

NOTICE OF SUSPENSION
(By Consent)

Case Nos. 98-191-GA; 98-220-FA

Theodore A. Shaner, Jr., P-31651, Clarkston, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #106.

- 1) Suspension - 180 Days;
- 2) Effective April 9, 1999.¹

Respondent was retained to represent a client in a medical malpractice/wrongful death matter. Respondent pled no contest to allegations that he abandoned his client's representation without advising her that he would no longer represent her interests; and failed to advise his client that the statute of limitations expired without him taking action on her behalf.

Respondent agreed to represent another client in a divorce matter and was paid a \$1,200 retainer fee. Respondent pled no contest to allegations that he failed to file a pleading on his client's behalf; abandoned his client's case and failed to notify his client that he would not represent his interest any further; failed to account for the \$1,200 retainer fee and failed to refund the unearned portion to his client; failed to answer the Request for Investigation; and failed to answer the Formal Complaint.

The panel concluded that respondent's 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; 1.3; 1.4; 1.5; 1.15; 8.1(b); and 8.4(a)-(c).

The parties stipulated that respondent be suspended from the practice of law in Michigan for a period of 180 days. Costs were assessed in the amount of \$99.09.

¹ Respondent has been continuously suspended from the practice of law in Michigan since February 20, 1998.