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STATE OF MICHIGAN

# Attorney Discipline Board



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## NOTICE OF REVOCATION

File No. DP 98/85

David N. Reid, P 19314, 4183 Peg Leg Court, Bloomfield Hills, MI 48013 by Attorney Discipline Board Oakland County Hearing Panel #3.

- 1) Revocation;
- 2) Effective August 22, 1986.

The Respondent, a suspended attorney, failed to Answer the Formal Complaint and failed to appear before the Hearing Panel. Based upon the Respondent's Default and its review of the exhibits offered by the Grievance Administrator, the Panel concluded that the allegations of misconduct in the six (6) Count Complaint filed by the Grievance Administrator had been established, to wit: Count I) Respondent was retained to probate a decedent's estate in December 1983 and continued to act as the Personal Representative and as the Attorney for the estate after April 10, 1984, the date of an Order suspending his license to practice law for a period of three (3) years. On April 10, 1985, the Respondent filed a Final Account which represented to the Probate Court that he held the sum of \$151,926.46 as fiduciary in certain identifiable accounts when, in fact, the balance in those accounts was \$2730.36, the difference having been misappropriated to his own use. Count II) that the Final Account filed and executed by Respondent in that estate in April 1985 was known by him to be false. Count III) that the Respondent misrepresented to the Court or to the Internal Revenue Service the amount of the attorney fees collected from that estate and that those fees were, in any event, excessive. Count IV) that Respondent filed a Petition to Commence Proceedings in another probate matter in July 1983 but failed to take further action on behalf of that estate until his suspension as fiduciary in March 1985. Count V) that in violation of the terms of the Order suspending his license in 1984, the Respondent failed to notify his clients and/or the interested parties in the above probate matters that he was no longer licensed to practice law. Count VI) that in response to a subpoena, the Respondent appeared at the office of the Attorney Grievance Commission in June 1985 and gave sworn testimony with regard to the assets of the probate estates described in Counts I and IV which was known by him to be false. Respondent was found to have violated the provisions of MCR 9.104(1-4) and Canons 1,2,6,7 & 9 of the Code of Professional Responsibility, DR 1-102(A)(4-6); DR 2-106(A)(B); DR 6-101(A)(3); DR 7-101(A)(1,3); and DR 9-102(A)(1,5,6)(B).

In light of the nature of the misconduct committed, Respondent's failure to appear to offer any mitigation and Respondent's prior discipline, (a three (3) year suspension effective April 10, 1984) the Panel concluded that the Respondent's license to practice law must be revoked. Costs were assessed in the amount \$245.88.

  
John F. Van Bolt  
AUG 22 1986

Dated: \_\_\_\_\_