

NOTICE OF MODIFIED DISCIPLINE

Case No. 94-43-GA

A David Laudani, P 16446, Eastpointe, MI by the Attorney Discipline Board modifying a hearing panel order of revocation.

- 1) Suspension - five years;
- 2) Effective August 31, 1994.

The respondent petitioned for review of a hearing panel order of revocation and restitution entered July 7, 1994. (See Notice of Revocation and Restitution Pending Appeal issued August 31, 1994). The hearing panel found that the respondent's failure to commence probate proceedings during the fifteen months following his retention, failure to keep his client informed of the status of the probate matter, his referral of the matter to another attorney without his client's knowledge and consent, respondent's false statements to his client, and the procuring of a false witness to a will constituted violations of MCR 9.104(1-4) and the Michigan Rules of Professional Conduct 1.4(a) and 8.4(a-c). The panel ordered restitution to the respondent's client in the amount of \$375.45.

Following review proceedings prompted by the respondent's petition for review, the Attorney Discipline Board modified the discipline imposed by the panel by vacating the order of revocation and ordering that the respondent's license to practice law be suspended for five years. The Board specifically noted in its order the substantial weight in aggravation to be given to the respondent's deliberate destruction of documentary evidence which the panel had ordered him to produce. Costs were assessed in the amount of \$1464.55.