

## NOTICE OF REVOCATION AND RESTITUTION

ADB 59-89

Craig F. McKinnon, P-35585, Ann Arbor, Michigan, by Attorney Discipline Board Livingston County Hearing Panel.

- 1) Revocation;
- 2) Effective August 4, 1989.

The respondent admitted the allegations of the formal complaint in his answer and at the hearing held in Howell on June 8, 1989. Respondent represented a client in connection with a civil action, accepted a mediation award in favor of his client in the amount of \$10,000 and received a check for the full amount. He placed the purported endorsement of his client on that check without her prior consent, failed to preserve the identity of the client's portion of the award, failed to pay his client the amount to which she was entitled, misappropriated the funds, and gave his client a check in the amount of \$7000 which was dishonored for insufficient funds. Respondent's conduct was found to be in violation of MCR 9.104(2-5) and Canons 1 and 9 of the Code of Professional Responsibility, DR 1-102(A)(3-6) and DR 9-102(A)& (B)(1-4). The panel order Respondent to make restitution to his client in the amount of \$10,000, less respondent's actual, documented out-of-pocket expenses incurred, plus interest. Costs were assessed in the amount of \$295.40.