

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 98-72-GA; 98-94-FA

Gary I. Sklar, P-20557, Livonia, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #24.

- 1) Revocation;
- 2) Effective August 18, 1998.

Respondent was suspended from January 21, 1994 through July 24, 1994, for failure to pay his bar dues. The panel found, by default, that during the period of suspension, respondent prepared, signed, and filed a Motion to Remove Cause of Action on behalf of the defendant in an intrastate transfer of postjudgment divorce action in Lenawee County Circuit Court; appeared on behalf of the defendant in Lenawee County Circuit Court; and represented her at the hearing on the Motion to Remove Cause of Action. Respondent also failed to answer the Request for Investigation.

Respondent was retained by another complainant to challenge the authenticity of a Quit-Claim Deed in a decedent's estate, and requested and received \$900 for costs and attorney fees. The panel found that respondent neglected the matter; made statements to the complainant which were false and were known by him to be false at the time they were made; failed to refund the balance of the unearned costs and fees paid, totalling \$557; and failed to answer the Request for Investigation.

Respondent was retained to represent another complainant in a landlord/tenant matter, and requested and received a \$390 fee. The panel found that respondent neglected the matter; failed to notify the complainant of his suspension and subsequent revocation of his license to practice law, both effective November 15, 1996; failed to make arrangements for the complainant to pick up her client file; failed to refund the unearned balance of the attorney fee in the amount of \$275; and failed to answer the Request for Investigation. Respondent also failed to answer the Formal Complaints and failed to appear at the disciplinary hearing.

Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4), (7) and (9); MCR 9.113(A) and (B)(2); MCR 9.119(E); MCL 600.916; MSA 27A.916; and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4; 1.5(a); 1.16(d); 3.2; 5.5(a); 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent's license to practice law be revoked for the third time, and that he make restitution to

the complainants in the total amount of \$4,729.00, and reimburse the State Bar of Michigan Client Protection Fund for any and all monies which it pays to any of the complainants in this matter. Costs were assessed in the amount of \$306.98.