

## NOTICE OF SUSPENSION

ADB 110-89; 137-89

Eugene Ostrowe, P24307, Walled Lake, Michigan, by the Attorney Discipline Board affirming a hearing panel order of suspension.

- 1) Suspension - 120 days;
- 2) Effective March 29, 1991.

Respondent failed to answer the formal complaint, but appeared at the hearing held in Bloomfield Hills on October 3, 1989. Respondent's default was entered, and the hearing panel determined that the default established the allegations of Formal Complaint 110-89. Formal Complaint 137-89 was dismissed without prejudice. Respondent's license to practice law in Michigan was suspended automatically for failure to pay disciplinary costs assessed in a previous matter effective October 15, 1988. While his license was suspended, respondent appeared in the 46th District Court on behalf of a defendant. Respondent also failed to notify a client of that suspension and failed to return the unused retainer fee to that client. Respondent's conduct was found to be in violation of MCR 9.104(1-4); Canons 1 and 2 of the Code of Professional Responsibility, DR 1-102(A)(4,5); DR 2-110(A)(3); and MRPC 1.16(d); MRPC 5.5 of the Michigan Rules of Professional Conduct.

Respondent filed a petition for review seeking a reduction of the discipline imposed. In an order dated June 29, 1990, the Attorney Discipline Board affirmed the hearing panel order of suspension. Respondent filed an application for leave to appeal with the Michigan Supreme Court, which was denied in an order dated March 29, 1991. Costs were assessed in the amount of \$412-93.