

NOTICE OF SUSPENSION AND RESTITUTION

Case No. 98-163-GA

Gary D. Hunley, P-30132, Taylor, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #34.

- 1) Suspension - 60 Days;
- 2) Effective May 15, 1999.

Respondent entered his appearance as counsel of record for the first complainant, the defendant in a civil matter. The complainant paid \$1,000 to respondent for his representation in the matter. Approximately three months later, the complainant advised respondent that he was being discharged as counsel of record in the matter. Respondent pled no contest to allegations that he neglected the matter failed to return the unearned fee and the client file to the complainant upon being discharged; appeared in court as the complainant's counsel of record on two occasions after being discharged and failed to withdraw from the complainant's representation until seven months after his discharge; and failed to answer the Request for Investigation.

Respondent was retained and paid \$300 to represent the second complainant in a child support matter. Respondent pled no contest to allegations that he neglected the matter; failed to return the unearned fee; and failed to answer the Request for Investigation.

Respondent was retained and paid \$600 to represent the third complainant in a child visitation dispute. Respondent pled no contest to allegations that he neglected the matter; failed to return the unearned fee; and failed to answer the Request for Investigation.

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(b) and (c); 1.2; 1.3; 1.4(a); 1.5(a); 1.15(b); 1.16(a)(3) and (d); 3.2; 8.1(b); and 8.4(a) and (c).

Based on the agreement of the parties, the panel ordered that respondent be suspended from the practice of law for 60 days commencing May 15, 1999; make restitution to two complainants in the total amount of \$900; and not proceed against the first complainant for any further fees. Costs were assessed in the amount of \$1,329.53.