

NOTICE OF SUSPENSION

ADB 102-89; 109-89

Mitchell Simmer, P-20486, West Bloomfield, Michigan, by
Attorney Discipline Board Oakland County Hearing Panel #12.

- 1) Suspension - 150 days;
- 2) Effective October 19, 1989.

The respondent failed to answer the formal complaints, but appeared at the hearing held in Troy on September 7, 1989. Respondent's defaults were entered and the hearing panel determined that the defaults established the allegations of the formal complaints. The respondent's license to practice law was suspended for a period of 120 days effective October 18, 1988. (ADB 130-88--see notice dated October 21, 1988.) Respondent was required by the order of suspension to notify his clients of the suspension, withdraw as attorney of record for any client in pending cases, refrain from holding himself out as an attorney in good standing authorized to practice law, and refrain from practicing law. In violation of that order, the respondent failed to notify a client of his suspension, prepared billings for that client that represented the respondent as an attorney, acted as an attorney at a real estate closing on behalf of the client, failed to remove his name and title as an attorney from signage at his office, and failed to file the required affidavit of compliance. Respondent's conduct was found to be in violation of MCR 9.104(1-4,7,8); MCR 9.119; MCL 600.916; and Rules 5.5(A) and 8.4(A,B,C) of the Michigan Rules of Professional Conduct. Costs were assessed in the amount of \$142.34.