

NOTICE OF SUSPENSION AND RESTITUTION

Case Nos. 91-248-GA; 91-274-FA

William T. Spencer, P26943, Detroit, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #5.

- 1) Suspension - eight months;
- 2) Effective February 28, 1992.

Respondent failed to answer the formal complaints and failed to appear at the hearings held in Detroit on January 27 and February 28, 1992. Respondent's defaults were entered, and the panel determined that the defaults established the allegations of the formal complaints.

Respondent was retained to prosecute a product liability matter, but failed to file an action on his client's behalf within the statute of limitations; failed to communicate with his client for a period of approximately four years; misrepresented to his client that he was expecting a settlement with the defendant despite the fact that he knew the case had been dismissed by the court; appealed the dismissal of his client's case without his client's knowledge or consent; failed to answer the request for investigation; and failed to appear at the office of the Attorney Grievance Commission pursuant to a subpoena duces tecum.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4,7); MCR 9.103(C); MCR 9.113(B)(2); the Michigan Rules of Professional Conduct, 8.1(b); 8.4(a,c); and Canons 1, 6 and 7 of the then-applicable Code of Professional Responsibility, DR 1-102 (A)(1,4-6); DR 6-101(A)(3); DR 7-101(A)(1-3). The panel ordered respondent to make restitution to his client in the amount of \$184.00. Costs were assessed in the amount of \$338.66.