

NOTICE OF REVOCATION AND RESTITUTION

Case Nos. 91-44-GA; 91-62-FA

Scott M. Gerich, P35621, Detroit, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #5.

- 1) Revocation;
- 2) Effective December 24, 1991.

Respondent failed to answer the formal complaint and failed to appear at the hearing held in Detroit on May 8, 1991. Respondent's default was entered and the panel determined that the default established the allegations of the Formal Complaint 91-44-GA. Formal Complaint 91-62-FA was dismissed without prejudice.

Respondent was retained in connection with both a false arrest action and a medical malpractice action, but failed to institute legal proceedings concerning either action; failed to advise his client of the status of the matters; failed to answer his client's inquiries; and failed to answer the request for investigation.

Respondent was retained to prosecute a personal injury claim, but failed to institute proceedings; failed to answer his client's inquiries; and failed to answer the request for investigation.

Respondent was retained in another personal injury action, but permitted his client's case to be dismissed; failed to take action to prevent the dismissal; advised his client that the matter was still pending when he knew that the proceedings had been dismissed; and failed to answer the request for investigation.

Respondent was retained in a divorce action, but failed to take any action to bring the matter on for a hearing; failed to answer his client's inquiries; and failed to answer the request for investigation.

Respondent was retained in another divorce action, but failed to take action on his client's behalf; permitted the case to be dismissed for lack of progress; and failed to answer the request for investigation.

Respondent was retained to prosecute another personal injury claim, but failed to take any action on his client's behalf; failed to answer his client's inquiries; and failed to answer the request for investigation.

Respondent was retained in connection with a pending legal proceeding and accepted a \$1000 retainer fee, but failed to advise his client of the status of the matter; failed to bring the matter

on for hearing; and failed to answer the request for investigation.

Respondent's conduct was found to be in violation, MCR 9.104 (1-4,7); MCR 9.103(C); MCR 9.113(B)(2); the Michigan Rules of Professional Conduct, 1.1(c); 1.2(a); 1.3; 3.2; 8.4(a-c); and Canons 1, 6 and 7 of the then-applicable Code of Professional Responsibility, DR 1-102(A)(1,5,6); DR 6-101(A)(3); DR 7-101(A) (1-3). The panel ordered respondent to make restitution to four of his clients in the total amount of \$12,297 plus interest. Costs were assessed in the amount of \$224.55.