-GA

Notice Issued: November 15, 2019

Timothy D. Vandenberg, P 55960, Caledonia, Michigan, by the Attorney Discipline Board Kent County Hearing Panel #5.

Disbarred, Effective November 13, 2019

Respondent was convicted, by guilty plea, of operating while intoxicated/impaired, 2nd offense, a misdemeanor in violation of MCR 257.6256B, in *People v Timothy Vandenberg*, 58th Judicial District Court Case No. HU-16-069805-SD. Based on this conviction, the panel found that respondent engaged in conduct that violated a criminal law of a state or of the United States, an ordinance, or tribal law pursuant to MCR 2.615, in violation of MCR 9.104(5).

Additionally, based on respondent's default for failing to answer the formal complaint, the hearing panel found that respondent committed professional misconduct by creating a false court order wherein he forged the signature of the judge, lying to a client about the status of their matter when stating that he was drafting a lawsuit on their behalf, and did not do so, and failing to answer two Requests for Investigation.

Specifically, the panel found that respondent neglected a legal matter entrusted to him, in violation of MRPC 1.1(c); failed to act with reasonable diligence and promptness in representing a client, in violation of MRPC 1.3; failed to keep a client reasonably informed about the status of a matter and comply promptly with reasonable requests for information, in violation of MRPC 1.4(a); failed to explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation, in violation of MRPC 1.4(b); failed to exercise independent professional judgement and render candid advice to his client, in violation of MRPC 2.1; failed to make reasonable efforts to expedite litigation consistent with client's interest, in violation of MRPC 3.2; knowingly made a false statement of material fact or law to a tribunal or failed to correct a false statement of material fact or law previously made to the tribunal by the lawyer; in violation of MRPC 3.3(a)(1); engaged in undignified or discourteous conduct toward the tribunal, in violation of MRPC 3.5; in the course of representing a client, knowingly made a false statement of material fact or law to a third person, in violation of MRPC 4.1; in the course of representing a client, used means that had no substantial purpose other than to embarrass, delay, or burden a third person, in violation of MRPC 4.4; engaged in conduct involving dishonesty, fraud, deceit, misrepresentation or violation of the criminal law, where such conduct reflects adversely on the lawyer's honesty, trustworthiness,

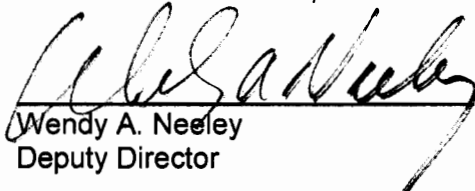
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or fitness as a lawyer, in violation of MRPC 8.4(b); engaged in conduct that violated Michigan's forgery statute, MCR 750.248; failed to answer the Requests for Investigation, in violation of MCR 9.104(7), MCR 9.113(A) and (B)(2). Respondent was also found to have violated MCR 9.104(1)-(5); and MRPC 8.4(a) and (c).

The panel ordered that respondent be disbarred from the practice of law in Michigan effective November 13, 2019. Costs were assessed in the amount of \$2,676.04.



Wendy A. Neeley
Deputy Director