

NOTICE OF REVOCATION

Case No. 90-186-GA

David M. Jutkowitz, P25885, Oak Park, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #31.

- 1) Revocation;
- 2) Effective January 24, 1992.

The hearing panel found that misconduct was established by a preponderance of the evidence. Respondent was retained to prosecute a personal injury matter, but failed to file suit on his client's behalf for approximately three years; failed to appear for a deposition; failed to advise his client of the deposition; failed to advise his client of an independent medical examination; and failed to keep in adequate communication with his client. Respondent was suspended from the practice of law for a period of 90 days effective July 25, 1988, but failed to withdraw as attorney of record from the above personal injury matter; failed to notify his client of his suspension; failed to take action to protect his client; and failed to pay costs assessed in the disciplinary matter.

Respondent's conduct was found to be in violation of MCR 9.104 (1-4,8); the Michigan Rules of Professional Conduct, 1.1(c), 1.2(a), 1.3, 5.5(a); 8.4(a,c); and Canons 1, 2, 3, 6 and 7 of the then-applicable Code of Professional Responsibility, DR 1-102(A) (1,3-6); DR 2-106(A); DR 3-101(B); DR 6-101(A)(3); DR 7-101(A) (1-3). The hearing panel considered respondent's extensive disciplinary history in determining the level of discipline imposed. Costs were assessed in the amount of \$583.40.