

NOTICE OF SUSPENSION

Case No. 96-237-GA

Jon H. Ringelberg, P-19454, Clare, Michigan, by Attorney Discipline Board Midland County Hearing Panel #2.

- 1) Suspension - Thirty (30) Days;
- 2) Effective August 29, 1997.

Respondent represented the defendants, a committee to recall an elected official and its treasurer, in a defamation action. The plaintiff claimed that the defendants had published a defamatory letter about her. The panel found, by a preponderance of the evidence, that respondent failed to disclose to the defendants that he had authored the letter at issue, or to advise the defendants of the impact of this on his ability to represent them; he accepted the representation and filed an appearance on the defendants' behalf despite his authorship of the letter which rendered him a potential defendant and a likely witness; although the issue of authorship was raised by opposing counsel, he failed to disclose to the court that he had written the letter; and, despite the conflict of interest, he continued to represent the defendants for approximately six months.

Respondent's conduct was found to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.4(a) and (b); 1.7(b); 1.16(a); 3.7(a); and 8.4(a)-(c).

The panel concluded, by majority, that respondent should be suspended from the practice of law for thirty days. The dissenting panelist would have imposed a reprimand. Costs were assessed in the amount of \$1550.71.