

NOTICE OF SUSPENSION AND RESTITUTION

ADB 226-88; 237-88

Michael G. Sewell, P-28999, Bloomfield Hills, Michigan, by
Attorney Discipline Board Oakland County Hearing Panel #25.

- 1) Suspension - one year;
- 2) Effective February 16, 1989.

The respondent failed to answer the formal complaint and failed to appear at the hearings held in Birmingham on December 12, 1988 and February 16, 1989. Respondent's default was entered and the hearing panel determined that the default established the allegations of the formal complaint. Respondent was retained to defend clients in a contract action but failed to communicate with his clients, failed to respond to his clients' inquiries, failed to promptly return his clients' file upon demand, failed to attend a scheduled deposition, failed to advise his clients of a Motion for Sanctions, and failed to appear to defend the motion. In a separate matter, the respondent delivered a check in the amount of \$40 payable to Emmet County Clerk in payment of a judgment fee and a Friend of the Court fee which was dishonored for insufficient funds. Respondent failed to answer two requests for investigation. Respondent's conduct was found to be in violation of MCR 9.104(1-5,7); MCR 9.103(C); MCR 9.113(B)(2); and Canons 1, 6 and 7 of the Code of Professional Responsibility, DR 1-102(A)(1,3-6); DR 6-101(A)(3) and DR 7-101(A)(1-3). Costs were assessed in the amount of \$232.53. The panel also ordered respondent to make restitution in the total amount of \$414.80.