

NOTICE OF REPRIMAND AND RESTITUTION
(By Consent)
Case No. 94-131-GA

Gregory G. Justis, P-27148, Petoskey, Michigan, by Attorney Discipline Board Cheboygan County Hearing Panel #2.

- 1) Reprimand;
- 2) Effective February 14, 1995.

The respondent and the Grievance Administrator filed a stipulation for consent order of discipline pursuant to MCR 9.115(F)(5), which was approved by the hearing panel and the Attorney Grievance Commission.

Respondent represented a witness who testified before a grand jury investigating drug trafficking. In that testimony, the witness implicated another person in drug trafficking activity. A felony complaint was later filed against the witness for possession of cocaine, and respondent represented him in the criminal proceedings. The witness/defendant pled guilty to possession of cocaine. Consideration for the plea agreement included his cooperation with the drug trafficking investigation. While representing the witness/defendant, respondent was retained to represent the person the witness/defendant had implicated in drug charges flowing from the grand jury investigation.

Respondent admitted that, at the time he accepted the representation of the second defendant, he was still representing the first defendant whose testimony was a basis for the charges against the second defendant; and failed to withdraw from the second defendant's case when his continued representation would result in an ethical violation.

Respondent's conduct was alleged to be in violation of MCR 9.104(1)-(4); and Michigan Rules of Professional Conduct 1.7(a)and(b); 1.16(a)(1); and 8.4(a)-(c).

The parties stipulated that respondent be reprimanded and that he make restitution in the amount of \$3,500 to the complainant. Costs were assessed in the amount of \$47.22.