

NOTICE OF REVOCATION
(By Consent)

Case Nos. 96-131-GA; 97-34-GA

Richard H. Puzzuoli, P-41162, Detroit and Birmingham, MI, by
Attorney Discipline Board Tri-County Hearing Panel #11.

- 1) Revocation;
- 2) Retroactive to January 4, 1996.

A corporation issued a draft in the amount of \$100,000 made payable to respondent to hold in trust pending the consummation of a real estate transaction. Respondent pled no contest to allegations that he misappropriated the funds and made representations to complainant which were false and were known by him to have been false at the time they were made. Respondent was retained by the same corporation in a dispute with another company. The matter was settled in his client's favor in the amount of \$7,600. The company forwarded to respondent five drafts totalling \$7,600 made payable to respondent's client. Respondent pled no contest to allegations that he failed to advise his client of his receipt of the funds; affixed his client's endorsement to the checks without its knowledge or consent; commingled and misappropriated the funds; and made a statement in his answer to the Request for Investigation which was false and was known by him to be false when it was made.

The second complainant retained respondent to represent him in a real estate matter, which was settled for \$5,750. The opposing party forwarded to respondent a draft in the amount of \$5,750 made payable to complainant and respondent. Respondent pled no contest to allegations that he failed to advise complainant of his receipt of the funds; affixed complainant's endorsement to the check without his knowledge and consent; failed to keep complainant informed concerning the status of the funds; and misappropriated the funds.

Respondent's conduct was alleged 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 1.1(c); 1.4(a) and (b); 1.15(a) and (b); 1.16(d); 8.1(b); and 8.4(a)-(c).

The parties stipulated that respondent's license to practice law be revoked retroactive to January 4, 1996, and run concurrent with the Order of Revocation and Restitution in Case No. 95-207-GA. The stipulation also set forth that no restitution was required because all claims have been resolved between respondent and complainants. Costs were assessed in the amount of \$203.81.