

NOTICE OF REPRIMAND  
(By Consent)

Case No. 95-9-GA

James T. Adams, P-23963, Ann Arbor, Michigan, by Attorney  
Discipline Board Washtenaw County Hearing Panel #4.

- 1) Reprimand;
- 2) Effective February 21, 1996.

Respondent represented the seller in a real estate transaction. In connection with the transaction, he received five drafts made payable to his client in the total amount of \$41,149.40. He admitted he failed to deposit and maintain the funds in a trust account and failed to hold the monies separate from his own. Regarding separate real estate transactions between respondent's corporation and his client, respondent admitted that he failed to disclose to his client any potential or actual conflict of interest arising from the transactions and failed to advise his client to seek the advice of independent counsel concerning the wisdom and propriety of entering into the transactions. A township instituted an action against respondent's corporation and his client alleging an ordinance violation of one of the properties. Respondent's corporation thereafter filed a cross complaint against his client. Respondent admitted that during his representation of the client, he filed a lawsuit against the client concerning the client's use of the properties.

Respondent's conduct was alleged to be in violation of MCR 9.104(1)-(4); Michigan Rules of Professional Conduct 1.2(a); 1.4(b); 1.7(a)and(b); 1.8; 1.9(a)and(b); 1.15(a)and(b) and 8.4(a)-(c); and Canons 1, 5 and 9 of the then-applicable Code of Professional Responsibility, DR 1-102(A)(1),(3)-(6); DR 5-104(A); and DR 9-104(A)and(B). The parties stipulated that respondent be reprimanded. Costs were assessed in the amount of \$1,412.85.

The complainant filed a petition for review, which was dismissed for his failure to file the required brief in support of petition for review.