

## NOTICE OF SUSPENSION AND RESTITUTION

Case No. 92-59-GA

David M. Blake, P30637, Southfield, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #56.

- 1) Suspension - 120 days;
- 2) Effective June 25, 1992.

The respondent failed to answer the formal complaint but appeared at the hearing held in Detroit on Friday, April 24, 1992. Respondent's default was entered and the panel determined that the default established the allegations of the formal complaint.

Respondent was retained to represent the plaintiff in a pending odometer tampering case, but failed to file an appearance; failed to prosecute the case; failed to keep his client reasonably informed; failed to respond to the inquiries of his client's prior counsel; failed to contact the defendant or the defendant's insurance company concerning a proposed settlement; failed to refund the unearned \$150-00 fee; made false statements to his client; failed to timely answer the request for investigation; made false statements in his answer to the request for investigation; and failed to appear at the office of the Attorney Grievance Commission in compliance with a subpoena duces tecum.

Respondent was retained to represent an individual concerning an insurance claim, but failed to investigate his client's claims against the insurance company; failed to institute legal proceedings on his client's behalf; failed to respond to his client's inquiries; made a false statement to his client; failed to timely answer the request for investigation; and made a false statement in his answer to the request for investigation.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4,6,7); MCR 9.103(C); MCR 9.113(A); MCR 9.113(B)(2); the Michigan Rules of Professional Conduct, 1.1(c); 1.3; 1.4; 1.16(d); 3.2; 8.1(b); 8.4(a-c); and Canons 1, 6, 7 and 9 of the then-applicable Code of Professional Responsibility, DR 1-102(A)(1,3-6); DR 6-101(A)(3); DR 7-101(A)(1-3); DR 9-102(A). The panel ordered respondent to make restitution to one client in the amount of \$150.00. Costs were assessed in the amount of \$230.76.