

## NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 95-161-GA; 95-230-GA

Gary I. Sklar, P-20557, Livonia, Michigan, by the Attorney Discipline Board consolidating and increasing the discipline imposed by Tri-County Hearing Panel #30 and Tri-County Hearing Panel #23.

- 1) Revocation;
- 2) Effective November 15, 1996.

Respondent represented the personal representative in a decedent's estate. Respondent admitted that he deposited \$8,000 in estate funds into a non-client trust account; failed to maintain the funds in trust; commingled and misappropriated approximately \$6,000; failed to timely answer the Request for Investigation; failed to disclose his misappropriation of the funds; and made false statements in his answer to the Request for Investigation. Respondent's conduct was found to be in violation of MCR 9.103(C); MCR 9.104(1)-(4), (6) and (7); MCR 9.113(A) and (B)(2); and Michigan Rules of Professional Conduct 1.15(a) and (b); 8.1(a) and (b); and 8.4(a)-(c). Tri-County Hearing Panel #30 ordered that respondent be placed on probation for two years; maintain a client trust account with a co-signor; and make full restitution to the estate. Costs were assessed in the amount of \$915.95.

Respondent was retained to represent the defendant in a criminal matter. The panel found that respondent neglected the matter, resulting in his discharge. Respondent stipulated that he failed to refund the unearned \$3,000 fee. The defendant's mother filed a lawsuit against respondent for return of the fee. Respondent was suspended from the practice of law for non-payment of bar dues from January 21, 1994 to July 25, 1994. Respondent stipulated that on July 1, 1994, he gave false testimony concerning the status of his license to practice law. 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; 1.5(a); 1.15(b); 1.16(d); 3.2; 3.3(a)(1); and 8.4(a)-(c). Tri-County Hearing Panel #23 ordered that respondent be suspended for two years and make restitution in the amount of \$3,000. Costs were assessed in the amount of \$1,173.

The Grievance Administrator filed petitions for review and a motion for consolidation. The motion for consolidation was granted by the Attorney Discipline Board. Respondent failed to appear for the review hearing on March 27, 1997. In an order entered April 1, 1997, the Attorney Discipline Board entered an order increasing discipline in the consolidated matters to

revocation, effective November 15, 1996, and affirming the restitution ordered by the panels.

NOTE: Respondent's license to practice law in Michigan was also revoked effective March 14, 1997.