

NOTICE OF SUSPENSION

Case Nos. 93-192-GA; 93-208-FA

Ben D. Tubergen, P-31396, Hudsonville, Michigan, by Attorney Discipline Board Kent County Hearing Panel #3.

- 1) Suspension - two (2) years;
- 2) Effective January 18, 1994.

Respondent failed to answer the formal complaints, but appeared at the hearing held in Grand Rapids on November 8, 1993. Respondent's default was entered, and the panel determined that the default established the allegations of the formal complaint.

Respondent was retained to represent three clients in a land contract forfeiture matter, but failed to respond to the inquiries of his clients concerning the status of the matter; failed to institute any proceedings on behalf of his clients; 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 the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; 3.2; 8.1(b); and 8.4(a)and(c).

Costs were assessed in the amount of \$236.43.

NOTE: Respondent's license to practice law in Michigan has been suspended continuously since March 10, 1993.