

NOTICE OF SUSPENSION

Case Nos. 96-290-GA; 97-21-FA

Wayne Woodford, P-41832, Taylor, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #2.

- 1) Suspension - Ninety (90) Days;
- 2) Effective June 11, 1997.

The complainant retained respondent to represent him in a personal injury matter. Respondent was suspended from the practice of law in Michigan for three years effective June 6, 1994, in Case No. 94-42-GA.1. As of June 6, 1994, the complainant was respondent's active client.

The panel found, by default, that respondent neglected the matter; abandoned the representation; failed to comply with the terms of his Order of Suspension regarding the complainant's matter; failed to notify the complainant of his receipt of a settlement check; affixed the complainant's name to the check without authority; failed to promptly account for or deliver to the complainant the funds to which he was entitled; after depositing the check into his IOLTA account, withdrew all the funds resulting in misappropriation; commingled the complainant's funds with his own; and failed to answer the Formal Complaints.

Respondent's conduct was found to be in violation of MCR 9.104(1)-(4) and (7) and Michigan Rules of Professional Conduct 1.1(c); 1.2(a); 1.3; 1.4; 1.15(a)-(c); 1.16(a) and (d); 3.2; 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law for ninety days. The panel declined to order restitution to the complainant, finding that the evidence established that even before an appeal was undertaken, the expenses of litigation exceeded the amount of the settlement check. Costs were assessed in the amount of \$689.25.

1. That suspension remains in effect.