

NOTICE OF SUSPENSION

(Pending Appeal)

Case Nos. 97-246-GA; 97-264-FA

Lance A. Fertig, P-27476, Lansing, Michigan, by Attorney Discipline Board
Ingham County Hearing Panel #3.

- 1) Suspension - 4 Years;
- 2) Effective September 9, 1999.

Respondent was defaulted upon his failure to file a timely answer to the formal complaint. The hearing panel denied respondent's motion to set aside the default and treated the default as an admission to the allegations in the complaint. The seven count complaint charged that respondent was retained to provide legal representation and supervision of his client's financial affairs but violated his professional and fiduciary obligations by misappropriating funds belonging to the client, failing to promptly account for his client's funds, misrepresenting the status of his client's affairs and failing to adequately protect his client's interests. The complaint also charged that respondent failed to answer to requests for investigation.

The hearing panel conducted separate hearings to determine the appropriate level of discipline. The panel ordered that respondent should be suspended from the practice of law for a period of 4 years, commencing September 9, 1999.

Respondent filed a motion for reconsideration which is pending before the hearing panel. Respondent also filed a timely petition for review which will be considered by the Attorney Discipline Board. The Board denied respondent's motion for a stay of discipline.