

NOTICE OF SUSPENSION

Case Nos. 98-235-GA; 99-005-FA

Douglas A. Funk, P-43532, Flint, Michigan, by Attorney Discipline Board Genesee County Hearing Panel #1.

- 1) Suspension - 180 Days;
- 2) Effective March 30, 1999.¹

In September 1994, respondent filed a civil complaint against an insurance company on the complainant's behalf in Genesee County Circuit Court. The panel found that respondent neglected the matter by failing to serve the Summons and Complaint on the defendant, causing the matter to be dismissed for lack of service; failing to advise the defendant that he represented the complainant and failing to request wage loss benefits on her behalf; failing to keep in reasonable communication with the complainant or respond to her inquiries regarding the status of her matter; and, without notice to the complainant and without taking steps to reasonably protect her interests, abandoning her matter. Between June and August 1996, respondent provided the complainant with three checks totalling \$175 so she could purchase prescription medication. By doing so, respondent provided financial assistance to a client in pending litigation unrelated to the costs and expenses of the pending litigation. Respondent also failed to answer the Formal Complaint and failed to appear at the disciplinary hearing.

The panel concluded that respondent's conduct violated MCR 9.104(1)-(4) and (7); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4(a) and (b); 1.8(e); 3.2; 8.1(b); and 8.4(a) and (c).

The panel ordered that respondent be suspended from the practice of law in Michigan for a period of 180 days. Costs were assessed in the amount of \$310.99.

¹ Respondent was also suspended from the practice of law for failure to pay his annual dues to the State Bar of Michigan, effective February 9, 1999. That suspension remains in effect.