

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 93-83-GA; 93-112-FA

Michael A. Braboy, P-27254, Detroit, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #24.

- 1) Suspension - five years;
- 2) Effective September 14, 1993.

Respondent failed to answer the formal complaints and failed to appear at the hearing held in Detroit on August 10, 1993. Respondent's default was entered, and the panel determined that the default established the allegations of the formal complaints.

Respondent was retained to represent a client in civil litigation to be instituted against an insurance company for failure to pay an insurance claim, but failed to institute litigation within the one year statutory period following the denial of his client's claim; failed to advise the insurance company of his representation of the client or to contact the insurance company on her behalf; failed to return his client's telephone calls; failed to keep his client advised of the status of her matter; knowingly made false statements to his client; 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); MCR 9.113(B)(2); and Michigan Rules of Professional Conduct 1.1(a)-(c); 1.3; 1.4; 3.2; 8.1(b); and 8.4(a)-(c).

The panel ordered that respondent's license to practice law in Michigan be suspended for five years, and that he make restitution to his client for the full amount of proven fire loss which was the subject matter of the insurance claim which the insurance company failed to pay.

Costs were assessed in the amount of \$115.68.