

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 97-240-GA; 97-263-FA

Barry E. Solomon, P-20772, Berkley, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #82.

- 1) Revocation;
- 2) Effective February 7, 1998.

Respondent was retained by the complainants to represent them in a claim to be filed against a corporation seeking to recover their substantial investments, and received approximately \$35,000 for costs associated with the litigation. The panel found, by default, that respondent neglected the matter; made statements to the complainants which were false and were known by him to have been false at the time they were made; made statements to the Attorney Grievance Commission which were false and were known by him to have been false at the time they were made; failed to cooperate in the investigation of the Requests for Investigation; commingled and misappropriated funds belonging to the complainants; and failed to answer the Formal Complaints. Respondent also 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), (6) and (7); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.2(a); 1.3; 1.4; 1.15(a)-(c); 3.2; 8.1(a) and (b); and 8.4(a)-(c).

The panel ordered that respondent's license to practice law be revoked, and that he make restitution to the complainants in the amount of \$35,000. The panel also retained jurisdiction for the purpose of determining whether additional sums of restitution may be appropriately ordered, based on any additional evidence of same that the Grievance Administrator may acquire. Costs were assessed in the amount of \$332.88.

Respondent filed a petition for review and petition for stay of discipline. The petition for stay was denied. On March 13, 1998, the Attorney Discipline Board entered an Order Dismissing Respondent's Petition for Review for respondent's failure to file the required brief in support of his petition.

