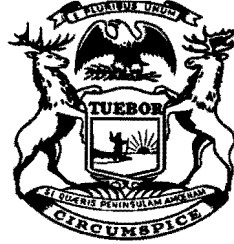


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**NOTICE OF SUSPENSION AND RESTITUTION WITH CONDITION**  
**(By Consent)**

Case No. 18-137-GA

**Notice Issued: July 24, 2019**

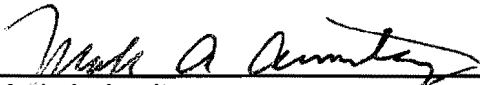
Gary E. Apps, P 46306, Kalamazoo, Michigan, by the Attorney Discipline Board Calhoun County Hearing Panel #1.

Suspension - 179 Days, Effective July 5, 2019

The respondent and the Grievance Administrator filed a Stipulation for Consent Order of Discipline, in accordance with MCR 9.115(F)(5), which was approved by the Attorney Grievance Commission and accepted by the hearing panel. The stipulation contained respondent's admissions to the allegations that he committed acts of professional misconduct when he was hired to pursue the collection of past due rent for several rental homes which his client managed. The formal complaint alleged that respondent failed to notify the client that he received funds for two specific properties, placed those funds into his business account rather than an IOLTA account, did not distribute the funds due to the client and misappropriated client monies.

Based upon respondent's admissions and the stipulation of the parties, the panel found that respondent failed to keep a client reasonably informed regarding the status of a matter, in violation of MRPC 1.4(a); failed to promptly notify a client when funds in which the client has an interest in are received, in violation of MRPC 1.15(b)(1); and failed to hold property or funds of a client separate from the lawyer's own funds, in violation of MRPC 1.15(d). Respondent was also found to have violated MCR 9.104(2).

In accordance with the stipulation of the parties, the hearing panel ordered that respondent's license to practice law in Michigan be suspended for 179 days, that he be required to pay restitution in the amount of \$659.94, and that attend the Tips and Tools seminar offered by the State Bar of Michigan, in the Spring of 2019. Costs were assessed in the amount of \$797.42.

  
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Mark A. Armitage  
Executive Director