

Attorney Discipline Board



WILLIAM G. REAMON, CHAIRPERSON
PATRICK J. KEATING, VICE-CHAIRPERSON
BERNADINE N. DENNING, SECRETARY
JOHN L. COTÉ
MARTIN M. DOCTOROFF
ROBERT S. HARRISON
CHARLES C. VINCENT, M. D.

JOHN F. X. DWAIHY
EXECUTIVE DIRECTOR &
GENERAL COUNSEL

SUITE 1260
333 W. FORT STREET
DETROIT, MICHIGAN 48226
TELEPHONE: (313) 963-5553

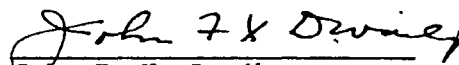
NOTICE OF SUSPENSION

File No. DP 7/84

Michael J. Kavanaugh, (P 23977), 21500 Greenfield, Suite 206, Oak Park, MI 48237, by the Attorney Discipline Board amending a Hearing Panel decision and increasing discipline.

- (1) Suspension;
- (2) For a period of sixty (60) days;
- (3) Effective November 7, 1985.

A Notice of the discipline of Reprimand was issued March 20, 1985. The Board, increasing discipline on review, affirmed the Hearing Panel findings that Respondent did not commit an intentional misappropriation of funds which occurred when an employee of his law office deposited certain funds in Respondent's professional account rather than the client trust account. However, the Board rejected the Panel finding that the client eventually acquiesced in Respondent's retention of substantial sums for the performance of unspecified, future legal services. The Board noted, in its Opinion, that although Respondent did ultimately provide services equal to the sum retained, "funds received from or on behalf of a client may be considered a fee only if there is sufficient, objective evidence of request by the client for services or client authorization of retainer".


John F. X. Dwaihy
Executive Director &
General Counsel

Dated: NOV 25 1985