

NOTICE OF SUSPENSION AND PROBATION
(By Consent)

Case No. 99-059-GA

Michael E. Schwartz, P-43264, Ann Arbor, Michigan, by the Attorney Discipline Board, affirming an order of Washtenaw County Hearing Panel #2.

1. Suspension - 90 days.
2. Effective October 21, 1999.
3. Probation - 1 year with conditions

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 nolo contendere to the allegations contained in the Formal Complaint, to wit: that respondent was retained by a client in 1984 to represent her in claims arising from an automobile accident but that he failed to make a claim against his client's insurance company for no-fault benefits; failed to diligently pursue a suit for damages, resulting in dismissal of that lawsuit for no progress; failed to keep his client reasonably informed as to the status of the matter; and withdrew from his representation of the client without proper notice to the client and without delivering a complete file to his client's new attorney. Respondent's conduct was alleged to be in violation of MCR 9.104(1) - (4) and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a) and (b); 1.16(d); 3.2 and 8.4(a) and (c). The parties agreed that an order of suspension and probation should be entered.

The panel ordered that respondent's license be suspended for 90 days and that he be placed on probation for one year commencing with his reinstatement to the practice of law, subject to conditions relative to the alleged misconduct.

Costs were assessed in the amount of \$107.41.