

## NOTICE OF SUSPENSION

ADB 101-89; 129-89

Donald L. Lambright, P27187, Quincy, Michigan, by the Attorney Discipline Board affirming a hearing panel order of suspension.

- 1) Suspension - 119 days;
- 2) Effective December 28, 1990.

The respondent failed to answer the first formal complaint, but appeared at the hearing held in Detroit on August 7, 1990. Respondent's default was entered and the panel determined that the default, as well as the admissions of the respondent, established the allegations of the formal complaints. Respondent entered into a loan transaction with a client, borrowing a total of \$164,000. In violation of his duties, respondent failed to make a full and fair disclosure to his client of his financial condition at the time of the loan, failed to advise his client to consult another attorney and/or financial consultant of her own choosing regarding the wisdom and/or propriety of the loan to the respondent, failed to make a full and fair disclosure of his intended use of the loan proceeds, and failed to provide his client with appropriate security for repayment. Respondent's conduct was found to be in violation of MCR 9.104(1-4,7) and Canons 1 and 5 of the Code of Professional Responsibility, DR 1-102(A)(1,4-6); DR 5-101(A); DR 5-104(A). In reaching its decision of the level of discipline to be imposed, the panel considered respondent's prior unblemished disciplinary record and his repayment of the funds involved. The panel concluded, by majority, that the respondent's license to practice law in Michigan should be suspended for a period of 119 days. A dissenting panel member would impose a suspension of 120 days or more. Costs were assessed in the amount of \$551.50.

The Grievance Administrator filed a petition for review seeking an increase in the discipline imposed. In an order dated April 15, 1991, the Attorney Discipline Board affirmed the hearing panel order of suspension.