

NOTICE OF SUSPENSION

ADB 245-87; 9-88; 222-88

Joseph Malfait, P-31174, St. Clair County, Michigan by the
Attorney Discipline Board St. Clair County Hearing Panel.

- 1) Suspension - 180 days;
- 2) Effective January 5, 1989.

The Respondent failed to answer two of the Formal Complaints and failed to appear at the hearing held in Port Huron on November 1, 1988. Respondent's defaults were entered, and the hearing panel determined that the defaults, as well as Respondent's answer to the first Formal Complaint, established professional misconduct. Respondent was retained to commence an action for damages against an automobile manufacturer and an automobile dealer; thereafter Respondent failed to file suit or take any action in the matter and repeatedly refused and neglected to communicate with his client concerning the status of the matter. Respondent also failed to answer two Requests 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 Canons 1, 6 and 7 of the Code of Professional Responsibility, DR 1-102(A)(1, 5, 6); DR 6-101(A)(3); and DR 7-101(A)(1-3). Costs were assessed in the amount of \$128.49.