

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 95-1-GA; 95-21-FA

Raymond J. Barton, P-39201, Lansing, Michigan, by Attorney Discipline Board Ingham County Hearing Panel #2.

- 1) Suspension - nine (9) months;
- 2) Effective April 26, 1995.

Respondent failed to answer the Formal Complaint and failed to appear at the hearing held in Lansing on February 28, 1995. Respondent's default was entered, and the panel determined that the default established the allegations of the Formal Complaint.

Respondent was retained to represent a client in claims against his former employer for retirement benefits. The panel found, by default, that although respondent wrote to the employer on his client's behalf, he thereafter failed to take any further action in the matter; failed to advise his client of his inaction or to respond to numerous inquiries from him concerning the status of the matter; falsely advised his client that he had filed suit against his former employer, that hearings were being held and that the case was close to resolution; failed to comply with his client's demands for the return of documentation entrusted to him; and failed to answer the Request for Investigation.

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); 1.3; 1.4; 1.15(b); 1.16(d); 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law in Michigan for a period of nine months and make restitution to the complainant in the amount of \$370. Costs were assessed in the amount of \$270.24.