

## NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 96-186-GA; 96-210-FA

Basil W. Brown, P-11261, Highland Park, Michigan, by  
Attorney Discipline Board Tri-County Hearing Panel #4.

- 1) Suspension - three (3) years;
- 2) Effective January 7, 1997.

Respondent was retained to represent the complainant in claims against her employer and her union. She gave respondent a cashier's check in the amount of \$1,500 for future legal services. The panel found, by default, that respondent negotiated and deposited \$1,300 of the cashier's check proceedings into his personal checking account; deducted \$200 in proceedings from the cashier's check; withdrew the remaining client funds entrusted to him from his checking account; failed to institute legal proceedings; failed to advise his client of his inaction; failed to reasonably respond to his client's inquiries; failed to promptly return to his client the unearned funds to which she was entitled; failed to account for the funds; failed to promptly return the client file upon demand; abandoned the representation; failed to answer the Request for Investigation; and failed to answer the Formal Complaint. Respondent also failed to appear at 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 1.1(c); 1.2(a); 1.3; 1.4; 1.15(a)-(c); 1.16(d); 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law in Michigan for three years and make restitution to the complainant in the amount of \$1,500. Costs were assessed in the amount of \$295.92.

NOTE: Respondent has also been suspended from the practice of law for non-payment of his annual dues to the State Bar of Michigan since January 29, 1996.