

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 96-239-GA; 96-266-FA; 96-264-GA; 97-3-FA

Martin D. Pavlock, P-41305, Troy and Grosse Pointe Park, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #57.

- 1) Revocation;
- 2) Effective August 23, 1996.

Respondent was retained to represent the first complainant in the sale of a business. The purchaser entrusted respondent with a \$20,000 cashier's check as a deposit which was to be held in escrow pending the closing on the sale. The panel found, by default, that respondent failed to deposit and maintain the funds in a trust account; commingled client funds with his own; failed to pay to the complainant, or any interested third party, the funds to which they were entitled; misappropriated the \$20,000; failed to answer the Request for Investigation; and failed to answer the Formal Complaints.

The second complainant retained respondent to institute civil litigation. The panel found, by default, that respondent neglected the matter; failed to release the complainant's file upon request; failed to answer the Request for Investigation; and failed to answer the Formal Complaints.

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(a) and (b); 1.15(a)-(c); 1.16(d); 8.1(b); and 8.4(a)-(c).

Based on the agreement of the parties, the panel ordered that respondent's license to practice law be revoked effective August 23, 1996, the effective date of the Order of Revocation and Restitution in Case Nos. 96-141-GA; 96-158-FA. The panel further ordered respondent to make restitution to the first complainant in the amount of \$20,000 plus interest, and to return the second complainant's file. Costs were assessed in the amount of \$339.62.