

## NOTICE OF SUSPENSION

Case Nos. 97-87-GA; 97-124-FA

Barry D. Herbach, P-25375, Grand Rapids, Michigan, by  
Attorney Discipline Board Kent County Hearing Panel #3.

- 1) Suspension - Forty-Five (45) Days;
- 2) Effective November 4, 1997.

Respondent was retained to represent the complainant in a business matter in which he agreed to send a letter to another business that was using the complainant's registered d/b/a name.

The panel found, by default, that respondent neglected the matter and knowingly made false statements in his answer to the Request for Investigation. Respondent pled no contest to allegations that he failed to answer Formal Complaint 97-87-GA.

Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4), (6) and (7); MCR 9.113(A); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4(a); 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law in Michigan for forty-five days. Costs were assessed in the amount of \$690.63.

