

NOTICE OF SUSPENSION AND RESTITUTION

Case No. 96-58-GA

John P. Ogurek, P-18430, Bingham Farms, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #83.

- 1) Suspension - five (5) years;
- 2) Effective January 3, 1997.

Respondent was retained by an insurance company to pursue collection of insurance subrogation claims. Over a ten-year period more than 1,800 claims were assigned to respondent for collection purposes. Respondent admitted that he neglected the matters; falsely led his client to believe that he was actively pursuing collection efforts; falsely billed and collected over \$115,000 for costs and expenses which were not incurred; failed to promptly return over 800 files to his client upon demand; and failed to return the funds paid for alleged costs and expenses which were not incurred and had been paid based on his false representations.

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; 1.5(a); 1.15(b); 1.16(d); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law for five years and make restitution to the insurance company in the amount of \$94,267.67. Costs were assessed in the amount of \$815.26.