

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 96-245-GA; 96-273-FA

Gary F. Murg, P-18087, Detroit, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #26.

- 1) Revocation;
- 2) Effective March 15, 1997.

Respondent was retained to represent the first complainant in business negotiations with a corporation. The corporation sent respondent a \$20,000 check to reimburse the complainant for expenses, which respondent deposited into his business checking account. The panel found, by default, that respondent failed to deposit and maintain the funds in a trust account; commingled client funds with personal funds; failed to notify the complainant of his receipt of the funds; failed to promptly pay to the complainant the funds to which he was entitled; withdrew the funds from his account and misappropriated them; entered into an improper business transaction with the complainant; and failed to answer the Request for Investigation.

The second complainant retained respondent to act as corporate attorney and chairman of a newly formed business. A business account was opened, and respondent was a named signatory on the account. The panel found, by default, that respondent commingled client funds with personal funds; failed to pay to the business the funds to which it was entitled; withdrew funds in excess of \$30,000 from the account and misappropriated them; and failed to answer the Request for Investigation. Respondent also failed to answer the Formal Complaints and failed to attend the disciplinary hearing.

Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.7(b); 1.8(a)(1)-(3); 1.15(a)-(c); 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent's license to practice law be revoked and that he make restitution to the complainants in the total amount of \$60,000 plus interest. Costs were assessed in the amount of \$210.49.

NOTE: Respondent's license to practice law in Michigan was also revoked effective October 20, 1995.