

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 96-120-GA; 96-146-FA

Gary I. Sklar, P-20557, Livonia, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #73.

- 1) Revocation;
- 2) Effective March 14, 1997.

Respondent was retained to represent the plaintiff in a divorce action and received a \$1,305 fee for the representation. The plaintiff later discharged respondent and notified him of the termination in writing. The panel found, by default, that respondent neglected the matter, resulting in his discharge; despite his knowledge that he had been discharged and that the plaintiff had retained other counsel, he filed a complaint for divorce; listed himself as the plaintiff's attorney on the complaint; caused service of the complaint on the defendant; failed to inform the plaintiff that he filed the complaint and served it on the defendant, and failed to take any action to dismiss the case or to remove himself as the plaintiff's attorney; sent a billing statement to the plaintiff charging her for alleged services totalling \$1,000, which included a purported \$112 filing fee although no action had been filed at that time and he no longer had any authority to file an action on her behalf; attempted to charge the plaintiff for unauthorized services performed after he was discharged; and, although he failed to perform the services for which he was retained resulting in his discharge, he failed to return the unearned fees to the plaintiff or her representative.

Respondent's conduct was found to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4(a) and (b); 1.5(a); 1.15(b); 1.16(d); 3.3(a)(1); and 8.4(a)-(c).

The panel ordered that respondent's license to practice law be revoked and that he make restitution in the amount of \$615. Costs were assessed in the amount of \$609.80.

NOTE: Respondent has been continuously suspended from the practice of law in Michigan since November 15, 1996.