

NOTICE OF SUSPENSION

Case No. 95-76-GA

Thomas W. DePrekel, P-31223, Saginaw, Michigan, by the Attorney Discipline Board vacating Saginaw County Hearing Panel's Order of Reprimand With Conditions.

- 1) Suspension - Ninety (90) Days;
- 2) Effective April 23, 1997.

Respondent filed a third party automobile negligence action on a client's behalf. Respondent admitted that he failed to file a pre-trial statement as ordered by the court, resulting in the dismissal of the case; failed to re-file the matter or otherwise seek to protect his client's interests; misrepresented to his client that the case had settled for \$30,000 and that a bank money order in the amount of \$18,623.65 came from settlement proceeds; and failed to inform his client that the \$18,623.65 came from respondent's own monies. 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; and 8.4(a)-(c). The panel ordered that respondent be reprimanded and attend ethics and law office management courses.

The Grievance Administrator filed a petition for review. In an order entered March 21, 1996 (amended March 26, 1996), the Attorney Discipline Board entered an order vacating the panel's Order of Reprimand With Conditions and imposing a ninety-day suspension.

The Grievance Administrator and the respondent each filed an application for leave to appeal, which were denied by the Michigan Supreme Court in orders entered April 1, 1997. The suspension is deemed to be effective April 23, 1997.

Costs were assessed in the total amount of \$602.21.