

NOTICE OF SUSPENSION

Case Nos. 90-172-GA; 90-188-FA

James A. O'Toole, P24856, Mount Clemens, Michigan, by Attorney Discipline Board Tri-County Hearing Panel #102.

- 1) Suspension - three years and one day;
- 2) Effective February 20, 1991.

The respondent failed to answer the formal complaints and failed to appear at the hearing held in Mount Clemens on January 9, 1991. Respondent's defaults were entered and the panel determined that the defaults established the allegations of the formal complaints. Respondent was retained to collect compensation allegedly due from a former employer, but failed to file a judgment on his client's behalf and abandoned the litigation without notice, failed to respond to his client's inquiries and failed to answer the request for investigation. In a separate matter, respondent was retained to appeal a denial of disability benefits, but failed to respond to his client's inquiries, failed to provide any services on behalf of his client and failed to answer the request for investigation. 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) and Rules 1.1(c); 1.3; 1.4(a); and 8.4(a-c) of the Michigan Rules of Professional Conduct. Costs were assessed in the amount of \$226.16.