

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 94-182-GA; 94-194-FA

Matthew J. Beer, P-44422, Detroit, Michigan, by Attorney
Discipline Board Tri-County Hearing Panel #101.

- 1) Suspension - three (3) years;
- 2) Effective January 16, 1995.

Respondent failed to answer the Formal Complaint, appeared at the hearing held in Clinton Township on November 15, 1994, but failed to appear at the hearing held on January 16, 1995. Respondent's default was entered, and the panel determined that the default established the allegations of the Formal Complaint.

The panel found misconduct had been established as follows: Two counts of failure to refund unearned fees; one count of failure to cooperate with an Attorney Grievance Commission investigation; three counts of client neglect and failure to communicate with clients; two counts of making false representations to clients; one count of failure to answer a Request for Investigation; one count of making a false statement to a tribunal; one count of failure to release a client file upon demand; two counts of making false statements in answer to Requests for Investigation; and one count of signing his partner's name on a check made payable to himself without permission, negotiating that check, and misappropriating the proceeds.

Respondent's conduct was found 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); 1.2(a); 1.3; 1.4; 1.5(a); 1.15(b); 1.16(d); 3.2; 3.3(a)(1)and(2); 3.4(c); 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent be suspended from the practice of law in Michigan for three years effective January 16, 1995, the date of the aggravation/mitigation hearing, and that he make restitution to three of the complainants in the total amount of \$2,750 plus interest. Costs were assessed in the amount of \$514.32.