

NOTICE OF REDUCED RECIPROCAL SUSPENSION

Case No. ADB 27-89

Eric P. von Wiegen, P23724, Schenectady, New York, by the Attorney Discipline Board reducing a hearing panel suspension of five years.

- 1) Suspension - three years;
- 2) Effective June 23, 1989.

Respondent's license to practice law in the State of New York was suspended by order of the New York Supreme Court - Appellate Division, Third Judicial Department, for a period of five years, commencing on January 18, 1989. That Court affirmed a referee's finding that respondent solicited employment as an attorney by paying an individual to recommend his services to potential clients. Respondent was charged with violations of Canons 1 and 2 of the Code of Professional Responsibility, DR 1-102(A)(3-5) and DR 2-103(B)(C).

In accordance with MCR 9.104, proof of the adjudication of misconduct in the New York disciplinary proceeding is conclusive proof of misconduct in the disciplinary proceedings in Michigan. Respondent failed to file responsive pleadings and failed to appear at a hearing in Detroit on June 6, 1989, pursuant to an order directing him to show cause why a reciprocal order of discipline should not be entered. On June 23, 1989, Wayne County Hearing Panel #13 entered an order suspending respondent's license to practice law in Michigan for a period of five years, effective on that date.

The respondent filed a petition for review seeking reduction of the discipline imposed. On review, the Attorney Discipline Board reduced the discipline imposed to a three-year suspension, concluding that the imposition of identical discipline was clearly inappropriate. Respondent also filed a motion for reconsideration, which was denied by the Attorney Discipline Board.