

NOTICE OF REVOCATION AND RESTITUTION
(By Consent)
Case No. 94-134-GA; 94-164-FA

Stephen E Morgan, P 24871, Jackson, Michigan by Attorney
Discipline Board Washtenaw County Hearing Panel #3.

- 1) Revocation;
- 2) Effective October 5, 1994.

The respondent and the Grievance Administrator filed a stipulation for consent order of revocation and restitution which was approved by the Attorney Grievance Commission and accepted by a hearing panel in accordance with MCR 9.115(F)(5). The respondent admitted the charges in two formal complaints that he was retained in November 1992 to institute eviction proceedings, that he failed to take action on his client's behalf, misrepresented the status of the case to his client and failed to refund the unearned fees which had been paid; failed to represent his client diligently in a real estate action in which he was retained in January 1993 and stipulated to the entry of a default judgment against his client without her knowledge and consent; neglected a separate real estate matter entrusted to him in April 1991, failed to appear for a hearing and failed to inform his clients that their case had been dismissed; failed to make mortgage payments on his clients' behalf although funds had been entrusted to him for that purpose and misappropriated those funds; made false statements to his clients concerning his use of their funds and the status of the legal proceedings involving their real property; failed to notify his clients of his suspension from the practice of law as the result of a prior discipline order; failed to answer five Requests for Investigation and failed to answer a formal complaint.

The respondent's conduct was alleged to be in violation of MCR 9.103(C); MCR 9.104(1-4,7); MCR 9.113(A); MCR 9.113(B)(2) and the Michigan Rules of Professional Conduct 1.1(c); 1.3; 1.4; 1.15(b); 1.16(d); 3.2; 8.1(b) and 8.4(a-c).

In accordance with the stipulation of the parties, the respondent's eligibility to file a petition for reinstatement in accordance with MCR 9.123(B) is conditioned upon restitution to five complainants in the total amount \$8346.81. Costs were assessed in the amount of \$259.07.