

NOTICE OF SUSPENSION AND RESTITUTION

Case No. 97-171-GA

Dennis E. Moffett, P-17863, Madison Heights, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #71.

- 1) Suspension - Thirty (30) Days;
- 2) Effective December 11, 1997.

Respondent was retained and paid a \$1,000 retainer fee to represent the complainant, who was the defendant in a civil matter in 37th District Court. The respondent and the complainant entered into a written agreement for respondent's representation of the complainant in the district court action, in which the respondent agreed that, "[I]n the event [the complainant] is required to pay \$7,545 or more to [the plaintiff], the \$1,000 attorney fee will be refunded to [the complainant]." Respondent entered a plea of no contest to allegations that he neglected the matter; and failed to refund the \$1,000 to the complainant, despite the fact that the judgment entered against the complainant was more than \$7,545.

Respondent entered a plea of no contest to charges that his conduct violation MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4(a); 1.5; 1.15(b); 3.2; and 8.4(a)-(c).

The panel ordered that the respondent be suspended from the practice of law for thirty days and make restitution to the complainant in the amount of \$1,100. Costs were assessed in the amount of \$369.73.

