

NOTICE OF SUSPENSION, RESTITUTION AND PROBATION
(By Consent)

Case Nos. 98-147-GA; 98-174-FA; 99-027-GA

Martin A. Scott, P-25214, Birmingham, Michigan, by Attorney
Discipline Board Tri-County Hearing Panel #80.

- 1) Suspension - 60 Days;
- 2) Effective June 7, 1999.

Respondent was retained to pursue an employment discrimination action on the first complainant's behalf, and instituted proceedings in the United States District Court for the Eastern District of Michigan. Respondent pled no contest to allegations that he failed to provide the complainant with the interrogatories sent to him by the defendant; failed to respond to the defendant's discovery requests, causing the court to dismiss the complainant's case; failed to notify the complainant of the dismissal or make any effort to reinstate the claim despite his promise to do so; failed to keep the complainant reasonably informed regarding the status of the matter; and failed to refund any portion of the unearned \$3,500 "non-refundable" retainer fee.

Respondent was retained to pursue an employment discrimination action on the second complainant's behalf, and instituted proceedings in the United States District Court for the Eastern District of Michigan. Respondent pled no contest to allegations that he failed to provide the complainant with the interrogatories sent by the defendant; failed to respond to the defendant's discovery requests, causing the court to dismiss the complainant's case; failed to notify the complainant of the dismissal or the make any effort to reinstate the claim; failed to keep the complainant reasonably informed regarding the status of her matter; and failed to refund any portion of the \$7,000 "non-refundable" retainer fee. Respondent also failed to answer three Request for Investigation and two Formal Complaints.

Respondent pled no contest to charges that his conduct violated MCR 9.103(C); MCR 9.104(1)-(4) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4(a); 1.5(a); 1.16(d); 3.4(d); 8.1(b); and 8.4(a) and (c).

The parties stipulated that respondent be suspended from the practice of law in Michigan for a period of 60 days commencing June 7, 1999, make restitution to the second complainant in the sum of \$7,000, and be placed on probation for a period of two years commencing on the date he is automatically reinstated to

the practice of law. Costs were assessed in the amount of \$214.95.