

NOTICE OF SUSPENSION

Case Nos. 91-59-GA; 91-84-FA; 91-101-GA; 92-8-GA; 92-27-FA

David Piontkowsky, P33584, Grosse Pointe, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #54.

- 1) Suspension - six (6) months;
- 2) Effective July 3, 1992.

The hearing panel found that the following acts of professional misconduct were established by stipulations, admissions and pleadings of no contest.

Formal Complaint 91-59-GA

Respondent was retained in an employment discrimination matter, but failed to schedule a pretrial conference as ordered by the court; failed to advise his client of a court date; failed to prosecute the case, causing it to be dismissed; failed to take any action to have the case reinstated; delayed in advising his client of the dismissal; failed to keep his client informed concerning the status of the matter; and made a false statement in his answer to the request for investigation.

Respondent was retained regarding a petition for change of custody, but failed to appear for a Friend of the Court interview and two hearings; failed to advise his client of a Friend of the Court interview and two court dates; failed to respond to a motion; failed to keep his client informed concerning the status of the matter; made a misrepresentation to the Friend of the Court; and made a false statement in his answer to the request for investigation.

Respondent filed suit on behalf of a client, but failed to comply with the court's discovery order; failed to keep his client informed concerning the status of the matter; failed to file a timely claim of appeal; filed a delayed application for appeal which was dismissed as untimely; and failed to respond to a supplemental information request from the Attorney Grievance Commission.

Respondent was appointed to represent the plaintiff in a civil rights action, but failed to prosecute the action; failed to keep his client informed concerning the status of the matter; and failed to respond to a supplemental information request from the Attorney Grievance Commission.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4,6); MCR 9.113(A); the Michigan Rules of Professional Conduct,

1.1(c); 1.3; 1.4(a,b); 8.1(a,b); 8.4(a-c); and Canons 1, 6 and 7 of the Code of Professional Responsibility, DR 1-102(A)(1,4-6); DR 6-101(A)(3); DR 7-101(A)(1-3).

Formal Complaint 91-84-FA

Respondent failed to timely answer Formal Complaint 91-59-GA in violation of MCR 9.104(1,2,4,7); and the Michigan Rules of Professional Conduct 8.1(b); 8.4(a,c).

Formal Complaint 91-101-GA

Respondent filed an appeal on behalf of a client with the U.S. Court of Appeals, Sixth Circuit, but failed to file an appellate brief on his client's behalf, causing the appeal to be dismissed for lack of prosecution; failed to keep his client informed concerning the status of the matter; and failed to answer the request for investigation.

Respondent was retained in a divorce matter, but failed to take appropriate steps to resolve the custody issue; failed to specify the terms of child visitation in the judgment of divorce; failed to keep his client informed concerning the status of the matter; and failed to answer the request for investigation.

Respondent's conduct was found to be in violation of 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); 1.2; 1.3; 1.4(a,b); 8.1(b); 8.4(a,c).

Formal Complaint 92-8-GA

Respondent was retained to represent a defendant in a criminal appeal, but failed to file an appellate brief; failed to take any action to remove the appeal from the no progress docket; failed to keep his client informed concerning the status of the appeal; failed to refund the unearned portion of the \$5000 retainer fee; failed to answer the request for investigation; and made a false and misleading statement in other correspondence with the Attorney Grievance Commission.

Respondent's conduct was found to be in violation of 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; 1.16(d); 3.2; 8.1(a,b); 8.4 (a,c).

Formal Complaint 92-27-FA

Respondent failed to answer Formal Complaint 92-8-GA in violation of MCR 9.104(1,2,4,7); and the Michigan Rules of Professional Conduct, 8.1(b); 8.4(a,c).

Costs were assessed in the amount of \$991.68.