

NOTICE OF SUSPENSION

Case Nos. 90-12-GA; 90-34-FA

James A. O'Toole, P-24856, Mount Clemens, Michigan, by
Attorney Discipline Board Tri-County Hearing Panel #103.

- 1) Suspension - 180 days;
- 2) Effective July 6, 1990.

The respondent failed to answer the formal complaints and failed to appear at the hearing held in Mount Clemens on April 12, 1990. Respondent's defaults were entered and the hearing panel determined that the defaults established the allegations of the formal complaints.

Respondent was retained to represent the plaintiffs in a class action, but failed to notify the plaintiffs of his receipt of interrogatories and motions, failed to answer the interrogatories or motions, failed to respond to the plaintiffs' inquiries regarding their case, abandoned the plaintiffs' cause of action, failed to take any steps to withdraw from the litigation, failed to return important original documents in his possession, 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); 1.15(b); 1.16(d); and 8.4(a,c) of the Michigan Rules of Professional Conduct. Costs were assessed the amount of \$156.20.