

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 95-30-GA; 95-93-GA

H. Wallace Parker, P-18647, Bloomfield Hills, Michigan, by the Attorney Discipline Board reducing Tri-County Hearing Panel #53's Order of Suspension (180 Days) and Restitution.

- 1) Suspension - Ninety (90) Days;
- 2) Effective August 19, 1998.

Formal Complaint 95-30-GA: The panel found that respondent directly contacted a party to litigation when he knew the party was represented by an attorney, in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 4.2 and 8.4(a) and (c).

Formal Complaint 95-93-GA: Respondent represented the complainant in a Workers' Compensation matter, and obtained a recovery of over \$100,000. Respondent continued to represent the complainant in other matters, and ultimately recommended that he invest money in one of respondent's enterprises. The complainant invested \$20,000. The enterprise ultimately went out of business and the complainant suffered a complete loss of his investment. The panel found that respondent engaged in an improper business transaction with the complainant, in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.6(b)(2); 1.7; 1.8(a); 1.14(a); and 8.4(a) and (c). The panel further found that respondent made false statements in his answer to the Request for Investigation, in violation of MCR 9.103(C); MCR 9.104(1)-(4), (6) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 8.1(a); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law for 180 days and make restitution to the second complainant in the amount of \$20,000 plus interest.

Respondent filed a petition for review and for stay of discipline. The stay of discipline was granted. On September 8, 1997, the Attorney Discipline Board issued an Order Reducing Discipline to a ninety-day suspension and affirming the restitution ordered by the panel. Respondent and the Grievance Administrator each filed an application for leave to appeal. Both were denied by the Supreme Court in an order entered July 28, 1998. Costs were assessed in the amount of \$1895.07.

