

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 97-212-GA; 97-249-FA

Kevin D. Cosgrove, P-39985, Royal Oak, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #74.

- 1) Suspension - One Year;
- 2) Effective March 9, 1998.¹

Respondent was retained to probate a decedent's estate, and was appointed personal representative of the estate. Respondent admitted that he neglected and abandoned the matter; took a \$2,000 fee without notice to the interested parties or court approval; failed to refund the unapproved fee; and failed to answer the Request for Investigation.

The panel concluded that respondent's conduct violated MCR 9.103(C); MCR 9.104(1)-(4) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4(a) and (b); 1.15(a) and (b); 1.16(d); 3.2; 8.1(b); and 8.4(a) and (c).

The panel ordered that respondent be suspended from the practice of law in Michigan for one year effective March 9, 1998, and make restitution to the estate in the sum of \$2,500. Costs were assessed in the amount of \$791.54.

¹ Respondent has been continuously suspended from the practice of law in Michigan since June 20, 1996.