

NOTICE OF SUSPENSION

Case No. 96-224-GA

David C. Anderson, P-28125, Troy, Michigan, by the Attorney Discipline Board affirming Tri-County Hearing Panel #55's Order of Suspension.

- 1) Suspension - Thirty (30) Days;
- 2) Effective April 25, 1998.

Respondent was retained by an insurance company to defend a civil suit initiated by a policy holder for recovery of insurance proceeds associated with the destruction by fire of the policy holder's business. The panel found, by a preponderance of the evidence, that respondent failed to promptly correct the deposition testimony of an insurance company investigator which was false and which respondent knew to be false, and failed to take prompt remedial action in order to rectify the consequences of the false testimony. Respondent's conduct was found to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 3.3(a)(2) and (4); and 8.4(a)-(c). The panel ordered that respondent be suspended from the practice of law for thirty days.

The Grievance Administrator and the respondent each filed a petition for review. On November 26, 1997, the Attorney Discipline Board issued an order remanding the matter to the panel to issue a supplemental report articulating the factors considered in imposing discipline. The panel's supplemental report was filed on December 23, 1997. On April 3, 1998, the Board issued an Order Affirming Order of Suspension. Costs were assessed in the total amount of \$2812.25.

