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STATE OF MICHIGAN

# Attorney Discipline Board



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## NOTICE OF REVOCATION

ADB 174-87; 196-87

John G. Heal, Jr., P 14791, 275 E. Big Beaver, Suite 109, Troy, MI 48083 by Attorney Discipline Board Wayne County Hearing Panel #26.

- 1) Revocation;
- 2) Effective March 10, 1988.

Respondent's motion to set aside his default for failure to answer the Formal Complaint was denied. Based upon that default, the panel ruled that the allegations of misconduct were established, to wit: that Respondent commingled client funds in the amount of \$6061.79 by depositing them in his personal account and misappropriated those funds to his own use; that Respondent intentionally attempted to deceive his clients by sending to them copies of transmittal letters purporting to show that the funds in his possession had been disbursed to the proper parties when, in fact, Respondent knew that the checks accompanying those transmittal could not be honored; that Respondent failed to honor a written agreement to reimburse the misappropriated funds and to attempt to restore the legal rights of his clients; that following his retention by a client to assist in the restoration of long-term disability benefits, Respondent falsely represented to his client that he had negotiated a settlement and forwarded to her a fabricated settlement agreement; that he neglected a legal matter entrusted to him by a third client and failed to reply to her inquiries; and that Respondent failed to answer three Requests for Investigation. Respondent's conduct was found to be in violation of MCR 9.104(1-5,7), MCR 9.113(B)(2) and Canons 1, 6, 7 and 9 of the Code of Professional Responsibility, DR 1-102(A)(1,3-6); DR 6-101(A)(3); DR 7-101(A)(1-3) and DR 9-102(A)(B). Costs were assessed in the amount of \$217.69.

At Respondent's request, the hearing was adjourned for the purpose of presenting mitigating and aggravating evidence bearing upon the level of discipline. Respondent did not appear at the adjourned hearing and the panel concluded that Respondent's conduct was aggravated by a reprimand issued in 1986, by his failure to make restitution of misappropriated funds and by his failure to appear before the panel at the adjourned hearing. Respondent's license to practice law is revoked and restitution in the amount of \$6061.79 plus interest is made a specific condition of reinstatement.

  
John F. VanBolt

Dated: MAR 11 1988

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