

NOTICE OF SUSPENSION AND RESTITUTION
(By Consent)

Case No. 99-64-GA; 99-122-GA

Issued: March 3, 2000

Kurt D. Sanborn, P-40024, Brooklyn, Michigan, by Attorney Discipline Board
Ingham County Hearing Panel #3.

- 1) Suspension - 3 Years;
- 2) Effective February 25, 2000.

The respondent and the Grievance Administrator submitted a stipulation for consent order of discipline in accordance with MCR 9.115(f)(5). The stipulation was approved by the Attorney Grievance Commission and was accepted by a hearing panel. Respondent entered a plea of no contest to the allegations of professional misconduct contained in Formal Complaints 99-64-GA and 99-122-GA, to wit: respondent signed his client's name as seller on a title to client's vehicle without the authority or knowledge of client; misappropriated funds; failed to pay clients funds to which clients were entitled; affixed, or caused to be affixed, client's endorsement to a settlement check without client's knowledge or consent; failed to deposit and maintain funds in a trust account; commingled funds with his personal and/or business funds; failed to keep clients informed concerning the status of funds; falsely represented to a client the settlement amount of client's lawsuit; and, in response to the Attorney Grievance Commission's request for investigation, made statements known by respondent to be false at the time they were made.

Respondent's conduct was alleged to be in violation of MCR 9.103(C); 9.104(1)-(4) and (6); MCR 9.113(A), and the Michigan Rules of Professional Conduct 1.4(a) and (b); 1.15(a)-(c); 1.16(d); 8.1(a) and 8.4(a)-(c).

The parties agreed that respondent should be suspended for a period of three years and that respondent shall also make restitution to the complainants in the amount of \$26,870.00. Costs were assessed in the amount of \$981.41.