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Attorney Discipline Board



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NOTICE OF SUSPENSION

File No. DP 197/85

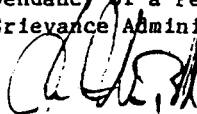
Eugene F. Williams, P22344, 93 S. Gratiot Avenue, Mt. Clemens
MI. 48043-2379 the Attorney Discipline Board Oakland County
Hearing Panel #15.

- 1) Suspension - 119 days;
- 2) Effective December 17, 1986.

In his answer to the Formal Complaint, Respondent admitted that during the course of an attorney-client relationship, he solicited from the client a loan to himself of approximately \$17,000 based upon a mortgage and mortgage note drafted by the Respondent. The Panel found that Respondent's failure to advise his client of their differing interests was aggravated by his failure to repay the borrowed money voluntarily and the resulting legal expenses and loss of interest incurred by his client. Respondent's conduct was found to be in violation of MCR 9.104(2-4) [GRC 953(2-4)] and Canons 1, 5 and 7 of the Code of Professional Responsibility DR 1-102(A)(4), DR 5-104(A), DR 7-101(A)(3) and DR 7-102(A)(3).

In mitigation, Respondent asserted that his ability to practice law competently was materially impaired and requested that probation be imposed as provided by MCR 9.121(C). The Panel considered Respondent's rehabilitation efforts in mitigation but ruled that he had not established his eligibility for probation in accordance with the court rule. The Panel also noted the aggravating effect of Respondent's prior reprimand in 1981 and a Consent Order of Probation in 1983. The Panel ordered that Respondent be suspended for 119 days and that he reimburse costs in the amount of \$209.53.

The discipline imposed is not stayed during the pendency of a Petition for Review which has been filed by the Grievance Administrator.


John F. VanBolt

Dated: DEC 18 1986